

MINUTES

Paraprofessional Licensing Implementation Committee Regulation Workgroup Breakout Session

Meeting Date:	January 25, 2021
Location:	Zoom Call
Chair:	Sr. Judge Kirsten Thompson
Committee Attendance:	Robin Wright (Chair), Sue Gerhardt (note taker), Ralph Gzik
Advisory Group:	Aubrey Baldwin, Madeline Campbell, Christine Costantino, Katherine Denning, Ryan Jennings, Johnny Lake, Danny Lang, Jack Lundeen, Terry Wright
Staff present:	Susan Grabe

INFORMATION ITEMS

- Workgroup Chair Robin Wright reported on her conversation with Courtney Dippel, OSB disciplinary counsel. They discussed the choice of separate paraprofessional Rules of Professional Conduct versus a shared set with attorneys. They did not come to any strong conclusions.
 - Courtney Dippel provided her Washington counterpart's contact information to Robin Wright who had not yet connected with that person.
 - Jason Specht mentioned it is important to identify both rules that apply to paraprofessionals and those that do not.
 - Ralph Gzik will continue his efforts creating a separate Rules of Professional Conduct for paraprofessionals. The group noted the rules need to parallel retroactive and prospective case law, comparable to the attorney Rules of Professional Conduct.
 - Danny Lang inquired as to the possibility of paraprofessionals having access to some version of an ethics hotline for competent guidance on interpreting and adhering to rules of conduct. There was discussion as to whether the Unlicensed Practice of Law Committee might be a more appropriate resource as they are accustomed to providing opinions directed at non-attorneys, i.e., realtors.
 - Workgroup and advisory group members discussed the scope of practice for paraprofessionals and the proper location for them: admissions or regulations. Discussion followed, and one comment was that if the scope were only in admissions, the rules would not provide a means of enforcement. The workgroup determined it seems prudent to include the scope of practice in both the admissions rules and the Rules of Professional Conduct.
 - Robin Wright raised the issue of whether paraprofessionals would be authorized to represent parties in Informal Domestic Relations Trials (IDRTs) and assist in Court beyond the Bar. Judge Thompson stated IDRTs would be within the scope of practice of paraprofessionals.
 - Madeline Campbell recommended that the rules include a duty of referral if a case is outside the scope and remarked that court appearances increase risks for paraprofessionals.
 - Judge Thompson recommended the workgroup continue to review rules and practices of other jurisdictions.
-