

# MINUTES

## Paraprofessional Licensing Implementation Committee

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**Meeting Date:** July 19, 2021  
**Location:** Zoom Call  
**Chair:** Sr. Judge Kirsten Thompson  
**Vice Chair:** Sr. Judge Dan Harris  
**Committee Attendance:** Sue Gerhardt, Jon Dennis, Brian Cox,  
**Advisory Group:** Katherine Denning, Kendra Matthews, Joan Marie Michelsen, Walter Fonseca, Ryan Jennings, Jason Specht, Aubrey Baldwin, Crystal Sullivan

**Staff present:** Helen Hirschbiel, Susan Grabe, Matt Shields, Kellie Baumann

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### ACTION ITEMS

Meeting notes for 6/21 meeting were carried over for the next meeting.

### INFORMATION ITEMS

#### Introduction and Welcome

#### Overview of Report to Oregon Supreme Court

- Judge Thompson provided an update on the Supreme Court monthly meeting and her presentation of our Progress Report to the Supreme Court.
- The Committee discussed the Bar Bulletin Article “Examining the Pro Se Justice Gap” and discussed some of the potential causes of the access to justice gap and how that relates to paraprofessional licensing.

#### Next Steps & Discussion Points for the Full Committee

- The Committee discussed the potential timeline of the next few months, including
  - Voting on the Final Report as a Committee in October,
  - Asking for public comment from stakeholders,
  - Reviewing those comments for potential inclusion in the Final Report,
  - Submitting the Final Report to the Board of Governors in October, and
  - Submitting the Final Report to the Supreme Court in November.
- The Committee discussed the next steps for the Committee, including the work that the Workgroups need to complete and soliciting feedback from stakeholders.
  - Brian Cox provided an overview of the Admissions Workgroup’s next steps.
    - The Committee discussed the idea of different levels of licensure. Specifically, the Committee recommends that the Admissions Workgroup consider a nuance to Family Law licensure that allows that at 250 hours, a person can be licensed for a form-driven practice.

- The Committee discussed Recommendation 14 from the Preliminary Report regarding vastly experienced professionals. The Workgroup has not written anything that develops this idea any further yet, but will do so by the next meeting.
- Sue Gerhardt gave an overview of the Regulations Workgroup's next steps.
  - Sue provided clarification on the Workgroup's recommendations on the following matters:
    - ❖ Scope of License – DHS Proceedings. The Workgroup recommendation is that an LP would be able to help with a domestic relations case that is related or consolidated with juvenile court, but not the actual juvenile court case.
    - ❖ Scope of License – Contempt. The Workgroup recommendation is that remedial contempt when confinement is requested will be outside the scope of practice for LPs. Any other contempt, yes but if refinement is requested, no.
    - ❖ Scope of License - Military Divorces and Unstipulated Military Divorces. The Workgroup recommendation is that these cases will be outside of the scope of practice for an LP. These cases often involve the Servicemembers Civil Relief Act (SCRA) and military retirement benefits that can be extremely complex.
    - ❖ Scope of License - Family Abuse Protection Act Restraining Orders. The Workgroup recommendation is that these cases will be outside of the scope of practice for an LP. As a standalone matter, LPs should not assist with FAPA cases. However, if there is a related family law matter, an LP should be allowed to continue to assist parties.
  - The Committee discussed including that LPs can issue specific subpoenas in the recommendations.
  - The Committee discussed specifying if an LP who works for a law firm are able to sign on behalf of lawyers in the firm on pleadings. The consensus was that LPs should not be able to do so.
- Judge Harris gave an overview of the Stakeholders Workgroup's next steps.
  - The Committee discussed establishing a deadline for the one page summary regarding the Committee's work to send for feedback. The tentative deadline for creation of the one pager is the end of this week. This will be sent to Committee members first, then distributed to key stakeholders on the first week of August.
  - The Committee discussed translating Committee Reports into other languages, including Spanish.

#### **Future Meetings and Tentative Agenda**

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