

AGENDA

Paraprofessional Licensing Implementation Committee

Meeting Date: August 9, 2021
Meeting Time: 12:00pm – 2:00pm
Location Zoom

Join Zoom Meeting

<https://us02web.zoom.us/j/81572159788?pwd=bjdSR29tUUR0MTNWN0hQNEtTa3BoZz09>

Meeting ID: 815 7215 9788

Passcode: 464771

1. Introduction and Welcome (12:00pm – 12:05pm)	Discussion
2. Approval of Past Minutes (12:05pm – 12:10pm) <ul style="list-style-type: none">• 6/21 Paraprofessional Implementation Committee Notes• 7/19 Paraprofessional Implementation Committee Notes	Action
3. General Discussion (12:10pm – 12:30pm) <ul style="list-style-type: none">• Supreme Court Progress Report	Discussion
4. Updates from Workgroups (12:30pm – 1:30pm) <ul style="list-style-type: none">• Admissions – Linda Odermott• Regulatory – Robin Wright• Outreach - Judge Harris	Discussion
5. Next Steps (1:30pm – 2:00pm) <ul style="list-style-type: none">• Review and consideration of Outreach One-Pager<ul style="list-style-type: none">○ Proposed Oregon Paraprofessional Licensing Program - One Pager• How to Measure Success<ul style="list-style-type: none">○ Reduce the Justice Gap?○ Reduce number of self-represented litigants?○ Lower cost services as compared to lawyers?	Action / Discussion
6. Discussion Points Resolved by Full Committee (Can be revisited at any time) <ul style="list-style-type: none">• 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.• Attorney Certification Letter: The Committee agrees to	Inform

recommend the inclusion of a few duties as examples in the letter rather than the full list.

- **IOLTA Accounts:** The consensus of the Committee 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.
- **LP 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.
- **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:** The Committee determined that LPs should mandatory reporters and be subject to RPC 1.4.
- **Referral Service:** The Committee agrees that this is something we would like to recommend to the Board to consider.
- **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 – Contempt:** The Committee recommendation is that remedial contempt when confinement is requested will be outside the scope of practice for LPs. Any other contempt, yes but if refinement is requested, no.
- **Scope of License – DHS Proceedings:** The Committee recommendation is that an LP would be able to help with a domestic relations case that is related or consolidated with juvenile court, but not the actual juvenile court case.
- **Scope of License – Family Abuse Family Abuse Protection Act Restraining Orders:** The Committee recommendation is that these cases will be outside of the scope of practice for an LP. As a standalone matter, LPs should not assist with FAPA cases. However, if there is a related family law matter, an LP should be allowed to continue to assist parties.
- **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 - Military Divorces and Unstipulated Military Divorces:** The Committee recommendation is that these cases will be outside of the scope of practice for an LP. These cases often involve the Servicemembers Civil Relief Act (SCRA) and

<p>military retirement benefits that can be extremely complex.</p> <ul style="list-style-type: none"> • 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. • Subject Matter Experience & Admissions Criteria: The Committee agrees to a minimum 1,500-hour substantive paralegal experience work requirement; adding those hours should be obtained within 3-year's of the application to ensure part-time paralegals could meet this requirement. <ul style="list-style-type: none"> ○ Admissions further recommends applicants seeking licensure in domestic relations obtain 1/3 of the requisite 1,500 hours of substantive paralegal experience, or 500 hours, within the subject matter seeking licensure within 3-year's of the application. ○ Admissions further recommends applicants seeking licensure in landlord/tenant and evictions obtain 1/6 of the requisite 1,500 hours of substantive experience, or 250 hours, within the subject matter seeking licensure within 3-year's of the application. ○ Admissions recommends that multiple "endorsements" be available, in addition to the requisite license, provided the applicant meets the subject matter experience and education requirements. The addition of multiple endorsements ensures the LP program remains viable and sustainable by providing an opportunity to increase the types of endorsements as access to justice practice areas are identified. ○ Admissions recommends evaluating additional practice areas for inclusion in the LP program in the future (such as debt collections or elder law). • Threshold Experience Requirement: The Committee agrees on a 1,500 hours majority substantive work requirement within a 3-year timeframe 	
<p>7. Resources</p> <ul style="list-style-type: none"> • Review website - https://paraprofessional.osbar.org/ 	<p>Inform</p>
<p>8. Future Meetings</p> <ul style="list-style-type: none"> • September 13, 2021 – 12:00pm – 2:00pm – Full Implementation Committee Meeting • October 11, 2021 – 12:00pm – 2:00pm – Full Implementation Committee Meeting 	<p>Inform</p>