

AGENDA

Paraprofessional Licensing Implementation Committee

Meeting Date: July 19, 2021
Meeting Time: 12:00pm – 2:00pm
Location: Zoom Call

Join Zoom Meeting

<https://us02web.zoom.us/j/86321486696?pwd=Z0E1VkxQMUxHM3pPMGNMR3RWQXZqQT09>

Meeting ID: 863 2148 6696

Passcode: 849354

1. Introduction and Welcome – (12:00 pm – 12:05 pm)

2. Approval of Past Minutes – (12:05 pm -12:10 pm)

- [6/21 Paraprofessional Implementation Committee Notes](#)

3. Overview of Report to Oregon Supreme Court – Judge Thompson (12:10 – 12:30 pm)

- [Progress Report of the Paraprofessional Licensing Implementation Committee](#)
- Examining the Pro Se Justice Gap – Innovation Attempts to Curb Troubling Numbers Oregon State Bar Bulletin, July 2021 – page 13
<https://www.osbar.org/bulletin/issues/2021/2021July/index.html>

4. Review of Next Steps For Each Workgroup – Judge Thompson (12:30 – 1:00 pm)

- **Admissions Workgroup Draft** - Designee
- **Regulation Workgroup Draft** - Designee
- **Stakeholder Outreach** - Judge Harris

5. Discussion Points for the Full Committee (1:00 pm – 2:00 pm)

- **Subject Matter Experience & Admissions Criteria.** Determine how much of the 1500 hour requirement will be specific subject matter experience in each area.
- **Scope of License – DHS Proceedings:** Judge Thompson recommended this discussion continue in the Regulation Workgroup and be sent to the Stakeholder Workgroup for stakeholder feedback. She wants the Regulation Workgroup to work on this more and create a nuanced guide path on what may be appropriate. The Regulation Workgroup will look at this in terms of how other states have dealt with it and get back with the full committee.
- **Scope of License – Contempt:** Judge Thompson suggested pushing this back into the Regulatory Committee for further discussion and a recommendation. She would like to hear more of the pros and cons and receive feedback from stakeholders. Judge Thompson said we will need to engage our stakeholders for feedback on a lot of

these issues.

- **Scope of License - Military Divorces and Unstipulated Military Divorces:** Judge Thompson said it sounds like this will require stakeholder feedback as well.
- **Scope of License - Family Abuse Protection Act Restraining Order:** The Committee believes that this is something that is a “proceed with caution” area. The sense of the Committee is if there is going to be a role, it will be a role that is limited and a need to refer if there is any criminal or juvenile issue with this. The Regulation Workgroup will have to provide a nuanced recommendation to the full committee.

6. Discussion Points Resolved by the Full Committee (Can be revisited at any time)

- **Subject Matter Experience & Admissions Criteria.** The committee agreed that 1500 hours of experience would be required for certification, some yet undetermined amount of which would be specific subject matter experience.
- **LP membership with the Bar.** 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:** 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 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.
- **Scope of License - Beal and Beal – Dissolution of a Civil Contract:** The Committee believes this would be good to exclude as they can be very complex.
- **Scope of License - Jail/Prison Access for LP When Client is Confined:** The Committee thinks that LPs should be able to meet a client who is in custody as long as it doesn't relate to their confinement and the reason why they are being confined.
- **Scope of License - Postnups, Prenups, Juvenile cases, QDRO's, ORS 109.119, and Out of State Modifications:** The Committee agrees that LPs should not be involved.
- **Stalking Protective Orders:** The Committee agreed that LPs should not be involved.
- **LP's Discipline Reporting Requirements:** The Committee agrees that an LP that has had their license suspended in another state should have to report it to Oregon.
- **Threshold Experience Requirement.** The Committee agrees on a 1,500 hours majority substantive work requirement within a 3-year timeframe
- **Attorney Certification Letter.** The Committee agrees to recommend the inclusion of a few duties as examples in the letter rather than the full list.
- **Access to free or low cost CLEs.** The Committee agrees that this is something we would like to recommend to the Board to consider as appropriate.
- **Referral Service.** The Committee agrees that this is something we would like to recommend to the Board to consider.

7. Resources

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

8. Future Meetings

- August 9, 2021 – 12:00pm – 2:00pm – Full Implementation Committee Meeting
- September 13, 2021 – 12:00pm – 2:00pm – Full Implementation Committee Meeting
- October 11, 2021 – 12:00pm – 2:00pm – Full Implementation Committee Meeting