



Paralegal Regulation by State

**Updated October 2019
NFPA Regulation Review Committee
Tom Stephenson, ILAP; Coordinator**

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Regulation by State

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Alabama	III	Alabama Rule of Professional Conduct 5.3 incorporates the standard ABA model code for Responsibilities Regarding Nonlawyer Assistants. It requires that lawyers supervise and instruct their employees and that they accept responsibility for the professional actions of their employees. However, it requires no educational or certification process for paralegals. Therefore, aspiring paralegals may pursue employment by completing educational coursework, such as a certificate program, an associate's degree or a bachelor's degree, or by finding an employer who provides on-the-job training. ¹ The 1975 Code of Alabama 6-5-572: Refers to paralegals/legal assistants/legal secretaries in the context of employment by an attorney. Specifically, it states that a legal service provider is anyone licensed or engaged to practice law in the state. ² Additionally, Rule 7.6 Professional Cards of Nonlawyers specifically states information must clearly define the role of nonlawyer as "Legal Assistant." Comments section includes paralegals specifically, among others. ³	None	<p><u>2019</u>: No update (Tom Stephenson)</p> <p><u>2017</u>: No update (Erin Melville)</p> <p><u>2016</u>: No update (Mary Ann Myskiw-Jones)</p>
Alaska	I	Restyled in April 2009 under Supreme Court Order 1680 (SCO 1680) Alaska Rule of Professional Conduct 5.3 Responsibilities Regarding Nonlawyer Assistants : Changed reference in comment from "paraprofessionals" to "paralegals" as one type of nonlawyer supervised by attorneys (See comment [1]). The rule states that lawyers must directly supervise their assistants and are responsible for their assistants' conduct. ⁴	None	<p><u>2019</u>: No update (Tom Stephenson)</p> <p><u>2017</u>: No update (Mariela Cawthon)</p> <p><u>2016</u>: No Update</p> <p><u>2015</u>: The University of Alaska at Anchorage offers ABA-approved programs for Associate, Bachelor, and Post-Baccalaureate degrees in legal studies. It is not uncommon for employers to require their paralegals to have one of these degrees and/or certification with NFPA, NALA, or NALS, but so far there is no state-wide requirement or licensing. Sarah Ovsak, President Alaska Association of Paralegals.</p> <p><u>2011</u>: Alaska Association of Paralegals solicited support from Fairbanks Legal Assistant Association for their voluntary Alaska Registered Paralegal program through the Alaska Bar Rules. Proposal was presented to the Alaska Bar Association in September 2011, but no</p>

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				additional information was provided as to the outcome of the proposal (styled as Paralegal Regulation Rule 44-2). Proposal was for voluntary Alaska Registered Paralegal through Alaska Bar Rules (overseen by AK Supreme Court).
Arizona	I	<p>Arizona Rules of Professional Conduct 5.3 incorporates the standard ABA model code for Responsibilities Regarding Nonlawyer Assistants.⁵ C. "Legal assistant/paralegal" means a person qualified by education and training who performs substantive legal work requiring a sufficient knowledge of and expertise in legal concepts and procedures, who is supervised by an active member of the State Bar of Arizona, and for whom an active member of the state bar is responsible, unless otherwise authorized by supreme court rule.</p> <p>Rule 31 of Rules of the Supreme Court of Arizona, V. Regulation of the Practice of Law⁶</p>	Certification of Legal Document Preparers. ⁷	<p><u>2019</u>: Supreme Court of Arizona adopted Admin. Order 2018-111, creating the state's Task Force on Delivery of Legal Services, which recommends changes for legal document preparers and access to justice focus. Finalized a Report and Recommendations⁸ on October 4, 2019 recommending: 1) develop a tier of nonlawyer legal service providers to provide limited legal services to clients; 2) initiate a Licensed Legal Advocate Pilot Program to expand legal services to domestic violence survivors through new nonlawyer legal service provider; and 3) advance and encourage courts to establish positions and programs where nonlawyers are available to provide direct person-to-person legal information to self-represented litigants about court processes and self-help services. The most sweeping recommendation of the task force was the elimination of the professional-conduct rules that prohibit lawyers and nonlawyers from co-owning businesses that engage in the practice of law.</p> <p><u>2017</u>: No update found.</p> <p><u>2016</u>: No update found.</p> <p>Arizona Code of Judicial Administration Section 7-208 – Legal Document Preparer⁹</p> <p><u>2005</u>: Effective July 1, 2005, Legal Document Preparers must complete 10 hours of CLE annually. Effective July 1, 2006, LDP must take an examination.¹⁰</p> <p><u>2003</u>: Supreme Court of Arizona adopted § 7-208 of the Arizona Code of Judicial Administration regarding "Legal Document Preparers" effective July 1, 2003. This code requires anyone preparing legal paperwork without an attorney's supervision must be certified as a legal document preparer. Legal document preparers can provide general legal information but can't give legal advice.</p>
Arkansas	II	Arkansas Rule of Professional Conduct 5.3 incorporates the standard ABA model code for Responsibilities Regarding Nonlawyer Assistants. ¹¹	None	<p><u>2019</u>: No update (Tom Stephenson)</p> <p><u>2017</u>: No update (Erin Melville)</p> <p><u>2016</u>: No update. (Mary Swift)</p>

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				<p><u>2015</u>: In 2011, the Arkansas Bar Association created the Paralegal Committee to “promote the utilization of paralegals in the Arkansas legal community. The Committee will be responsible for the education of the members of the Association and development of guidelines for the utilization of paralegals in legal service.” According to Arkansas paralegal sources, Arkansas paralegal associations work closely with this committee.¹²</p>
California	I	<p>California Business and Professions Code Section 6456-6456: "Paralegal" means a person who holds himself or herself out to be a paralegal, who is qualified by education, training, or work experience, who either contracts with or is employed by an attorney, law firm, corporation, governmental agency, or other entity, and who performs substantial legal work under the direction and supervision of an active member of the State Bar of California, as defined in Section 6060, or an attorney practicing law in the federal courts of this state, that has been specifically delegated by the attorney to him or her. Tasks performed by a paralegal include, but are not limited to, case planning, development, and management; legal research; interviewing clients; fact gathering and retrieving information; drafting and analyzing legal documents; collecting, compiling, and utilizing technical information to make an independent decision and recommendation to the supervising attorney; and representing clients before a state or federal administrative agency if that representation is permitted by statute, court rule, or administrative rule or regulation.</p> <p>(d) Every two years, commencing January 1, 2007, any person that is working as a paralegal shall be required to certify completion of four hours of mandatory continuing legal education in legal ethics and four hours of mandatory continuing legal education in</p>	<p>Document Assistants And Unlawful Detainer Assistants under CA Business & Professions Code 6400 et seq.</p>	<p><u>2019</u>: The State Bar’s Board of Trustee’s directed formation of the Task Force on Access Through Innovation of Legal Services in July 2018. In its initial report, the Board wants to propose changes on new technologies and business models used in the delivery of legal services, with a special focus on enhancing access to justice for nonlawyers.¹⁴</p> <p>In July 2019, the Board recommended a menu of options intended to expand access to legal justice, specifically 1) exceptions to current restrictions on the UPL; 2) the prospect of non-attorney ownership; and 3) entity regulation.¹⁵ The task force’s proposals would allow the sweeping changes by modifying restrictions on the unauthorized practice of law and ethics rules that ban fee sharing with nonlawyers.</p> <p><u>2017</u>: In December 2016 CAPA (California Alliance of Paralegal Associations) announced it will offer a stand alone state specific certification exam at its Leadership Conference in November 2017. The designation will be California Certified Paralegal or CCP.</p> <p>California Assembly Bill 638 was introduced that would allow paralegals to appear in immigration proceedings under an attorney’s supervision. It was passed by the House on 5/31/2017 and is in the Senate Appropriations Committee as of 8/21/2017. (mjs)</p> <p><u>2016</u>: The 2015 Report and Recommendations for Closing the Justice Gap including studying the design of a pilot program, in one subject matter, for a LLLT type program. The recommendations also include developing and piloting a court navigator program to provide volunteer assistance to pro se litigants.¹⁶</p> <p><u>2014</u>: Work of Civil Justice Strategies Task Force continues with preparation of action plan underway in October / November 2014</p>

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		<p>either general law or in an area of specialized law. All continuing legal education courses shall meet the requirements of Section 6070. Certification of these continuing education requirements shall be made with the paralegal's supervising attorney. The paralegal shall be responsible for keeping a record of the paralegal's certifications.¹³</p>		<p>November 2013: State Bar Board of Trustees approves creation of the Civil Justice Strategies Task Force, tasked to analyze the reasons for the existing “justice gap,” to evaluate the role of the legal profession in addressing the crisis, to seek the input of groups who have been working to expand access to justice to understand what efforts have worked and which have not been successful, to study creative solutions being considered in other states and other countries, and to develop an action plan with recommendations for steps that should be taken to fill the justice gap and achieve true access to justice in California.¹⁷</p> <p>March 2013: The Limited License Working Group was created on as a subcommittee of the Board Committee on Regulation, Admissions and Discipline Oversight (RAD), with the charge to explore, research and report back to the RAD Committee regarding the feasibility of developing and implementing standards for creating a limited license to practice law and/or the licensing of legal technicians.¹⁸</p> <p><u>2001</u>: The California Business and Professions Code defines and regulates “Legal document assistant” and “Unlawful detainer assistant”.¹⁹</p> <p>Definition of Legal Document Assistant does not apply to paralegals provided that the paralegal does not also perform the duties of a legal document assistant. Legal document assistants must be registered in the county in which they provide services.²⁰</p> <p>Paralegals are regulated by statute under CA Business & Professions Code 6450 et. seq. requiring mandatory compliance with educational standards, and continuing education.</p> <p><u>1993</u>: Assembly Bill 1287 proposing to register legal technicians (any nonlawyer who holds himself or herself out to the public as a legal technician, or any nonlawyer who offers to provide or who provides legal information and assistance service directly to consumers for compensation or who offers self-help legal services.</p>
Colorado	II	<p>Amended and Restated Bylaws of the Rocky Mountain Paralegal Association: A Paralegal is a person qualified through education, training or work experience to perform substantive legal work that requires knowledge of legal concepts and is customarily, but not exclusively, performed by a lawyer. This qualified</p>	None.	<p><u>2019</u>: No update (Tom Stephenson)</p> <p><u>2017</u>: No update (Erin Melville)</p> <p><u>2016</u>: Colorado does not have paralegal regulation or licensure at this time. It was brought to the attention of James Coyle, Regulation Counsel, several years ago during a meeting with members of RMPA. Mr. Coyle indicated that there was no interest in regulation or</p>

