

AGENDA

Paraprofessional Licensing Implementation Committee

Meeting Date: March 8, 2021
Meeting Time: 12:00pm – 2:00pm
Location: Zoom Call

Join Zoom Meeting:

<https://us02web.zoom.us/j/86106413627?pwd=YWpFWmRFRWkJmaWNQMUYOXPpSMGdqQTQ9>

Meeting ID: 861 0641 3627
Passcode: 778770

<p>1. Introduction and Welcome – (12:00pm – 12:05pm)</p>
<p>2. Approval of past minutes – (12:05pm -12:15pm)</p> <ul style="list-style-type: none">• 2/22 Implementation Committee Meeting Notes• 2/23 Regulation Workgroup Meeting Notes• 3/1 Admissions Workgroup Meeting Notes
<p>3. Revisit Work Plan and Committee Schedule – (12:15 pm – 12:30 pm)</p> <ul style="list-style-type: none">• PLIC Work Plan and Timeline Document• Revisit Full Committee meeting schedule –<ul style="list-style-type: none">○ March 22, 2021 – 12:00pm – 2:00pm –Workgroups Meet○ April 5, 2021 – 12:00pm – 2:00pm – Full Implementation Committee Meeting○ April 19, 2021 – 12:00pm – 2:00pm – Workgroups Meet
<p>4. Discussion Points for the Full Committee – (12:30 – 1:45)</p> <p>Are there additions to this list? Does the full committee want to discuss this before we head into break out rooms? What is helpful to decide now versus later?</p> <ul style="list-style-type: none">• Scope of License. What should the scope of license be?<ul style="list-style-type: none">○ LP’s role in DHS proceedings○ LP’s role in Contempt (remedial when confident requested) proceedings○ Military Divorces and Unstipulated Military Divorces

- Beal and Beal (Unregistered Domestic Partnership Cases)
- Jail/Prison access for LP when client confined
- ORS 107.718 - Family Abuse Protection Act (FAPA) Restraining Order
- ORS 30.866 - Oregon Stalking Protective Order (SPO)
- LP's role in appeals (administrative, circuit court, and appellate court)
- Postnups, Prenups, Juvenile cases, QDRO's, ORS 109.199, and Out of State Modifications
- LP's discipline reporting requirements
- **Access to free or low cost CLEs.** Options to consider include: Make the same CLEs available free to the attorneys or student learners available to the LPs; Bar materials; Preferred rates such as those offered to attorneys with less practice experience; Offer CLEs in the practice area specific topics; and Good faith efforts of those applicants who need to complete CLEs within 12 month window in advance of their application.
- **Threshold Experience Requirement.** Determine the appropriate calculation of the 1,500 hours experience requirement that a certifying attorney must confirm is substantive paralegal experience, in order to confirm competency, while considering the equity accessibility of possible candidates: "At least 80% of the time; "A majority of the time;" or Some other metric.
- **Subject Matter Experience.** Clarify whether to require specific substantive paralegal experience "in the subject matter seeking licensure" of applicants. Some proposals considered: Not requiring experience in the subject matter seeking licensure; or Requiring all of the 1,500 hours to be in the subject matter seeking licensure; or Requiring some portion of the 1,500 hours to be in the subject matter seeking licensure; or Requiring only those seeking an education waiver to have experience in the subject matter seeking licensure; or Some other metric not previously discussed.
- **Attorney Certification Letter.** Consider what potential substantive paralegal duties should be included in as tasks within the Attorney Certification Template letter that the Certifying Attorneys can use as examples (perhaps 4 or 5).
- **Admission Criteria.**
- **LP's discipline reporting requirements.**
- **Referral Service.** Will there be one and how will it impact current ethics rules?

- **Discussion Points Resolved by the Full Committee**
- **LP membership with the Bar.** Will LPs will be admitted to the Bar as Associate Members or other as yet determined membership category? This topic was discussed previously and was tabled, noting that the term Associate Member was already defined and will be addressed in the administration of the program.

- **Mandatory Reporting of Child/Elder Abuse:** The committee discussed the pros and cons of whether LPs should be mandatory reporters. There was discussion about privilege and whether LPs should also be subject to RPC 1.4. The committee determined that LPs should mandatory reporters.
- **IOLTA Accounts:** The committee discussed the pros and cons of whether LPs should be required (or allowed) to have IOLTA accounts. Topics for discussion included the different billing methods. The consensus of the group was that LPs should participate in IOLTA and be allowed to set up Trust accounts. They group further suggested that there be random automatic audits of LP trust accounts.

5. Workgroup Status Updates – (1:45 pm – 2:00 pm)

- Admissions and Education
 - [Admissions Framework Draft V6](#)
- Regulation
- Stakeholder Outreach
 - [PLIC Backgrounder](#)

6. Resources

- Review website - <https://paraprofessional.osbar.org/>

7. Other Business/Next Steps