

MINUTES

Paraprofessional Licensing Implementation Committee

Regulation Workgroup Breakout Session

Meeting Date:	March 21, 2021
Location:	Zoom Call
Chair:	Sr. Judge Kirsten Thompson
Committee Attendance:	Robin Wright (Chair), Sue Gerhardt (note taker)
Advisory Group:	Jason Specht, Danny Lang, Madeleine Campbell

INFORMATION ITEMS

Breakout Session—Regulation Workgroup

- Jason Specht relayed his recommendation for the workgroup's next steps. He suggested the group identify policy issues and recommendations for resolving them by synthesizing the detailed research into a policy statement.
 - Judge Thompson reviewed anticipated next steps:
 - First deadline for comment may be result in questions from judges.
 - Second deadline for comment may elicit more detailed questions.
 - Judge Thompson reviewed public meeting requirements and explained they apply to meetings of a governing body, not individual insight. The Paraprofessional Licensing Implementation Committee is our governing body; the workgroups are not. Telephone calls among workgroup members and exchanges of draft documents are not public meetings of the governing body.
 - Judge Thompson supplemented Jason Specht's suggestions by describing the workgroup's statement to be along the lines of a hearing memorandum or settlement proposal, for instance, admission will be upon specific qualifications, the functions LPs will be permitted to perform and those they will be prohibited from performing.
 - Judge Thompson suggested we specifically include IOLTA accounts, CLEs, client confidentiality standards and mandatory reporter requirements.
 - Discussion followed regarding the nomenclature to be used for the licensed paraprofessionals. Sue Gerhardt expressed concern that calling them Licensed Paralegals is not enough of a variation for the public to distinguish between other paralegal credentials: CP (certified paralegal), RP (registered paralegal), CRP (core registered paralegal) and PP (professional paralegal).
 - The consensus of those attending was that the public would be protected by the required for LPs to use their Bar member numbers, a Bar directory to verify license status, and that any issues would be handled by a UPL action.
 - The workgroup reviewed additional scope of practice areas and agreed:
 - LPs should not:
 - Represent parties in juvenile court cases, both delinquency and dependency.
 - Represent children.
 - The group tabled for further discussion whether or not the PL scope of practice should exclude representing a party requesting confinement in a remedial contempt action. Sue Gerhardt expressed concern that removing confinement as a remedy available to the judge would eliminate the incentive to remedy the contempt prior to hearing. Confinement is one of six possible sanctions listed in the statute. Robin Wright suggested LPs should not be permitted to assist a party in defending remedial contempt.
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