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		<p>person may be retained or employed in a traditional capacity by a lawyer, law office, governmental agency, or other entity or is authorized by administrative, statutory or court authority to perform this work; or this qualified person may be retained or employed in a non-traditional capacity, provided that such non-traditional capacity does not violate applicable unauthorized practice of law statutes, administrative laws, court rules, or case law.</p> <p>Colorado Bar Association: Legal assistants (also known as paralegals) are a distinguishable group of persons who assist attorneys in the delivery of legal services. Through formal education, training and experience, legal assistants have knowledge and expertise regarding the legal system and substantive and procedural law, which will qualify them to do work of a legal nature under the direct supervision of a licensed attorney.²¹</p> <p>Colorado Rule of Professional Conduct 5.3 incorporates the standard ABA model code for Responsibilities Regarding Nonlawyer Assistants.²²</p> <p><i>Guidelines for the Utilization of Paralegals</i> were originally drafted by the Legal Assistant Committee (now Paralegal Committee) of the Colorado Bar Association and formally approved by the Board of Governors in July 1986. The first revision was approved in 1998. The Colorado Bar Association Paralegal Committee completed its second revision, update, and attorney review, and the proposed Guidelines were reviewed by the Colorado Supreme Court Office of Attorney Regulation Counsel for the unauthorized practice of law. The Guidelines were formally approved by the Colorado Bar Association</p>		<p>licensing of paralegals for several reasons including (a) paralegals are supervised by attorneys; (b) no funds to establish an oversight office/committee; and (c) the CO Sup Ct did not believe it necessary/relevant.</p> <p>There is a subcommittee of the Colorado Bar Association, comprised mostly of attorneys, representatives of CU and DU Law Schools, Department Chair for Arapahoe Community College, and not more than four paralegals examining the LLLT to determine if that type of program can be undertaken here in CO (see RMPA Inside Reports, March 2016 for more details).</p> <p>In May 2015 Loren Brown, Esq., then-chair of the Colorado Bar Association, decided to put several CBA Committees, including the Paralegal Committee, on hiatus. Mr. Brown cited the costs and resources required by the CBA to support the Paralegal Committee as well as declining enrollment. The CBA Paralegal Committee was officially shuttered July 1, 2015.²⁵</p>

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		<p>Board of Governors at their meeting on May 17, 2008 and include descriptions for different types of paralegals (i.e. litigation, environmental, etc.).²³</p> <p>Footnote in Guidelines discusses the differences between paralegal and legal assistant titles.²⁴</p>		
Connecticut	V	<p>Connecticut Rule of Professional Conduct 5.3 incorporates the standard ABA model code for Responsibilities Regarding Nonlawyer Assistants.²⁶</p> <p>CBA Guidelines for Lawyers Who Employ or Retain Legal Assistants and Guidelines For Legal Assistants published 1/13/97 (currently only available to Connecticut Bar Association Members). Connecticut Bar Association has a Paralegal Section.²⁷</p>	None	<p><u>2019</u>: In 2018, the Connecticut Bar Association created a Task Force on the Unauthorized Practice of Law and is charged with investigating issues related to the practice of law by non-lawyers.²⁸</p> <p><u>2017</u>: No update (Erin Melville)</p> <p><u>2016</u>: In 2014 the Connecticut Bar Association Task Force on the Future of Legal Education and Standards of Admission recommended that state regulators allow for LLLT concept.</p> <p><u>2015</u>: Connecticut Judicial Branch is considering whether to permit limited non-lawyer practice by trained and certified laypersons to provide legal assistance to individuals of limited means (similar to Washington’s Limited License Legal Technicians).</p> <p><u>2013</u>: Report to the Connecticut Judicial Branch Access to Justice Commission (February 15, 2013).²⁹</p> <p><u>2011</u>: HB 6477 – An Act Concerning the Unauthorized Practice of Law by Notaries Public and the Outsourcing of Drafting, Review or Analysis of Legal Documents was referred to the Joint Committee on Judiciary on 2/24/11 and a public hearing was held on 4/8/2011. At the request of the Connecticut Alliance of Paralegal Association, NFPA prepared a response to this proposed regulation which can be found at the attached website link under Public Hearing Testimony. While the intent was to prohibit “Notorios” from practicing law and outsourcing of legal work, the legislation, as proposed, had a far greater impact on the paralegal profession in Connecticut. HB 6477 died in committee.^{30, 31}</p>

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				<p><u>2009</u> – HB-6138 – An Act Concerning the Licensing of Paralegals, died in General Law Committee.³²</p> <p><u>1993</u>: Bill (HB 5827 introduced into the state legislature providing for the state to develop licensing procedures for nonattorney operated legal document processing businesses. Defeated.</p> <p><u>No Date</u>: HB 5445 – provided for paralegals employed by Public Defendants be given the authority to administer oath.</p>
Delaware	IV	Delaware Rule of Professional Conduct 5.3 incorporates the standard ABA model code for Responsibilities Regarding Nonlawyer Assistants. ³³	Voluntary Certification through the Delaware Paralegal Association – Delaware Certified Paralegal (“DCP”)	<p><u>2019</u>: Delaware Access to Justice Civil Subcommittee prepared a final report to the Delaware Supreme Court in September 2017 which recommended Delaware devote more time to consideration of legal technician program, specifically raising “awareness of legal technicians in the Delaware legal community, consider adoption of a modified version of the Washington LLLT program, explore a regional approach to an affordable curriculum and standards for legal technicians, and consider the regulation of and rules for legal technicians.³⁴</p> <p><u>2017</u>: No update. (Vivian Luckiewicz)</p> <p><u>2016</u>: No update. (Mary Swift)</p> <p><u>2005</u>: Delaware Certified Paralegal approved by Delaware Paralegal Association on May 12, 2005. Eligibility requires either paralegal experience, education in paralegal studies, NFPA or NALA certifications, or combination of experience and formal education in another discipline. Applicants must be a member of the Delaware Paralegal Association.³⁵</p>
District of Columbia	IV	Washington D.C. Rule of Professional Conduct 5.3 incorporates the standard ABA model code for Responsibilities Regarding Nonlawyer Assistants. ³⁶	Voluntary, Virginia Registered Paralegal	<p><u>2019</u>: No update (Tom Stephenson)</p> <p><u>2017</u>: No Update (Erin Melville)</p> <p><u>2016</u>: NCAPA lists the VARP as a certification on their website. VARP was established in 2015.</p>
Florida	III	Florida Rules of Professional Conduct Rule 4-5.3 incorporates the standard ABA model code for Responsibilities Regarding Nonlawyer Assistants, and adds information regarding use of titles. ^{37, 38}	<p>Voluntary: FRP, FCP</p> <p>Via Rule 20, FRP allows for the Registered Paralegal Program (voluntary program through The Florida Bar). The Florida Registered Paralegal Program is not a</p>	<p><u>2019</u>: No update (Tom Stephenson)</p> <p><u>2017</u>: No update (Erin Melville)</p> <p><u>2016</u>: No update. (Mary Ann Myskiw-Jones)</p>

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		<p>Rule 10-2.1(b) Generally (Rules Governing the Investigation and Prosecution of the Unlicensed Practice of Law) defines Paralegal or Legal Assistant.³⁹</p> <p>Rule 20 FLORIDA REGISTERED PARALEGAL PROGRAM The purpose of Rule 20 is to set forth a definition that must be met in order to use the title paralegal, to establish the requirements to become a Florida Registered Paralegal, and to establish the requirements to maintain Florida Registered Paralegal status. This chapter is not intended to set forth the duties that a paralegal may perform because those restrictions are set forth in the Rules of Professional Conduct and various opinions of the Professional Ethics Committee. Nothing contained herein shall be deemed relevant in charging or awarding fees for legal services rendered by nonlawyers under the supervision of a member of The Florida Bar, such fees being based on the nature of the services rendered and not the title of the person rendering the services. Rule 20-2 DEFINITIONS define Paralegals, Florida Registered Paralegals, Paralegal Work and Paralegal Work Experience, Approved Paralegal Program, Employing or Supervising Lawyer, Board, and other relevant terms.</p>	<p>certifying program, but a voluntary registration program administered by the Florida Bar.⁴⁰ It defines the term “Paralegal” and allows for the professional association with the Florida Bar members.</p> <p>Voluntary Certification through Paralegal Association (Paralegal Association of Florida, Inc.): Florida Certified Paralegal (FCP) designation - is administered by Florida's only statewide paralegal association, the PAF. This is a state-specific examination for Florida Paralegals who seek to further distinguish themselves as specialists in Florida law. A prerequisite to taking this examination is having already achieved the designation of CLA/CP/ACP , RP or PP. Successful completion of this Florida-law specific certification examination entitles the paralegal to include the designation of Florida Certified Paralegal (FCP) after his/her name to distinguish them as obtaining an advanced level of competence of Florida law.⁴¹</p>	<p><u>2011</u>: HB 1149 (sponsor: Representative Steinberg) and SB 1612 (sponsored by Senator Richter) propose mandatory licensure of the paralegal profession. Detailed bills proposed by Florida Alliance of Paralegal Association stripped to bare bones from original proposal to allow oversight board to draft rules without return to legislature. Bills also introduced during tea-party governor’s “no new regulation” initiative and died in Civil Justice and Judiciary committees.^{42, 43}</p> <p><u>2007</u>, the Supreme Court of Florida adopted a voluntary program for the registration of paralegals meeting the established standard of education creating Chapter 20 of the Rules Regulating the Florida Bar. The Florida Registered Paralegal Program became effective March 1, 2008, at 12:01 a.m.^{44, 45}</p> <p><u>2006</u>, the South Florida Paralegal Association (SFPA) objected to the Florida Bar’s proposal for regulating paralegals as the proposed plan for registration is not mandatory, among other issues. SFPA participated in the oral argument held at the Florida Supreme Court in April 2007.⁴⁶ SFPA established a website for the purpose of monitoring the proposal.⁴⁷</p> <p><u>2006</u>, the FL Bar Board of Governors approves proposed Rule 20 drafted by its Special Committee to Study Paralegal Regulation to establish the Florida Registered Paralegal program. It expects to be filed with the Supreme Court of Florida in August 2006 for final action.</p> <p>April 2006 - The Florida Bar derailed the bills that would have placed paralegals under the oversight of the state Department of Business and Professional Regulation by creating the Committee to Study Paralegal Regulation. No forward movement on drafting an acceptable Rule prompts Senator Argenziano and Representative Zapata to re-submit the Paralegal Profession Act in the 2006 Legislative Session. Died in Judiciary Committee.⁴⁸ General bill by Zapata, co-sponsored by Robaina died in Committee on Business Regulation.⁴⁹</p>

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				<p>Committee work on the 2005 Bills are tabled when Representative Zapata agrees to work with the Florida Bar to create a proposal, and joins the committee to draft proposal. Paralegal Profession Act by Argenziano, died in Judiciary Committee 5/6/2005.⁵⁰ General Bill by Zapata, co-sponsored by Robaina died in Judiciary Committee.⁵¹</p> <p><u>1983</u>: The Paralegal Association of Florida (PAF) established the Voluntary Certified Florida Legal Assistant Program. In 2009, PAF changed the name of the designation to Florida Certified Paralegal (FCP.) Must be a CP to qualify for FCP exam.</p>
Georgia	III	<p>2015 Update: Ethics & Discipline / Current Rules / Part IV (After January 1 / 2001) - Georgia Rules of Professional Conduct (also includes Disciplinary Proceedings and Advisory Opinion rules) / CHAPTER 1 GEORGIA RULES OF PROFESSIONAL CONDUCT AND ENFORCEMENT THEREOF⁵²</p> <p>Georgia Rule of Professional Conduct 5.3 incorporates the standard ABA model code for Responsibilities Regarding Nonlawyer Assistants.⁵³ Rule 5.3 comment [1] states that paralegals are legal “paraprofessionals” who may be employed as non-lawyer assistants. This rule requires lawyers to supervise their assistants and to accept responsibility for the professional conduct of these assistants. Rule 5.3 does not define educational or training requirements for paralegals.⁵⁴</p>	None	<p><u>2019</u>: No update (Tom Stephenson) <u>2017</u>: No update (Erin Melville) <u>2016</u>: No update. (Mary Ann Myskiw-Jones) <u>1994</u>: The Committee to Examine the Role of Legal Assistants of the State Bar of Georgia prepared a preliminary report on the role of legal assistants.</p>
Hawaii	I	<p>Hawaii Rule of Professional Conduct 5.3 incorporates the standard ABA model code for Responsibilities Regarding Nonlawyer Assistants.⁵⁵</p>	None	<p><u>2019</u>: No update (Tom Stephenson) <u>2017</u>: Two House Resolutions (117-17⁵⁶ and 190-17⁵⁷) were introduced that would convene a working group to determine the feasibility of establishing licensing or certification requirements for paralegals. Both were referred to the Intrastate Commerce Committee and did not receive a hearing. (mjs)</p>

