

Proposed Oregon Legal Paraprofessional Licensing Program

Paraprofessionals would be licensed in Oregon to provide limited legal assistance to clients in Family Law and in Landlord/Tenant cases. Because paraprofessionals are not lawyers, there will be some limits on what services they can provide. The Paraprofessional Licensure Implementation Committee is working to create rules that will promote access to legal services while protecting the public.

What kinds of cases would licensed paraprofessionals assist with?

Family Law

- Dissolution of marriage
- Separation
- Annulment
- Custody
- Parenting time
- Child support
- Spousal support
- Remedial contempt (excluding confinement)

Landlord/Tenant

- Oregon Residential Landlord/Tenant Act (ORS Chapter 90)
- Forcible Entry and Wrongful Detainer (Provisions of ORS 105.126-168 related to residential tenancies)

What could licensed paraprofessionals do?

- Enter into a contractual relationship to represent a natural person (not including a business entity).
- Meet with potential clients to evaluate and determine needs and goals and advise.
- Assist clients in choosing, drafting, and filing forms on domestic relations and landlord/tenant cases.
- Assist clients in drafting and servicing of pleadings and documents including orders and judgments.
- File documents/pleadings with the court.
- Assist, draft, serve and complete written discovery.
- Attend depositions, but not take or defend. May assist with scheduling and compelling deposition appearances and preparing clients for being deposed and for taking a deposition.
- Prepare for, participate in, and represent a party in settlement discussions, including mediation and settlement meetings.
- Prepare parties for judicial settlement conferences.
- Assist in preparing for hearings, trials, and arbitrations.
- Prepare clients for court appearances.
- Review opinion letters, court orders, and notices with a client and explain how they affect the client including the right to appeal.

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How would paraprofessionals be licensed?

Multiple pathways for determining the competency of eligible applicants are under consideration, and it is likely that multiple pathways for paralegals from different backgrounds will be available. Many LPs will have graduated from an approved paralegal program. Others may qualify by demonstrating substantial substantive experience in the field.

- 1500 hours of substantive paralegal work will be required for all LPs.
- 500 of those hours must be in family law in order to be licensed in those cases.
- 250 of those hours must be in landlord/tenant law in order to be licensed in those cases.
- The Bar Exam will not be a part of certification.

Potential ongoing licensure requirements

- Mandatory CLE requirements, including specific requirements for CLEs in the certification areas.
- As with attorneys, MCLE requirements will include Ethics, Access to Justice, and Abuse Reporting.
- Paraprofessionals will be required to have IOLTA accounts where appropriate.
- Paraprofessionals will be required to pay into the Client Security Fund.

Additional information and feedback

- For additional information, please see the Oregon State Bar Paraprofessional Licensing Implementation Committee's website: <https://paraprofessional.osbar.org/>
- If you would like to comment or provide feedback on what the committee is doing, please reach out to paraprofessionalcommittee@osbar.org from now until October 1, 2021.