

# Group Research Tracking

## Snapshot

State Name	Status?	Websites	Key Points
Alabama			
Alaska			
Arizona	Yes	URL: <a href="https://www.azcourts.gov/cld/Legal-Docum ent-Preparers">https://www.azcourts.gov/cld/Legal-Docum ent-Preparers</a>	CLE Requirement Area of Law is family
Arkansas			
California	Yes		Name of Program: Legal Document Assistant CLE Requirement - Yes
Colorado	Being Discussed		The Colorado Supreme Court Advisory Committee, Subcommittee of Limited License Legal Technicians has compiled materials to begin consideration of whether Colorado should adopt a program allowing licensed legal technicians to perform limited legal services for the public.
Connecticut	In Progress		Task Force Assembled. Scope is broader than LLLT and seeks middle ground between lawyer and paralegal.
DC	Wait and watch approach	Gene Shipp, <i>Change is the Only Constant</i> , WASH. LAW. (2015), available at <a href="http://www.washingtonlaw.com/2015/06/01/change-is-the-only-constant/">http://www.washingtonlaw.com/2015/06/01/change-is-the-only-constant/</a> .	
Delaware			
Florida	Being	<a href="http://c.ymcdn.com/sit">http://c.ymcdn.com/sit</a>	The Admission Committee of The Florida Bar's

	considered	es/www.inbar.org/resourcel/resmgr/Conclave/Alt_license_table_May_18__20.pdf	Vision 2016 Commission is looking at the issue. If the Vision 2016 Commission approves a proposal, then that proposal may be presented to the Florida Commission on Access to Civil Justice.
Georgia			
Hawaii			
Idaho			
Illinois	In Progress	<a href="http://iln.isba.org/blog/2015/08/19/proponents-critics-sound-limited-license-legal-technicians">http://iln.isba.org/blog/2015/08/19/proponents-critics-sound-limited-license-legal-technicians</a>	Task force assembling this fall (2015).
Indiana	No	Marilyn Odendahl, <i>Limited Licensing Programs Gain Traction in the Legal Community</i> , IND. LAW. (2013), available at <a href="http://www.indianalawyer.com/2013/07/limited-licensing-programs-gain-traction-in-the-legal-community/">http://www.indianalawyer.com/2013/07/limited-licensing-programs-gain-traction-in-the-legal-community/</a> .	"The section recommended against moving forward with legal technicians at this time but left the door open for future consideration by advising the state bar to monitor the success of such programs in other jurisdictions"
Iowa			
Kansas			
Kentucky			
Louisiana			
Maine			
Maryland			
Massachusetts	Being discussed	<a href="http://c.ymcdn.com/sites/www.inbar.org/resourcel/resmgr/Conclave">http://c.ymcdn.com/sites/www.inbar.org/resourcel/resmgr/Conclave</a>	Access to Justice Commission and Supreme Court's Rules Committee are scheduled to have preliminary discussions about alternative

		e/Alt_license_table_May_18__20.pdf	licensed professionals some time in 2015.
Michigan			
Minnesota	In Progress	<a href="http://www.mnbar.org/docs/default-source/general-policy/recommendations-and-report-from-the-future-of-legal-education-task-force.pdf">http://www.mnbar.org/docs/default-source/general-policy/recommendations-and-report-from-the-future-of-legal-education-task-force.pdf</a>	Task Force Assembled. Report due June 2016.  State has a certification called MnCP. It's voluntary.
Mississippi	Being discussed	Eugene M. Harlow, <i>Reflections from the ABA Mid-Year Meeting in Houston, Texas</i> , MISS. LAW. (2015), available at <a href="http://www.missouriparalegalassoc.org">http://www.missouriparalegalassoc.org</a> .	
Missouri	no	<a href="http://missouriparalegalassoc.org/">http://missouriparalegalassoc.org/</a>	weak paralegal participation, paralegal bar group on hiatus <a href="http://missouriparalegalassoc.org/wp-content/uploads/2013/02/Paralegal-Committee-Letter_pub.pdf">http://missouriparalegalassoc.org/wp-content/uploads/2013/02/Paralegal-Committee-Letter_pub.pdf</a>
Montana			
Nebraska			
Nevada		<a href="http://c.ymcdn.com/sites/www.inbar.org/resource/resmgr/Conclave/Alt_license_table_May_18__20.pdf">http://c.ymcdn.com/sites/www.inbar.org/resource/resmgr/Conclave/Alt_license_table_May_18__20.pdf</a>	Non-lawyer document preparers are allowed pursuant to statute enacted in 2013. At the direction of a paying client, <b>document preparers</b> are allowed to prepare or complete pleadings, applications or other documents for clients, translate an answer to a question posed in such a document, secure supporting documents, such as birth certificates, in connection with a legal matter and submit completed documents to a court or administrative agency. Document preparers are required to register with and are regulated by the Nevada Secretary of State. For more information please see