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				<p><u>2016</u>: 01/27/2016 – SB 2775 proposes a licensure and definition of paralegals in Hawaii under the authority of the Director of Commerce and Consumer Affairs. Bill died in committee.⁵⁸ (Linda Odermott)</p> <p><u>ND</u>: The Hawaii State Bar Association Task Force on Paralegal Certification drafted a proposal to amend the Hawaii Supreme Court Rules and Hawaii Rules of Professional Conduct to require certification of paralegals and only general supervision by attorneys. Hawaii State Bar Association rejected this mandatory paralegal certification program.</p>
Idaho	I	<p>Idaho Rule of Professional Conduct 5.3 incorporates the standard ABA model code for Responsibilities Regarding Nonlawyer Assistance. (*Rule 5.3 and Commentary amended 3-17-14 effective 7-1-14)⁵⁹</p> <p>Model Guidelines for the Utilization of Legal Assistant Services: Adopted by Idaho State Bar members during the 1992 resolution process – Advisory only, not part of rules.⁶⁰</p>	None	<p><u>2019</u>: No update (Tom Stephenson)</p> <p><u>2017</u>: No update found.</p> <p><u>2016</u>: No update.</p> <p><u>2015</u> Update: Paralegals are not specifically regulated in Idaho, so there has not been any legislation or changes regarding paralegal requirements in Idaho. Generally, paralegals fall under Idaho’s “unauthorized practice of law” statute.^{61, 62}</p>
Illinois	II	<p>Illinois Compiled Statutes: 5 ILCS 70/1.35. Paralegal. "Paralegal" means a person who is qualified through education, training, or work experience and is employed by a lawyer, law office, governmental agency, or other entity to work under the direction of an attorney in a capacity that involves the performance of substantive legal work that usually requires a sufficient knowledge of legal concepts and would be performed by the attorney in the absence of the paralegal. A reference in an Act to attorney fees includes paralegal fees, recoverable at market rates. (Source: P.A. 89-123, eff. 1-1-96.)⁶³</p>	Voluntary via Illinois Paralegal Association, Illinois Accredited Paralegal (ILAP)	<p><u>2019</u>: A task force was created in October 2019 to examine regulatory reform and increasing access to legal services, including providing opportunities for nonlawyers. The task force aims to submit recommendations regarding nonlawyer ethics rule changes to the Illinois Supreme Court by fall 2020.⁶⁴</p> <p><u>2017</u>: No updates regarding Illinois, but ILAP is administered by the Illinois Paralegal Association and individuals qualify based on education and experience requirements.⁶⁵</p> <p><u>2016</u>: It appears IPA added a new credential “Illinois Accredited Paralegal” or “ILAP.” The requirements are not readily available, so more information is not available. (mjs)</p> <p><u>2015</u> Update: In 2005 the Legal Document Preparer Act was referred to Rules Committee but died in committee.^{66, 67, 68} Additionally, the Legal Technician Licensing Act was introduced but it was defeated.⁶⁹</p>

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				The Illinois Paralegal Association has a Code of Paralegal Ethics, but adherence to the Code is voluntary as the association has no powers to discipline or sanction a paralegal who violates the Code. ⁷⁰
Indiana	III	Definition - I.C. 1-1-4-6: Attorney's fees as including paralegal's fees performed by the attorney in the absence of the paralegal. (b) A reference in the Indiana Code to attorney's fees includes paralegal's fees. As added by P.L.6-1993, SEC.1. ⁷¹ Guidelines for utilization of Non-lawyer Assistants - Sections 9.10 of the Indiana Rules of Professional Conduct, which includes Ethical Standards for Legal Assistants. ⁷² Indiana Rules of Professional Conduct Rule 5.3 incorporates the standard ABA model code for Responsibilities Regarding Nonlawyer Assistants. ⁷³	Voluntary registration – Indiana Registered Paralegal. Bar Association Ethical Rules for Paralegals.	<p><u>2019</u>: No updates (Tom Stephenson)</p> <p><u>2017</u>: No update per IPA. (mjs)</p> <p><u>2015</u> Update: The ISBA Board of Governors approved implementation of an ISBA program for paralegal registration. The target date for registration is mid-to late summer, 2015.</p> <p>September <u>2008</u>: The Indiana Supreme Court rejected Proposed Rule 2.2, which proposed the creation of the Indiana Registered Paralegal program.</p>
Iowa	II	Iowa Court Rules Chapter 32, Iowa Rules of Professional Conduct Rule 5.3 incorporates the standard ABA model code for Responsibilities Regarding Nonlawyer Assistants. ⁷⁴	None	<p><u>2019</u>: No updates (Tom Stephenson)</p> <p><u>2017</u>: No update found. Sent email to IALA.P, but did not receive a response. (mjs)</p> <p>An opinion issued by the Iowa Supreme Court Board of Professional Ethics and Conduct in September 2003 (Ethics Opinion 04-01) changed its previous prohibition from using the CLA credential as detailed in Ethics Opinions 88-05 and 88-19 to allowing the use of the title “Certified Legal Assistant” if the CLA certification by NALA had been obtained, but still prohibited the use of the CLA credential, concluding that it may still be confusing to the public.</p> <p>Ethics Opinions of Iowa State Bar are now restricted to access by registration as a guest or as a member.⁷⁵</p>
Kansas	II	Rule 226 of Rules Relating to Discipline of Attorneys - Kansas Rules of Professional Conduct 5.3 - Law Firms and Associations: Responsibilities Regarding Nonlawyer Assistance - incorporates the standard ABA model code for Responsibilities Regarding Nonlawyer Assistance. [Revised March 1, 2014] ⁷⁶	None. Bar Association utilization standards.	<p><u>2019</u>: No updates (Tom Stephenson)</p> <p><u>2017</u>: Per Megan Barrett: Unfortunately, no there is nothing new to report with regulation/certification in Kansas. We have a Paralegal Committee with the Kansas Bar Association and over the years that committee has presented to the KBA Board of Directors and the State regarding the idea of putting together a voluntary state certification exam. While everyone is definitely agreeable to an exam being put</p>

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		<p>Official Standards and Guidelines for the Utilization of Legal Assistants/paralegals in Kansas uses the following definition: A legal assistant or paralegal is a person, qualified by education, training, or work experience who is employed or retained by a lawyer, law office, corporation, governmental agency or other entity and who performs specifically delegated substantive legal work for which a lawyer is responsible. The guidelines referenced above are not publicly available, but the Kansas Bar Association publishes a brochure on regarding utilization of paralegals by attorneys.</p>		<p>together, there is a lack of funding to get anything in place at this time. We continue to promote the certification exams offered by NFPA and other national associations. (mjs)</p> <p><u>2016</u>: Kansas Supreme Court Rule 5.3 amended March 1, 2014.⁷⁷ Kansas Supreme Court Rule 5.3 doesn't define paralegals but considers "paraprofessionals" as nonlawyer assistants. The rule states that lawyers must directly supervise their assistants and are responsible for their assistants' conduct.⁷⁸</p> <p><u>2013</u>: Kansas Bar Association's Paralegals Committee providing updated information to Kansas Supreme Court regarding regulation in other states.</p> <p>In February, 2008, Kansas paralegal associations presented a voluntary certification program proposal to the Kansas Bar Board of Governors. This is still pending.</p> <p>The Kansas Bar Association adopted Official Standards and Guidelines for the Utilization of Legal Assistants/paralegals in Kansas in 2004. Although referenced, the publication link is no longer available on the website.</p>
Kentucky	III	<p>Supreme Court Rule 3.700 defines paralegal as "a person under the supervision and direction of a licensed lawyer, who may apply knowledge of law and legal procedures in rendering direct assistance to lawyers engaged in legal research; design, develop or plan modifications or new procedures, techniques, services, procedures or applications; prepare or interpret legal documents and write detailed procedures for practicing in certain fields of law; select, compile and use technical information from such references as digests, encyclopedias or practice manuals; and analyze and follow procedural problems that involve independent decisions."⁷⁹</p>	<p>Voluntary Paralegal Certification through Paralegal Association. (Certified Kentucky Paralegal, CKP)</p>	<p><u>2019</u>: No updates (Tom Stephenson)</p> <p><u>2017</u>: No update found</p> <p><u>2015</u> Update: No Change</p> <p><u>2010</u>: Certified Kentucky Paralegal Program –launched in Fall 2010 with "the purpose of . . . implement[ing] Kentucky Supreme Court Rule 3.700. The exam will be administered at least twice a year with testing dates, times and venues posted on the KPA website."⁸⁰</p>

State	Region	Definition	Type of Regulation	History
Louisiana	II	<p>The Louisiana Rules of Professional Conduct has adopted ABA Model Code for Responsibilities regarding non-lawyer assistants as Rule 5.3. It discusses a lawyer’s obligation to supervise nonlawyer assistants, disqualifications for conflict of nonlawyer assistants, job titles, and discipline should they fail their duties of confidentiality, loyalty, competence, and diligence.⁸¹</p>	<p>Voluntary through LSPA - “Louisiana Certified Paralegal” (LCP). Louisiana is one of many states in the United States that does not have a definition or any regulations concerning paralegals or legal assistants. LSPA passed a resolution that endorsed voluntary certification as a means of establishing professional standards and promoting recognition of the paralegal profession. It also declared that voluntary certification is preferred over mandatory or other voluntary methods of accomplishing voluntary certification, either national, state-specific, or both, with a requirement for continuing legal education to maintain the certification. Subsequently, LSPA determined a state voluntary certification credential should be developed and made available to all Louisiana paralegals who desire to demonstrate a comprehensive knowledge and a high degree of proficiency in Louisiana law and adherence to a Code of Ethics to enhance the quality of paralegal services available to the Louisiana legal community and to the public it serves.⁸²</p> <p>Non-attorney Notaries. Notaries can draft, prepare and execute affidavits, acknowledgements, and authentic Acts. Must transactional work that would typically be performed by an attorney in other states is permitted for notaries in Louisiana. Non-attorney notaries are subject to exam requirements.⁸³</p>	<p><u>2019</u>: No updates (Tom Stephenson) <u>2017</u>: No update (Erin Melville); Legislation pending that would requires LA notaries to contribute to the Louisiana Bar Foundation. Notably, attorneys in LA are not required to contribute and the Louisiana Notary Association opposes the legislation and has suggested voluntary contributions in the same way the bar solicits donations from attorneys. (mjs)</p> <p><u>1996</u>: The Louisiana State Paralegal Association developed a statewide voluntary paralegal certification exam: the Louisiana Certified Paralegal (LCP.). The two-part certification process includes successful completion of NALA’s CLA / CP exam as well as the LCP exam.</p>

