

FILED

March 8, 2019

**OFFICE OF
APPELLATE COURTS**

STATE OF MINNESOTA

IN SUPREME COURT

ADM19-8002

**IN RE IMPLEMENTATION COMMITTEE FOR
PROPOSED LEGAL PARAPROFESSIONAL
PILOT PROJECT**

ORDER

In 2017, the Alternative Legal Models Task Force convened by the Minnesota State Bar Association recommended the development of a program for affordable legal services that does not entirely rely upon licensed lawyers. Among the specific proposals the MSBA Task Force considered, and recommended, was a program that would allow a legal paraprofessional to provide legal advice and in some cases to represent a client in court, under the supervision of a licensed Minnesota attorney. Such a program would help address the needs of low- and modest-income citizens for civil legal representation, particularly in case types in which one party typically appears in court without representation. Other states have studied the delivery of legal services through alternative models, and have adopted rules that authorize legal paraprofessionals to provide civil legal representation and engage in the limited practice of law in certain defined areas of practice, such as housing law, family law, or debtor-creditor disputes. *See, e.g.*, Utah Sup. Ct. R. Prof'l Prac. 14-802(c) (2018). *See also* Utah Sup. Ct. R. Prof'l Prac. Ch. 15 (2018).

The supreme court has exclusive authority over the practice of law, *see In re Conservatorship of Riebel*, 625 N.W.2d 480, 482 (Minn. 2001), and to establish the rules and regulations that govern those who appear before the courts. *See Nicollet Restoration, Inc. v. Turnham*, 486 N.W.2d 753, 755 (Minn. 1992); *Sharood v. Hatfield*, 210 N.W.2d 275, 280–81 (Minn. 1973). In order to address the expanding need for access to civil legal services and build on the work of the MSBA Task Force, a pilot project is the appropriate framework for evaluating the delivery of legal services in areas of unmet civil legal needs. In order to successfully implement the pilot project, the format, structure, and rules that will govern legal paraprofessionals who participate in the pilot are needed.

Based upon all the files, records, and proceedings herein,

IT IS HEREBY ORDERED THAT:

1. The Implementation Committee for the Legal Paraprofessional Pilot Project is established to define the format, structure, rules, and implementation of a pilot project for the delivery of civil legal services by legal paraprofessionals. The pilot project should be designed to permit legal paraprofessionals to provide legal advice and in some cases to represent a client in court under the supervision of a licensed Minnesota attorney. The implementation committee must limit the pilot project to one of three areas of unmet need in civil law: housing disputes, family law, or creditor-debtor disputes; and if appropriate, must identify the specific sub-set of cases within that area that will be part of the pilot project.

2. The following persons are appointed as members of the implementation committee:

Hon. Paul C. Thissen

Hon. John R. Rodenberg

Thomas Nelson, Minnesota State Bar Association

Sally Dahlquist, Inver Hills Community College

Maren Schroeder, Rochester, Minnesota

Tiffany Doherty-Schooler, Duluth, Minnesota

Pamela Wandzel, Minneapolis, Minnesota

Christopher O. Petersen, Minneapolis, Minnesota

Bridget Gernander, Saint Paul, Minnesota

Liz Reppe, State Law Librarian, Saint Paul, Minnesota

Kim Larson, State Court Administration, Saint Paul, Minnesota

The Honorable Paul C. Thissen and the Honorable John R. Rodenberg are appointed as co-chairs of the committee. Kim Larson is appointed as staff attorney to the committee.

3. The committee must hold its first meeting on or before April 30, 2019. The committee shall file a report regarding the pilot project on or before February 28, 2020. The report must provide recommendations on the implementation date for the pilot project, the rules that will govern during the pilot project, and the criteria for evaluating the pilot project.

Dated: March 8, 2019

BY THE COURT:



Lorie S. Gildea
Chief Justice