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Maine	V	<p>Maine Rules of Professional Conduct Rule 5.3 incorporates the standard ABA model code for Responsibilities Regarding Nonlawyer Assistants.⁸⁴</p> <p>Title 4, Chapter 18: Paralegals and Legal Assistants §921 - Definitions "Paralegal" and "legal assistant" mean a person, qualified by education, training or work experience, who is employed or retained by an attorney, law office, corporation, governmental agency or other entity and who performs specifically delegated substantive legal work for which an attorney is responsible.⁸⁵</p> <p>§921 - Restriction on use of titles 1. Prohibition. A person may not use the title "paralegal" or "legal assistant" unless the person meets the definition in section 921, subsection 1. 2. Penalty. A person who violates subsection 1 commits a civil violation for which a forfeiture of not more than \$1000 may be adjudged. [1999, c. 379, §1 (NEW)]⁸⁶</p>	None	<p><u>2019</u>: No updates (Tom Stephenson) <u>2017</u>: Legislation passed in 1999 to define "legal assistant" and "paralegal" per the ABA definition. Violators are subject to a fine of up to \$1,000. (mjs)</p>
Maryland	IV	<p>Rule of Professional Conduct 5.3 incorporates the standard ABA model code for Responsibilities Regarding Nonlawyer Assistants.⁸⁷ Md. Rule 19-305.3 (2016).</p>	None	<p><u>2019</u>: No update (Tom Stephenson) <u>2017</u>: No update (Vivian Luckiewicz) <u>2016</u>: No update. (Mary Swift) <u>1988</u>: HB 1029 (defeated 1988) providing for the regulation of paralegal/legal assistant; creating a state regulatory board to review the provision of paralegal/legal assistant services.</p>
Massachusetts	V	<p>Rule of Professional Conduct 5.3 incorporates the standard ABA model code for Responsibilities Regarding Nonlawyer Assistants.⁸⁸</p>	None	<p><u>2019</u>: No updates (Tom Stephenson) <u>2017</u>: No regulation/certification found. (mjs)</p>

State	Region	Definition	Type of Regulation	History
Michigan	II	<p>Any person currently employed or retained by a lawyer, law office, governmental agency or other entity engaged in the practice of law, in a capacity or function which involves the performance under the direction and supervision of an attorney of specifically delegated substantive legal work, which work, for the most part, requires a sufficient knowledge of legal concepts such that, absent that legal assistant, the attorney would perform the tasks and which is not primarily clerical or secretarial in nature, and;</p> <ul style="list-style-type: none"> a. who has graduated from an ABA approved program of study for legal assistants and has a baccalaureate degree; or b. has received a baccalaureate degree in any field, plus not less than two years of in-house training as a legal assistant; or c. who has received an associate degree in the legal assistant field, plus not less than two years of in-house training as a legal assistant; or d. who has a minimum of four years of in-house training as a legal assistant; may upon submitting proof thereof at the time of application and annually thereafter become a Legal Assistant Affiliate Member of the State Bar of Michigan. <p>Michigan Rules of Professional Conduct Rule 5.3 incorporates the Responsibilities Regarding Nonlawyer Assistants.⁸⁹</p>	None	<p><u>2019</u>: No updates (Tom Stephenson) <u>2017</u>: No update found. (mjs) <u>2016</u>: No new information is available. <u>2015</u>: The Paralegal/Legal Assistant Section of the State Bar of Michigan provides education, information and analysis about issues of concern through meetings, seminars, this site, public service programs, and publication of a newsletter. Membership in the Section is open to qualified legal assistants and to all members of the State Bar of Michigan. <u>2012</u>: Study and request to codify the definition of the practice of law. Standing Committee of MI Bar Association prepared a draft of the proposed rule, it has not yet been adopted. <u>1990</u>: Paralegal/Legal Assistant Section of the State Bar of Michigan established.</p>
Minnesota	II	<p>"Rule of Professional Conduct 5.3 incorporates the standard ABA model code for Responsibilities Regarding Nonlawyer Assistants.⁹⁰</p> <p>"The Minnesota Paralegal Association defines a paralegal as a person qualified through education, training, or work experience to perform substantive legal work that requires knowledge of legal concepts</p>	Voluntary through Paralegal Association: Minnesota Certified Paralegal (MnCP) is a voluntary certification based on the paralegal's education and experience.	<p><u>2019</u>: Minnesota Supreme Court Chief Justice Lori Gildea issued Administrative Order ADM19-8002 in March 2019 appointing an Implementation Committee for a Legal Paraprofessional Pilot Project that will expand the role of paralegals to include giving legal advice and, possibly, appearing in Court, under the supervision of a licensed Minnesota attorney in one of three practice areas: housing, family, or debtor-creditor. The Committee's report is due in February 2020.⁹²</p>

State	Region	Definition	Type of Regulation	History
		<p>and is customarily, but not exclusively, performed by a lawyer. This person may be retained or employed by a lawyer, law office, governmental agency or other entity or may be authorized by administrative, statutory or court authority to perform this work. It is not the intent of MPA to exclude any member of the legal profession whose job duties fit the definition of paralegal but whose job title is something other than ""paralegal"". Additionally, the term ""substantive"" shall mean work requiring recognition, evaluation, organization, analysis, and communications of relevant facts and legal concepts.⁹¹</p>		<p><u>2017</u>: The MSBA Task Force recommended two forms of alternative legal models. The first is a limited licensing model similar to the LLLT in WA, with fewer education requirements and a focus on practicum. The second model mimics British Columbia's Designated Paralegals where a paralegal can "practice law" under the license of an attorney, with the potential of representing clients in court and administrative tribunals. The recommendations were voted down by the MSBA General Assembly in 2017. The Minnesota Paralegal Association is exploring ways to work with the judiciary to continue with the recommendations without support from MSBA. (mjs)⁹³</p> <p><u>2016</u>: Currently the MSBA has a task force studying alternative legal models. A recommendation will be sent to the MSBA general assembly in March 2017. (mjs)</p> <p><u>2015</u>: The Minnesota State Bar Association formed a task force to explore alternative legal services models, such as LLLT. Their recommendation is due December 2016.</p> <p><u>2014</u>: Minnesota Certified Paralegal Program adopted by the Minnesota Paralegal Association on May 13, 2014. Eligibility requirements include a combination of education and experience or NFPA certifications. Applicants must pay an application fee. MnCPs are required to obtain and report a minimum of 10 CLE credits, including 1 ethics credit every 2 years. Renewals must be made every two years.⁹⁴</p> <p><u>1994</u>: Minnesota Supreme Court ordered a study on "specialized legal assistants," but the study recommended against licensing non-attorneys to provide legal services. Minn. Stat. 481.02 reflects the expectation of the study to add the "specialized legal assistant" and exempts the "specialized legal assistant" from the Unauthorized Practice of Law, however no program was ever developed.</p>
Mississippi	III	<p>Rule of Professional Conduct 5.3 incorporates the standard ABA model code for Responsibilities Regarding Nonlawyer Assistants.⁹⁵</p>	None.	<p><u>2019</u>: No update (Tom Stephenson)</p> <p><u>2017</u>: No Update (Erin Melville)</p> <p><u>2016</u>: No update. (Mary Ann Myskiw-Jones)</p>

State	Region	Definition	Type of Regulation	History
Missouri	II	<p>A paralegal, qualified through education, training or work experience, is employed or retained by an attorney, law firm, government agency, corporation, or other entity to perform substantive and procedural legal work under the ultimate direction and supervision of an attorney or as authorized by administrative, statutory, or court authority.</p>	None	<p><u>2019</u>: No update (Tom Stephenson) <u>2016</u>: The Missouri Bar maintains an Access to Justice Committee, but it does not appear that regulation or licensing is current being studied.</p> <p><u>2015</u>: In 2003 the Southwest Missouri Paralegal Association formed a committee to draft a proposal to be presented to the Missouri Bar Association's Paralegal Committee. The Paralegal Committee drafted a proposed court rule for the attorney supervision of paralegals that was rejected by SMPA because they wanted a self-governing rule. The committee is drafting a Code of Ethics and Professional Responsibilities for Paralegals based on the Ethics Code followed by the State Bar as well as a proposal outlining education and testing for paralegals. (no citation)</p> <p><u>1991</u>: The Kansas City Association of Legal Assistants drafted a bill for the State of Missouri relating to Legal Assistants and independent Legal Technicians and their role in the delivery of legal services. (no citation)</p>
Montana	I	<p>Rule of Professional Conduct 5.3 incorporates the standard ABA model code for Responsibilities Regarding Nonlawyer Assistants.⁹⁶</p> <p>Montana Code 25-10-304. Paralegal fees as component of attorney fees. In any case or proceeding in which attorney fees are awarded to the prevailing party, the court may, as a component of the attorney fees, include reasonable fees of a paralegal, as defined in 25-10-305. History: En. Sec. 1, Ch. 443, L. 2009.⁹⁷</p> <p>Montana Code 25-10-305. Paralegal defined -- use of title. (1) As used in 25-10-304 and this section, "paralegal" means a person qualified through education, training, or work experience who is employed or retained to perform, under supervision by a licensed attorney, substantive legal work that:</p>	Statutory Regulation of Paralegal's Title, Definition, and Inclusion of Paralegal Fees	<p><u>2019</u>: No updates (Tom Stephenson) <u>2017</u>: The Montana Supreme Court issued an order dated April 11, 2017 ordering a working group to study the idea of Limited License Legal Technicians in Montana. A paralegal from the Paralegal Section of the State Bar of Montana was appointed.¹⁰⁰ (mjs)</p> <p>May 5, 2009 enacted HB 301 – An Act Including Reasonable Paralegal Fees As A Component Of Attorney Fees That May Be Awarded To A Prevailing Party In Certain Cases; Defining "Paralegal"; Amending Sections 25-10-302 And 37-61-215¹⁰¹</p> <p>In September of 1994, the Montana State Bar Board of Trustees voted to petition Montana Supreme Court to adopt rules regulating paralegals which included education and testing requirements. Supreme Court No. 94-577 was denied.</p>

State	Region	Definition	Type of Regulation	History
		<p>(a) requires a substantial knowledge of legal concepts; and</p> <p>(b) in the absence of the paralegal, would be performed by an attorney.</p> <p>(2) An individual may use the title "paralegal" if the individual:</p> <p>(a) has received an associate's degree in paralegal studies from an accredited institution or a baccalaureate degree in paralegal studies from an accredited college or university;</p> <p>(b) has received a baccalaureate degree in any discipline from an accredited college or university and has completed not less than 18 semester credits of course work offered by a qualified paralegal studies program;</p> <p>(c) has received certification by the national association of legal assistants or the national federation of paralegal associations;</p> <p>(d) has received a high school diploma or its equivalent, has performed not less than 4,800 hours of substantive legal work under the supervision of a licensed attorney documented by the certification of the attorney or attorneys under whom the work was done, and has completed at least 5 hours of approved continuing legal education in the area of legal ethics and professional responsibility; or</p> <p>(e) has graduated from an accredited law school and has not been disbarred or suspended from the practice of law by any jurisdiction.</p> <p>(3) A person may not practice as a paralegal except under the supervision of a licensed attorney and is prohibited from engaging in the unauthorized practice of law.</p> <p>History: En. Sec. 2, Ch. 443, L. 2009.^{98, 99}</p>		

State	Region	Definition	Type of Regulation	History
Nebraska	II	<p>The Nebraska Paralegal Association refers to the definition of a paralegal put forth by NALA and the ABA.</p> <p>The Nebraska Supreme Court has adopted ABA Model Code for Responsibilities regarding non-lawyer assistants as Rule 3-505.3</p>	None	<p><u>2019</u>: No updates (Tom Stephenson)</p> <p><u>2017</u>: No update found. (mjs)</p> <p><u>2015</u>: According to paralegal sources in Nebraska, no plans exist for regulating the paralegal profession in the near future. However, Nebraska paralegals are beginning to work more closely with the Nebraska Bar Association, and will collaborate in an ethics seminar regarding the ethics and the unauthorized practice of law. This seminar will be presented to attorneys and paralegals alike. (mjs)</p>
Nevada	I	<p>Nevada Rule of Professional Conduct 5.3 (formerly Supreme Court Rule 186) incorporates the standard ABA model code for Responsibilities Regarding Nonlawyer Assistants.¹⁰² State Bar of Nevada Paralegal Division.¹⁰³</p>	<p>No formal paralegal regulation. Nevada allows Legal Document Preparers who must register with the Nevada Secretary of State and meet minimal requirements.¹⁰⁴</p>	<p><u>2019</u>: No updates (Tom Stephenson)</p> <p><u>2017</u>: Legal Document Preparation Services authorized by the Nevada Legislature in 2013, effective March 2014. No other developments. (mjs)</p> <p><u>2001</u>: a Task Force was established by the State Bar of Nevada Legal Assistants Division (n/k/a Nevada Paralegal Division) to prepare a proposal on a certification program for the state's legal assistants. No update to proposal or its status available.</p> <p><u>3/10/93</u> Assembly Bill 341 defining paralegal as "a person who is not an active member of the State Bar of Nevada and who provides, or holds himself out as providing any form of legal assistance to another person for compensation." It also provides for a Paralegal Council composed of 5 licensed paralegals, 1 attorney and a representative of the public who would be responsible for administering an examination for the licensing of paralegals.</p>
New Hampshire	V	<p>Rule 35 of the New Hampshire Supreme Court Administrative Rules (Guidelines for the Utilization by Lawyers of the Services of Legal Assistants under the New Hampshire Rules of Professional Conduct) incorporates a comment referring to nonlawyer assistants as those "lay persons often designated as paralegals, legal assistants, law specialists, law clerks, law students, etc."¹⁰⁵</p>	No regulation.	<p><u>2019</u>: No updates (Tom Stephenson)</p> <p><u>2017</u>: No update found. A few articles from the bar association online discuss regulation, but no formal effort appears to exist. (mjs)</p> <p><u>2003</u>: NH Bill SB83 entitled: relative to paralegals and legal assistants. Attempting to define that paralegals and legal assistants are not licensed to practice law. NH Senate passed the bill but the House adopted the committee report of "inexpedient to legislate" which kills the bill.¹⁰⁷ NFPA submitted a response on the bill while under consideration.¹⁰⁸</p>

State	Region	Definition	Type of Regulation	History
		New Hampshire Rules of Professional Conduct 5.3 incorporates the standard ABA model code for Responsibilities Regarding Nonlawyer Assistants. ¹⁰⁶		
New Jersey	IV	New Jersey Rules of Professional Conduct 5.3 incorporates the standard ABA model code for Responsibilities Regarding Nonlawyer Assistants. ¹⁰⁹ <i>Adopted July 12, 1984 to be effective September 10, 1984; paragraph (a) amended November 17, 2003 to be effective January 1, 2004.</i>	Voluntary through the South Jersey Paralegal Association – New Jersey Certified Paralegal (NJCP).	<p><u>2019</u>: No updates (Tom Stephenson)</p> <p><u>2017</u>: No update. (Vivian Luckiewicz)</p> <p><u>2016</u>: No update. (Mary Swift)</p> <p><u>2014</u>: NFPA issues letter supporting review and expansion of New Jersey Rule of Professional Conduct 5.3 to include more specific information with regard to the paralegal profession as petitioned by the South Jersey Paralegal Association.</p> <p><u>2010</u>: South Jersey Paralegal Association launched a voluntary paralegal certification program bestowing the New Jersey Certified Paralegal (NJCP) credential on those who meet the standard of formal education and/or paralegal experience as outlined in their plan, and who are also members of their association. Continued compliance requires completion of CLE credits, and a biennial renewal.¹¹⁰ Complete application documents and a list of NJCP paralegals.¹¹¹</p> <p><u>2003</u>: the State Bar’s Board of Trustees met to discuss a registration proposal from the Bar’s Paralegal Committee and ultimately asked the Supreme Court to review and issue a recommendation on the Bar’s ability to oversee paralegals.</p> <p><u>1999</u>: The New Jersey Supreme Court denied a proposal from its special committee calling for the mandatory licensing of paralegals; however, it encouraged local associations to consider the development of a credentialing system.¹¹²</p> <p>In the early 1990s a state Supreme Court committee called for paralegal licensure but the state bar objected stating that the process was unnecessarily burdensome. In 1998, the New Jersey Supreme Court Committee on Paralegal Education and Regulation issued a report with its recommendations as to goals, standards and ethics for</p>

State	Region	Definition	Type of Regulation	History
				<p>paralegals. The Committee's recommendations were defeated by the Supreme Court in 1999. The Court held that lawyers, not the court, are responsible for supervising paralegals and that any credentialing or standards should be worked out from within the profession.</p>
New Mexico	II	<p>Rules of Professional Conduct 16-503 – Responsibilities Regarding Nonlawyer Assistants, Rules of Professional Conduct, Rule 20: Rules Governing Paralegal Services (definition at 20-102 and qualifications at 20-115).¹¹³</p> <p>20-102: Definition</p> <p>A. a "paralegal" is a person who:</p> <p>(1) contracts with or is employed by an attorney, law firm, corporation, governmental agency or other entity;</p> <p>(2) performs substantive legal work under the supervision of a licensed attorney who assumes professional responsibility for the final work product; and</p> <p>(3) meets one or more of the education, training or work experience qualifications set forth in Rule 20-115 NMRA of these rules; and</p> <p>B. "substantive legal work" is work that requires knowledge of legal concepts and is customarily, but not exclusively, performed by a lawyer. Examples of substantive legal work performed by a paralegal include: case planning, development and management; legal research and analysis; interviewing clients; fact gathering and retrieving information; drafting legal documents; collecting, compiling, and utilizing technical information to make an independent decision and recommendation to the supervising attorney; and representing clients before a state or federal administrative agency if that representation is authorized by law. Substantive legal</p>	<p>Statutory definition, Utilization guidelines, and educational standards</p>	<p><u>2019</u>: The New Mexico Supreme Court has appointed a work group to consider whether the state should allow licensed legal technicians (LLLT) to provide civil legal services, and must submit a report with recommendations by January 2020.¹¹⁵</p> <p>New Mexico Bar Association Paralegal Division Commentary on the Rules Governing Paralegal Services.¹¹⁶</p> <p>In <u>2004</u>, the state Supreme Court amended its rules to establish minimum standards for calling oneself a "paralegal" and to discourage disbarred or suspended attorneys along with those not qualified from using the title.</p> <p><u>1993</u> SB 804 proposing to authorize prescribed "legal assistant services" to be delivered directly to the public by nonlawyers.</p>

State	Region	Definition	Type of Regulation	History
		<p>work performed by a paralegal for a licensed attorney shall not constitute the unauthorized practice of law. [Approved, effective September 1981; as amended, effective April 1, 1983; January 30, 2004.] Committee commentary. — Paralegals are encouraged to meet the minimum continuing legal education requirements established for attorneys in Rule 18-201 NMRA.¹¹⁴</p>		
New York	V	<p>New York Rules of Professional Conduct 5.3: Lawyer’s Responsibility for Conduct of Nonlawyers incorporates the standard ABA model code for Responsibilities Regarding Nonlawyer Assistants. Comments specifically note nonlawyers are not subject to the rules. P 141.¹¹⁷</p>	<p>None.</p> <p>NY permits volunteer non-attorneys to appear in certain courts as “Court Navigators” subject to required training.¹¹⁸</p>	<p><u>2019</u>: In March 2019, the New York State Bar Association released an updated Report and Recommendation on Guidelines for the Utilization by Lawyers of the Service of Paralegals, recommending a Paralegal Division within the Bar Association aimed at enhancing the profession and further studying potential regulations with respect to the ethical standards and qualifications of paralegals.¹¹⁹</p> <p>The Empire State Alliance of Paralegal Associations, consisting of five (5) regional paralegal associations, voted in favor of continuing to take steps towards a voluntary regulation program. Currently working on a survey for the purpose of obtaining responses to questions concerning the direction of the paralegal profession and regulation.¹²⁰</p> <p><u>2017</u>: No update per NYCPA. (mjs)</p> <p><u>2014</u>: Access to Justice Committee chaired by New York Supreme Court Chief Judge Jonathan Lippman announces launch of pilot project, with persons called “Court Navigators” – nonlawyers trained to assist pro se litigants in Housing Court cases in Brooklyn and consumer debt cases in the Bronx and Brooklyn.¹²¹</p> <p><u>June 28, 2013</u>: New York City Bar Association Committee on Professional Responsibility publishes: Narrowing the “Justice Gap”: Roles for Nonlawyer Practitioners Task Force to Expand Access to Civil Legal Services in New York.¹²²</p> <p><u>May 2013</u>: Chief Judge Lippman forms Committee on Non-Lawyers and the Justice Gap¹²³</p>

State	Region	Definition	Type of Regulation	History
				<p><u>2012</u>: Assemblywoman Rivera prefiles Bill A0853 in 2011 for consideration in 2012 legislative session. Initial drafting was light on details, but took a unique approach by putting under Education arm of government. Many paralegal associations sought input. Rivera's office reviewed Empire State Alliance of Paralegal Association's position papers on educational standards and paralegal regulation and is still keen on pursuing paralegal regulation, but may be in a future session. A senate sponsor had not been sought at this writing.</p> <p><u>2010</u>: The Task Force to Expand Access to Civil Legal Services in New York was created by Chief Judge Jonathan Lippman to establish a comprehensive approach to providing counsel to low-income New Yorkers in civil cases.¹²⁴</p> <p><u>2010</u>: Empire State Alliance of Paralegal Associations prepares a position paper and proposal for regulation of New York paralegals under NYS Certified Paralegal program.¹²⁵</p> <p><u>2006</u>: Empire State Alliance of Paralegal Associations prepared a position paper on paralegal education standards in New York state.¹²⁶</p> <p>In <u>1997</u>, the New York State Bar Association had adopted Guidelines for the Utilization of Paralegals/Legal Assistants which included the following definition: A legal assistant/paralegal is a person who is qualified through education, training or work experience to be employed or retained by a lawyer, law office, governmental agency, or other entity in a capacity or function that involves the performance, under the ultimate direction and supervision of, and/or accountability to, an attorney, of substantive legal work, that requires a sufficient knowledge of legal concepts such that, absent such legal assistant/paralegal, the attorney would perform the task. The guidelines can no longer be found on the NY State Bar Association's website.</p>

State	Region	Definition	Type of Regulation	History
North Carolina	III	Under Subchapter G .0100.0101 – Purpose, the following definition of paralegal is found: “...by identifying individuals who are qualified by education and training and have demonstrated knowledge, skill, and proficiency to perform substantive legal work under the direction and supervision of a licensed lawyer, and including any individual who may be otherwise authorized by applicable state or federal law to provide legal services directly to the public; and to improve the competency of those individuals by establishing mandatory continuing legal education and other requirements of certification.” ¹²⁷	Voluntary certification through NC State Bar. The Plan (27 NCAC 1G) is a self-funded, voluntary certification program of the North Carolina State Bar, the regulatory agency for North Carolina lawyers. The Plan provides incentives to North Carolina paralegals to meet a minimum level of education to become a “North Carolina Certified Paralegal” and a minimum level of continuing education to maintain the certification. The Plan does not restrict the use of the term “paralegal” nor does it differentiate the services that can be provided by a certified and a non-certified paralegal. However, it does provide a much-needed benchmark to ensure paralegal competency and enhance the quality of legal services provided by North Carolina paralegals. ¹²⁸	<p><u>2019</u>: No updates (Tom Stephenson) <u>2017</u>: No Change (Erin Melville) <u>2015</u> Update: No Change</p>
North Dakota	II	North Dakota Rules of Professional Conduct 5.3 - incorporates the standard ABA model code for Responsibilities Regarding Nonlawyer Assistants, but specifically defines Legal assistant as someone who works under the direct supervision of a licensed lawyer and whose work product is the complete responsibility of the attorney. The comments also include guidelines for evaluating education, training and experience of a qualified legal assistant. ¹²⁹	None	<p><u>2019</u>: No updates (Tom Stephenson) <u>2017</u>: No changes. (mjs) <u>2015</u>: No change.</p> <p><u>Date unknown</u>: [4] The following guidelines have been recognized as helpful in evaluating the education, training or experience of a qualified legal assistant.</p> <p>1) Graduation from one of the following ABA approved legal assistant/paralegal programs: bachelor's degree, associate's degree, or a post-baccalaureate program. If not ABA approved, graduation from a legal assistant/paralegal program that consists of a minimum of 60 semester credit hours or the equivalent, of which eighteen semester credit hours are substantive legal assistant/paralegal courses.</p> <p>2) A bachelor's degree in any field, and either one-year employer training as a legal assistant/paralegal or eighteen semester credit hours of legal assistant/paralegal substantive courses.</p>

State	Region	Definition	Type of Regulation	History
				3) Successful completion of a national certifying examination that is specifically designed for legal assistants/paralegals and which includes continuing legal education for maintenance of that certification status. 4) Seven years or more of experience working as a legal assistant/paralegal who has been employer trained by and under the supervision of a lawyer.
Ohio	III	Ohio State Bar Association – Standards for Paralegal Certification defines a paralegal as: A paralegal eligible for certification is a person, qualified by education, training or work experience who is employed or retained by a lawyer, law office, corporation, governmental agency or other entity and who performs substantive legal work for which a lawyer is responsible. ¹³⁰ Ohio Rules of Professional Conduct Rule 5.3 incorporates the standard ABA model code for Responsibilities Regarding Nonlawyer Assistants. ¹³¹	Voluntary through State Bar – Ohio State Bar Association (OSBA) Certified Paralegal.	<u>2019</u> : No update (Tom Stephenson) <u>2017</u> : No update. (Vivian Luckiewicz) <u>No Date</u> : The Ohio State Bar Association (OSBA) has established a credentialing program for paralegals. Paralegals interested in earning a certification good for four years must meet educational standards stipulated by the bar association, have sufficient experience and pass an examination. The first exam was offered in March 2007. ¹³²
Oklahoma	II	Oklahoma Rules Of Professional Conduct Rule 5.3 incorporates the standard ABA model code for Responsibilities Regarding Nonlawyer Assistants. ¹³³	Paralegal Standards ¹³⁴	<u>2019</u> : No updates (Tom Stephenson) <u>2017</u> : No new update found. (mjs) <u>2015 Update</u> : The Oklahoma Bar Association Legal Assistant Services Committee drafted a legal assistant definition and minimum education and skill standards for legal assistants. <u>2013</u> Annual Report from Paralegal Committee includes recommendation for paralegal standards. See page Paralegal Committee Report pages 45-49. ¹³⁵
Oregon	I	Oregon Rules of Professional Conduct 5.3 incorporates the standard ABA model code regarding nonlawyer assistance. Amended 01/01/14. ¹³⁶	Voluntary certification via Oregon Paralegal Association (Oregon Certified Paralegal “OCP”)	<u>2019</u> : In June 2017 the OSB Futures Task Force submitted its report to the OSB Board of Governors. Among the recommendations: implementation of a paraprofessional licensing (LLLT) program in Oregon. ¹³⁷ <u>2017</u> : The Oregon Paralegal Association membership approved Oregon Certified Paralegal (OCP) program and credential at its membership

State	Region	Definition	Type of Regulation	History
				<p>meeting in November 2016. As of March 23, 2017 there are eight OCPs. (Michele Davis, CP, OCP)</p> <p><u>2016:</u> (Linda Odermott)</p> <p>11/20/15 - LEGAL OPPORTUNITIES COORDINATOR'S REPORT to the Policy and Governance Committee on Non-Lawyers includes recommendation that the Bar should continue to pursue the issue of LLLT's. Under this scheme, new lawyers could work closely with LLLT's, who would refer the new lawyer cases too complicated for the LLLT to handle. Undoubtedly, LLLT's will be working with clients who otherwise would not seek representation. The Bar could develop and implement a self-represented forms projects, housed at the Bar. This could be a money-making proposition, depending on the structure developed.</p> <p>PR Committee - The Bar should develop a campaign to assist the public in identifying when they have a legal problem and what a lawyer (or LLLT) can assist them with.¹³⁸</p> <p>11/2015 – The Oregon Paralegal Association approves the research and development of a voluntary paralegal certification program at its annual meeting. The OPA Board creates the standing Regulation Committee to research and develop and implement a voluntary paralegal certification program.</p> <p>01/08/16 - OSB BOG approves asking the Policy and Governance Committee to consider whether the Oregon State Bar should adopt regulatory objectives for Oregon similar to those proposed by the ABA Futures Commission for non-attorneys.</p> <p><u>2015:</u> Legal Technician Task Force submits final recommendation and report to the OSB Board of Governors at the February, 2015 meeting. BOG refers the report to the Governance & Strategic Planning Committee for further consideration and a recommendation on whether and how to move forward with the Task Force ideas.¹³⁹</p>

State	Region	Definition	Type of Regulation	History
				<p><u>2014</u>: OSB BOG Task Force forms subcommittees (Enabling Legislation, Client Protection, Education & Licensing, Family Law Scope, Other Practice Areas – landlord/tenant, estate planning) and reports were prepared for presentation to Oregon State Bar Board of Governors in February 2015.¹⁴⁰</p> <p><u>2013</u>: Oregon State Bar Board of Governors appoints new Limited License Legal Technician (LLLT) Task Force to:</p> <ul style="list-style-type: none"> • Study the limited licensing developments throughout the country, • Make recommendations to the Oregon State Bar Board of Governors (BOG) and the Oregon Supreme Court as to what a limited licensing scheme should look like in Oregon, and • Draft amendments to the Bar Act (Oregon Revised Statutes Chapter 9) to implement the task force proposals if approved by the BOG and Oregon Supreme Court.¹⁴¹ <p><u>1997</u>: HB 3082 was introduced addressing the licensure of paralegals. It was found that the bill was not complete with regard to educational requirements. The bill was amended and resubmitted where it died in committee.</p> <p><u>1993</u>: SB 379 nonlawyer with at least four years of experience in Immigration matters to act as an immigration consultant. The bill died in committee.</p> <p><u>1991</u>: Oregon State Bar Task Force on Legal Technicians was formed to recommend the draft plan for the regulatory program for the licensing of paralegals or legal technicians. SB 941 providing for the establishment of a State Board of Legal Technician Examiners. The bill died in committee.</p> <p>SB 1068 in the 1991 Regular Session related to legal technicians.</p>
Pennsylvania	IV	The Pennsylvania Rules of Professional Conduct have largely adopted ABA Model Code for Responsibilities regarding non-lawyer assistants as Rule 5.3.	Voluntary through the Keystone Alliance of Paralegal Associations - Pennsylvania Certified Paralegal ("Pa.C.P.").	<p><u>2019</u>: No updates (Tom Stephenson)</p> <p><u>2017</u>: No update (Vivian Luckiewicz)</p> <p><u>2016</u>: No update. (Mary Swift)</p>

State	Region	Definition	Type of Regulation	History
				<p><u>2008</u>: the Keystone Alliance started offering a voluntary certification program to those individuals who choose to become a Pennsylvania Certified Paralegal and use the designation of Pa.C.P. to provide paralegal employees and employers a benchmark of qualified individuals that are competent to provide legal services under the supervision of an attorney.¹⁴²</p>
Rhode Island	V	Rhode Island Rules of Professional Conduct Rule 5.3 incorporates the standard ABA model code for Responsibilities Regarding Nonlawyer Assistants. ¹⁴³	None	<p><u>2019</u>: No updates (Tom Stephenson) <u>2017</u>: No update found. (mjs)</p> <p>Supreme Court Provisional Order No. 18 was made effective on 2/1/1983, revised 10/31/1990, and again on 4/15/2007. It provides guidelines for the use of legal assistants by attorneys.¹⁴⁴</p>
South Carolina	III	<p>South Carolina Rules of Professional Conduct Rule 5.3 incorporates the standard ABA model code for Responsibilities Regarding Nonlawyer Assistants.¹⁴⁵</p> <p>South Carolina Judicial Department With respect to a nonlawyer employed or retained by or associated with a lawyer:</p> <p>(a) a partner, and a lawyer who individually or together with other lawyers possesses comparable managerial authority in a law firm shall make reasonable efforts to ensure that the firm has in effect measures giving reasonable assurance that the person's conduct is compatible with the professional obligations of the lawyer;</p> <p>(b) a lawyer having direct supervisory authority over the nonlawyer shall make reasonable efforts to ensure that the person's conduct is compatible with the professional obligations of the lawyer; and</p> <p>(c) a lawyer shall be responsible for conduct of such a person that would be a violation of the Rules of Professional Conduct if engaged in by a lawyer if:</p>	Voluntary through Supreme Court. South Carolina Certified Paralegals pay an annual fee of \$50 to the South Carolina Bar. They must be a Certified Legal Assistant (CLA)/Certified Paralegal (CP) or PACE Registered Paralegal (RP) to apply. Requires 12 hours of continuing paralegal education during the certification year, with one hour devoted to areas of professional responsibility or professionalism.	<p><u>2019</u>: No updates (Tom Stephenson) <u>2017</u>: No Update (Erin Melville)</p> <p><u>2016</u>: In late 2015, the Supreme Court of South Carolina adopts Rule 429 establishing a voluntary paralegal certification program.¹⁴⁶ (Mary Ann Myskiw-Jones & Maren Schroeder)</p> <p><u>2009</u>: the South Carolina Bar was trying to put forth a proposal for a voluntary paralegal registration process aimed at raising the status of Paralegals, years after a similar proposal was rejected. Palmetto Paralegal Association submitted an Initial Position Statement to the Task Force on December 11, 2008. After much consideration, the decision was made to table the proposal for this year, to be examined again at a later date.</p> <p><u>2008</u>: the Paralegal Task Force, formed by the South Carolina Bar to study the possibility of paralegal certification in South Carolina and the parameters thereof, as well as to consider the development of a law office personnel registry to aid law firms in their hiring decisions.</p> <p><u>2003</u>: the South Carolina Alliance of Legal Assistant Associations submitted a proposal for regulation of paralegals to the South Carolina Bar Association's Board of Governors which included a definition, educational standards, code of ethics and guidelines for paralegal</p>

State	Region	Definition	Type of Regulation	History
		<p>(1) the lawyer orders or, with the knowledge of the specific conduct, ratifies the conduct involved; or (2) the lawyer is a partner or has comparable managerial authority in the law firm in which the person is employed, or has direct supervisory authority over the person, and knows of the conduct at a time when its consequences can be avoided or mitigated but fails to take reasonable remedial action.</p>		<p>utilization. The Bar Association's House of Delegates tabled the proposal. In response to this move, the Bar set up a Task Force to look at the issue of regulation.</p>
South Dakota	II	<p>South Dakota Rules of Professional Conduct Rule 5.3 incorporates the standard ABA model code for Responsibilities Regarding Nonlawyer Assistants.¹⁴⁷</p> <p>16-18-34.2. Utilization of legal assistants. Utilization of legal assistants by licensed attorneys is subject to the following rules:</p> <p>(1) An attorney may permit a legal assistant to assist in all aspects of the attorney's representation of a client, provided that:</p> <p>(a) The status of the legal assistant is disclosed at the outset of any professional relationship with a client, other attorneys, courts or administrative agencies, or members of the general public;</p> <p>(b) The attorney establishes the attorney-client relationship, is available to the client, and maintains control of all client matters;</p> <p>(c) The attorney reviews the legal assistant's work product and supervises performance of the duties assigned;</p> <p>(d) The attorney remains responsible for the services performed by the legal assistant to the same extent as though such services had been furnished</p>		<p><u>2019</u>: No updates (Tom Stephenson) <u>2017</u>: No update found. (mjs)</p> <p><u>2015</u>: Update: No change.</p> <p><u>2007</u>: In December 2006, the State Bar submitted proposed changes to SDCL 16-18-34 to the Supreme Court to revise the definition of paralegal and set minimum qualifications for paralegals. The Supreme Court held hearings in 2007 on the proposal, however, the proposal was rejected.</p> <p><u>2004</u>: In June 2004 the Legal Assistants Committee of the South Dakota State Bar submitted a proposal to the Bar for the consideration of the establishment of educational requirements for the state's paralegals.</p>

State	Region	Definition	Type of Regulation	History
		<p>entirely by the attorney and such actions were those of the attorney;</p> <p>(e) The services performed by the legal assistant supplement, merge with and become part of the attorney's work product;</p> <p>(f) The services performed by the legal assistant do not require the exercise of unsupervised legal judgment; this provision does not prohibit a legal assistant appearing and representing a client at an administrative hearing provided that the agency or board having jurisdiction does not have a rule forbidding persons other than licensed attorneys to do so and providing that the other rules pertaining to the utilization of legal assistants are met; and</p> <p>(g) The attorney instructs the legal assistant concerning standards of client confidentiality.</p> <p>A legal assistant may not establish the attorney-client relationship, set legal fees, give legal advice or represent a client in court; nor encourage, engage in, or contribute to any act which would constitute the unauthorized practice of law.</p> <p>(2) A legal assistant may author and sign correspondence on the attorney's letterhead, provided the legal assistant's status is indicated and the correspondence does not contain legal opinions or give legal advice.</p> <p>(3) An attorney may identify a legal assistant by name and title on the attorney's letterhead and on business cards identifying the attorney's firm.¹⁴⁸</p>		
Tennessee	III	Tennessee Rules of Professional Conduct 5.3 incorporates the standard ABA model code for Responsibilities Regarding Nonlawyer Assistants. ¹⁴⁹	Voluntary through the CLA/CP program offered by NALA	<p><u>2019</u>: No updates (Tom Stephenson)</p> <p><u>2017</u>: No Update (Erin Melville)</p> <p><u>2016</u>: No update. (Mary Ann Myskiw-Jones)</p>

State	Region	Definition	Type of Regulation	History
				<p><u>2015</u>: Tennessee Paralegal Association encourages Certification through NALA - Certified Legal Assistant (CLA) ; Certified Paralegal (CP); Certified Legal Assistant Specialist (CLAS)</p> <p><u>1995</u>: HB 1302 and SB 854 established certified paralegal positions in the district attorney's office. Both bills died in committee.</p>
Texas	II	<p>In 2005, the State Bar of Texas Board of Directors, and the Paralegal Division of the State Bar of Texas, adopted a new paralegal definition. On April 21, 2006, the State Bar of Texas Board of Directors amended the definition by incorporating standards.¹⁵⁰</p> <p>Texas Disciplinary Rules of Professional Conduct Rule 5.03 incorporates the standard ABA model code for Responsibilities Regarding Nonlawyer Assistants.¹⁵¹</p>	Voluntary Certification through the State Bar of Texas	<p><u>2019</u>: No updates (Tom Stephenson)</p> <p><u>2017</u>: No update (mjs)</p> <p>In <u>1994</u> the State Bar of Texas adopted voluntary specialty certification program for paralegals in Texas, structured after the voluntary specialty certification program for attorneys in Texas, which is governed by the Texas Board of Legal Specialization. After passing exam, one becomes a Board Certified Legal Assistant – [Area of Law], Texas Board of Legal Specialization.¹⁵²</p> <p><u>1993</u>: General Guidelines for the Utilization of the Services of Legal Assistants by Attorneys was approved by the Board of Directors of the State Bar of Texas, May, 1993. These standards may be found at www.txpd.org and on the Texas Bar's website.¹⁵³</p> <p>October 23, <u>1981</u>: The State Bar Board of Directors of the State Bar of Texas created the Legal Assistants Division.</p>

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Utah	II	<p>Chapter 13 of the Judicial Council Rules of Judicial Administration (Supreme Court Rules of Professional Practice) contains Utah Rules of Professional Conduct Rule 5.3 which incorporates the standard ABA model code for Responsibilities Regarding Nonlawyer Assistants.^{154, 155} However, Chapter 14, Section 113 of the Rules Regulating the Utah State Bar, created the Paralegal Division and defines a paralegal as: “A paralegal is a person qualified through education, training, or work experience, who is employed or retained by a lawyer, law office, governmental agency, or the entity in the capacity of function which involves the performance, under the ultimate direction and supervision of an attorney, of specifically delegated substantive legal work, which work, for the most part, requires a sufficient knowledge of legal concepts that absent such assistance, the attorney would perform. A paralegal includes a paralegal on a contract or free-lance basis who works under the supervision of a lawyer or who produces work directly for a lawyer for which a lawyer is accountable.”^{156, 157}</p>	<p>Licensed Paralegal Practitioner pursuant to Rule 14-802 of the Rules Governing the Utah State Bar.</p> <p>Requirements for members of the Paralegal Division of the Utah State Bar.¹⁵⁷</p>	<p><u>2019</u>: In August 2019, the Utah Supreme Court approved and enacted the final rules for a new class of legal professionals, called licensed paralegal practitioners (LPPs), who will provide legal advice and assistance to clients in certain areas of law without the supervision of a lawyer.¹⁵⁸</p> <p>The rule limits the LPP’s possible practice areas as follows:</p> <ul style="list-style-type: none"> • Specific family law matters, such as temporary separation, divorce, parentage, cohabitant abuse, civil stalking, custody and support, or name change; • Forcible entry and detainer; and • Debt collection matters in which the dollar amount at issue does not exceed the statutory limit for small claims cases. <p>LPPs will follow rules of professional ethics like lawyers, including holding client funds in trust accounts and providing services pro bono. LPPs will be required to complete, during each two fiscal year period (July 1 through June 30), a minimum of 12 hours of Utah Accredited Continuing Legal Education, which must include a minimum of three hours of accredited ethics or professional responsibility.¹⁵⁹ This CLE requirement doesn’t apply to paralegals in the state.</p> <p>LPP training courses will be taught at Utah Valley University, with the first licensing exams anticipated in spring of 2019 and the issuance of licenses later that year.¹⁶⁰</p> <p><u>2017</u>: Via the Judicial branch, Utah formed a taskforce in 2015 to study Licensed Paralegal Practitioners.¹⁶¹ The Licensed Paralegal Practitioner program is in development by a steering committee housed under the Utah Supreme Court. The first LPPs are expected to be licensed in 2017.¹⁶² (mjs)</p> <p><u>2015 Update</u>: In April of 1998 the Licensing of Legal Assistants Committee of the Legal Assistants Division of the Utah State Bar issued a report recommending mandatory licensing of paralegals to include education, attorney supervision and the NALA exam as the most</p>

State	Region	Definition	Type of Regulation	History
				reliable standard for competency. Licensure of the paralegal profession was never passed into law, however.
Vermont	V	Vermont Rule of Professional Conduct 5.3 incorporates the standard ABA model code for Responsibilities Regarding Nonlawyer Assistants. ¹⁶³	None.	<p><u>2019</u>: No updates (Tom Stephenson)</p> <p><u>2017</u>: No update found. (mjs)</p> <p>In January of 1994 a house bill (H-727) was introduced establishing licensed legal technicians and a governing board, which included an exam and educational requirements. Died following referral to Judiciary committee.¹⁶⁴ In January 1994 a senate bill was introduced establishing licensed legal technicians but with a different governing body.¹⁶⁵</p>

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Virginia	IV	Virginia Supreme Court Rule 5.3 incorporates the standard ABA model code for Responsibilities Regarding Nonlawyer Assistants. ¹⁶⁶	<p>Virginia does not require paralegals to obtain any education, by law. However, the Virginia Alliance of Paralegal Associations has set educational standards that they feel all paralegals working in the state must meet. Most Virginia employers of paralegals go by these standards. Paralegals in Virginia should complete one of the following educational options:</p> <ul style="list-style-type: none"> • Graduate with a bachelor degree in any field plus one year of paralegal experience • Graduate with a bachelor degree in any field plus 24 credit hours of paralegal specialty courses • Graduate with an associate degree in paralegal studies with at least 60 credit hours, 24 of which are in paralegal specialty courses • Graduate with an associate degree in any subject with 24 credit hours of paralegal specialty courses • Graduate from an American Bar Association (ABA)-approved paralegal education program 	<p><u>2019</u>: A Report of the Study Committee on the Future of Law Practice was prepared by the Virginia State Bar and declined to embrace the LLLT program.¹⁶⁷</p> <p><u>2017</u>: No Update (Erin Melville)</p> <p><u>2016</u>: No update. (Mary Swift)</p> <p><u>2015</u> - Meeting set to discuss the possible vote on certification program.</p> <p><u>1994</u>: The Virginia Alliance of Legal Assistant Associations developed and proposed to the Virginia State Bar educational standards and professional responsibility guidelines for legal assistants. These were adopted by the Virginia State Bar in March of 1995.¹⁶⁸</p>
Washington	I	<p>Washington Rule of Professional Conduct Rule 5.3 incorporates the standard ABA model code for Responsibilities Regarding Nonlawyer Assistants.¹⁶⁹</p> <p>Rule 28(5) "Paralegal/legal assistant" means a person qualified by education, training, or work experience; who is employed or retained by a lawyer, law office, corporation, governmental agency, or other entity; and who performs specifically delegated substantive law-related work for which a lawyer is responsible.</p>	Legal Technician /Limited License Practitioner Rule APR 28 ¹⁷⁰	<p><u>2019</u>: In May 2019¹⁷¹, the Washington Supreme Court adopted amendments to APR 28, Appendix APR 28 regulations, the LLLT RPC and the lawyer RPC¹⁷². These amendments, which expand the LLLT scope of practice, are effective when published, which was on June 4, 2019. However, as permitted by Appendix APR 28 Regulation 3C, the LLLT Board is requiring all LLLTs to complete supplemental education prior to engaging in the expanded scope permitted by these amendments. LLLTs must complete the supplemental education by Feb. 1, 2021 in order to maintain their LLLT license.</p>

State	Region	Definition	Type of Regulation	History
				<p data-bbox="1717 181 2585 282"><u>2017:</u> On Nov. 2, 2016, the Supreme Court adopted an amendment to APR 28 Regulation 4 which extends the limited time waiver to 2023, per Order 25700-A-1161.¹⁷³</p> <p data-bbox="1717 326 2564 711"><u>2016:</u> Focus continues to be on LLLT. The inaugural class of seven paralegals passed the first Legal Technician exam on May 11, 2015. There are currently 10 LLLTs listed on the LLLT webpage. “Think of them like nurse practitioners, who can treat patients and prescribe medication like a doctor. Licensed Legal Technicians bring a similar option to the legal world, making legal services more accessible to people who can’t afford an attorney. While they cannot represent clients in court, Legal Technicians are able to consult and advise, complete and file necessary court documents, help with court scheduling and support a client in navigating the often confusing maze of the legal system.”</p> <p data-bbox="1717 755 2556 816">Next licensing area being researched by LLLT Board but may be “elder law.”</p> <p data-bbox="1717 860 2564 1068">Executive Director Paula Littlewood and General Counsel Jean McElroy have talked to the Supreme Court about the possible systems for enforcement of LLLT discipline system. One possibility is that the Bar may become an “integrated bar” that includes all legal professionals rather than focusing its regulatory system on lawyers and having separate systems for Limited Practice Officers (LPO) and LLLTs.</p> <p data-bbox="1717 1112 2564 1393">Bar staff have proposed that the LLLT Board endorse an interim disciplinary system for LLLTs which will mirror the LPO disciplinary system until the possibility of creating the integrated Bar can be fully explored. The Board approved a motion to accept an interim system that is based on the LPO disciplinary system, with a few modifications regarding the composition of the disciplinary committee, including the option for the Court to appoint non-Board members to the disciplinary committee.¹⁷⁴</p> <p data-bbox="1717 1437 1790 1461"><u>2015:</u></p>

State	Region	Definition	Type of Regulation	History
				<p><i>LLLT Rules of Professional Conduct</i> On Jan. 8, 2015, the Supreme Court adopted the LLLT Rules of Professional Conduct (LLLT RPC). The primary purpose of the LLLT RPC is to establish the ethical conduct rules for practicing LLLTs. The LLLT RPC are effective Feb. 3, 2015. Read the LLLT RPC.</p> <p><i>Amendments to APR 28</i> On Jan. 8, 2015, the Supreme Court adopted amendments to APR 28. The purpose of the suggested amendments is to provide for the efficient administration of the program and to clarify one issue related to the LLLT's scope of practice. The amendments to APR 28 are effective Feb. 3, 2015. Read APR 28.</p> <p>The LLLT Board submitted to the WSBA Board of Governors (BOG) suggested amendments to Rules 15.4 and 15.7 of the Rules for Enforcement of Lawyer Conduct (ELC) asking that the BOG act as proponent for these suggested amendments, which the BOG approved on November 14, 2014. On December 4, 2014, the BOG submitted to the Supreme Court the suggested amendments to ELC 15.4 and 15.7.¹⁷⁵</p> <p>Proposed changes to Appendix APR 28 were submitted to Washington Supreme Court for approval on September 25, 2014, and are open to comment until December 1, 2014.¹⁷⁶</p> <p>LLLT Board is now expecting to begin accepting applications in early 2015 for the licensing exam in March 2015, and initial LLLTs will be licensed in Spring 2015.</p> <p><u>2013</u>: LLLT Board recommends family law as the first practice area in which to license LLLTs, and the Washington Supreme Court unanimously approves in March 2013.</p> <p><u>2012</u>: Supreme Court Rule 28 APR adopted to allow for the creation of and licensing of Limited License Legal Technicians in Washington.¹⁷⁷ Washington State Bar Association proffers a revised version of the Legal</p>

State	Region	Definition	Type of Regulation	History
				<p>Technician Rule (APR 28) submitted by the POLB to the Washington Supreme Court and entitles Limited License Practitioner Rule. Washington Supreme Court due to review in June 2012.¹⁷⁸</p> <p><u>2011</u>: Washington Supreme Court indicates to the legal community that in June 2012 they will again review the Legal Technician Rule proposed by the Practice of Law Board (POLB) in 2008.¹⁷⁹</p> <p><u>2008</u>, the Practice of Law Board (POLB) proposed a Legal Technician Rule. Legal technicians are envisioned to be educated, tested and certified nonlawyers authorized to provide limited legal services in specific areas. The Supreme Court is looking at it and the rule is still pending.¹⁸⁰</p> <p><u>2005</u>, the Washington State Practice of Law Board (POLB) drafted a regulation proposal, which the bar's Board of Governors considered in early 2006. The Bar's Board did not endorse the proposal, and it was submitted to the state Supreme Court for consideration. The proposal includes a definition, certification and educational requirements.^{181, 182} Supreme Court - Limited Practice Rule for Legal Technicians (APR 28) Published for Comments & Comments Received.¹⁸³</p> <p><u>1997</u>: HB1451 A bill to license legal assistants was introduced in the legislature but died in subcommittee.</p>
West Virginia	IV	West Virginia Rules of Professional Conduct Rule 5.3 incorporates the standard ABA model code for Responsibilities Regarding Nonlawyer Assistants. ¹⁸⁴	None	<p><u>2019</u>: No updates (Tom Stephenson)</p> <p><u>2017</u>: No update found (mjs)</p> <p><u>2014</u>: January 9, 2014: HB2438 Certified Legal Assistant Act remained active as introduced in 2013.¹⁸⁵</p> <p><u>2013</u>: February 14, 2013, House Representative Mark Hunt re-introduced HB2438 incorporating the same language in HB3302. NFPA again contacted Representative Hunt petitioning for the inclusion of NFPA credentials in the proposal, but no response was received.¹⁸⁶</p>

State	Region	Definition	Type of Regulation	History
				<p><u>2010</u>: January 13, 2010: House Representative Mark Hunt introduced HB 3302 entitled: Certified Legal Assistant Act establishing minimum qualifications for certified legal assistants, and responsibilities of lawyers and certified legal assistants. Referred to Judiciary Committee.¹⁸⁷ Bill died in committee.</p>
Wisconsin	II	Wisconsin Supreme Court Rules (SCR) 20:5.3 incorporates the standard ABA model code for Responsibilities Regarding Nonlawyer Assistants. ¹⁸⁸	State Bar Wisconsin Certified Paralegal (SBWCP). ^{189 190}	<p><u>2019</u>: No updates (Tom Stephenson)</p> <p><u>2017</u>: Provided by John Goudie: <i>“Wisconsin's State Bar Board of Governors approved the creation of the Voluntary Paralegal Certification credential at their meeting on June 15, 2016. The working group has already met to begin development of the plan, with a 2nd meeting in August scheduled. We plan to have a fairly "final" proposal to give to the BOG at their meeting in December. There is a 3 meeting approval process: first to review (no comments), second to declare it an action item (February 2017) and make recommendations, and lastly to approve, in May/June 2017.”</i> Subsequently the proposal was approved in April 2017 to begin implementing in January 2018.¹⁹¹ (mjs)</p> <p><u>2012</u>: The Supreme Court of Wisconsin took up a petition for a court rule (Rule 23) defining the practice of law at a public hearing on December 10, 2007. SCR Chapter 23, Regulation of Unauthorized Practice of Law was adopted July 27, 2010, and most recently amended July 5, 2012.¹⁹²</p> <p>April 7, <u>2008</u>: Wisconsin Supreme Court denied the State Bar paralegal petition which would have established licensure and regulation for paralegals. The court will encourage the Bar to work with other interested groups to consider creating a voluntary certification program using programs currently used in other states as models. Even though the court denied the petition, the justices emphasized that they recognize the valuable service provided by paralegals.^{193,194}</p> <p><u>2007</u>: Wisconsin Supreme Court slated to consider the mandatory licensing of paralegals at a hearing on April 7, 2008. The State Bar of Wisconsin is bringing this issue to the Supreme Court based on their Paralegal Practice Task Force Final Report, which was completed in January 2004.</p>

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				<p>2004: Report finalized in January; submitted to State Bar in February; Board of Governors of State Bar petitioned the Supreme Court of Wisconsin to establish a system for the licensure and regulation of paralegals in Wisconsin; Wisconsin Supreme Court held a public hearing on October 27, 2004 regarding the Board of Governors' Petition 04-03; Supreme Court met in open administrative conference on December 16, 2004 to discuss Petition 04-03. The petition for licensure remains on the Court's list of Pending Rules and Petitions. See: Petition of State Bar of Wisconsin 04-03 Licensure and Regulation of Paralegals, Exhibit "A" Final Report of the State Bar of Wisconsin Paralegal Task Force dated December 2003.¹⁹⁵</p> <p><u>1994</u> The State Bar of Wisconsin created the Paralegal Practice Task Force to both address concerns expressed over unmet legal needs, and to pursue the State Bar of Wisconsin's Commission on the Delivery of Legal Services recommendations. The Task Force's intent is to "establish criteria for the licensure of paralegals in Wisconsin so as to establish recognized standards of training, education and qualifications that will assure attorneys, consumers and the court that the persons providing paralegal services in the State of Wisconsin have achieved a level of ability that can be measured and recognized."</p>
Wyoming	II	<p>Legal Assistants of Wyoming have adopted the ABA definition of a paralegal/legal assistant.</p> <p>The Wyoming Rules of Professional Conduct has adopted ABA Model Code for Responsibilities regarding non-lawyer assistants as Rule 3-505.3</p>	None	<p><u>2019</u>: No updates (Tom Stephenson)</p> <p><u>2017</u>: No Update (Erin Melville)</p> <p><u>2016</u>: WY Rule of Professional Conduct 5.3 doesn't define paralegals but considers "paraprofessionals" as nonlawyer assistants. The rule state lawyers must directly supervise their assistants and are responsible for their assistants' conduct.</p>

Committee Members

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Revision History

Revised October 2019 by Regulation Review Coordinator/Tom Stephenosn, ILAP, Chair
 Revised August 2017 by Regulation Review Committee/Maren Joyce Schroeder, RP®, MnCP, Chair
 Revised April 2016 by Regulation Review Committee/Maren Joyce Schroeder, RP®, MnCP, Chair
 Revised April 2015 by Regulation Review Committee/Linda Odermott, RP, Chair
 Revised September 2014 by Regulation Review Committee/Marie Koster, Chair
 Revised May 2012, March 2010 by Lisa Vessels, RP, CP, FRP
 Revised March 2008 by Wayne Akin
 Revised March 2007, July 2006 by Tracey L. Young, RP
 Revised April 2006 by Jane F. Sakiewicz, RP

Citations

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