			<a href="http://nvsos.gov/index.aspx?page=1346">http://nvsos.gov/index.aspx?page=1346</a>
New Hampshire			
New Jersey			
New Mexico	Being discussed	D.D. Wolohan, <i>Limited License Legal Technician May Be in New Mexico's Future</i> , BAR BULL. 7 (2015), available at <a href="http://c.ymcdn.com/sites/www.inbar.org/resource/resmgr/Conclave/Alt_license_table_May_18__20.pdf">http://c.ymcdn.com/sites/www.inbar.org/resource/resmgr/Conclave/Alt_license_table_May_18__20.pdf</a>	Optimistic discussions. In January, 2015, the New Mexico Access to Justice Commission formed a working group to study the suitability of an alternative licensure program in New Mexico. The discussion and research are in the initial stages. Contact Elizabeth McGrath (505) 244 - 1101 or William Slease (505) 842 - 5781 for more information.
New York	Yes	<a href="http://nylawyer.nylj.com/adgifs/decisions/15/022415report.pdf">http://nylawyer.nylj.com/adgifs/decisions/15/022415report.pdf</a>	Title: Court Navigators Area of law : Tenant, Debt
North Carolina	Wait and watch approach	<i>Washington State LLLT Program, N.C. STATE BAR J. 16 (2014)</i> , available at <a href="http://www.ncbar.org/Portals/0/StateBarJournal/2014/16%20-%20Washington%20State%20LLLT%20Program.pdf">http://www.ncbar.org/Portals/0/StateBarJournal/2014/16%20-%20Washington%20State%20LLLT%20Program.pdf</a>	
North Dakota			
Ohio			
Oklahoma			
Oregon	In progress	<a href="http://oregonparaleg.com">http://oregonparaleg.com</a>	Title: Limited License Legal Technician Focus on: advice regarding landlord/tenant law, name changes, wills, divorces, chapter 7 bankruptcies, and powers of attorney for health care.

		<a href="http://als.org/committees-and-groups/lllt-town-hall-1-29-14/">als.org/committees-and-groups/lllt-town-hall-1-29-14/</a>	Oregon's 1992 report recommended that the Oregon State Bar implement a "Limited Law Advisor (LLA). So this has been a decade long discussion for the State.
Pennsylvania			
Rhode Island	Being Discussed	<a href="https://www.ribar.com/UserFiles/Nov-Dec_2013%20Jrnl.pdf">https://www.ribar.com/UserFiles/Nov-Dec_2013%20Jrnl.pdf</a>	
South Carolina			
South Dakota			
Tennessee			
Texas	No		<ol style="list-style-type: none"> <li>1. There is a state program called <b>TBLS</b> that certifies Paralegals in seven areas (it also certifies lawyers too).</li> <li>2. Texas has addressed our issue by narrowing the definition of UPL and providing exceptions certain types of workers/advocates.</li> </ol>
Utah	In Progress	<a href="http://www.utcourts.gov/committees/limited_legal/">http://www.utcourts.gov/committees/limited_legal/</a>  <a href="http://www.utcourts.gov/committees/limited_legal/materials/2015-07-09.pdf">http://www.utcourts.gov/committees/limited_legal/materials/2015-07-09.pdf</a>	<p>Task Force assembled and actively working.</p> <p>Contact Elizabeth A. Wright, General Counsel, Utah State Bar, (801) 297-7047.</p>
Vermont	Being discussed		<p>The Virginia State Bar's Committee to Study the Future of Legal Practice is looking at a variety of issues, including limited license legal technicians.</p> <p><a href="http://www.vsb.org/site/publications/vlawyer/april_2015">http://www.vsb.org/site/publications/vlawyer/april_2015</a></p>
Virginia			
Washington	Yes	<a href="http://www.wsba.org/li">http://www.wsba.org/li</a>	Title: Limited License Legal Technician

		censing-and-lawyer-conduct/limited-licenses/legal-technicians	Must complete ABA approved coursework Area of Law: Family
West Virginia			
Wisconsin			
Wyoming			

## In Depth Analysis:

<b>State Name</b>
Alabama
Alaska
<p><b>Arizona</b></p> <p><u>Arizona</u> - Legal Document Preparer  Certification testing – Yes                      CLE requirement – Yes                      Areas of law - Family  Legal Document Preparer Program certifies non-attorney legal document preparers in Arizona who provide document preparation assistance and services to individuals and entities not represented by an attorney. Legal document preparers may provide general legal information but may not give legal advice.  URL: <a href="https://www.azcourts.gov/cld/Legal-Document-Preparers">https://www.azcourts.gov/cld/Legal-Document-Preparers</a></p>
Arkansas
<p><b>California</b></p> <p><u>California</u> – Legal Document Assistant  Certification testing - ??                      CLE requirement – Yes                      Areas of Law - see below  CALDA promotes growth, development, and recognition of the Legal Document Assistants' profession as an integral partner in the delivery of legal services. Membership consists of registered and bonded California Legal Document Assistants, Bankruptcy Petition Preparers, Social Security Disability Advocates, SSI Advocates, and sustaining members who support and enhance the LDA profession.  Legal Document Assistants, may:</p>

- Distribute to their customers legal materials that have been published or approved by a lawyer
- Prepare the customers' legal documents under the direction of their customers
- File the customers' legal documents in the appropriate courts

LDA may be able to help you prepare your documents for:

- |   |  |
|---|--|
| ● Adoption                                      | ● Orders to show cause                       |
| ● Annulments                                    | ● Paternity                                  |
| ● Assignment of Personal Property               | ● Pre-nuptial and post-nuptial               |
| ● Bankruptcy                                    | ● Probate                                    |
| ● Case completion                               | ● Powers of Attorney                         |
| ● Certification of Trust                        | ● Qualified Domestic Relations Orders (QDRO) |
| ● Child Support Calculation                     | ● Quit Claim Deeds                           |
| ● Child Support / Modifications                 | ● Resumes                                    |
| ● Child Custody                                 | ● Small Claims                               |
| ● Collection                                    | ● Living trusts                              |
| ● Corporations, partnerships, LLCs              | ● Separations                                |
| ● Civil actions                                 | ● Settlement Agreements / Mediation          |
| ● Deeds   | ● Spousal support                            |
| ● Divorce and other "Family law"                | ● Stipulations                               |
| ● Emancipation of Minor                         | ● Typing documents                           |
| ● Evictions                                     | ● Unlawful detainer / eviction               |
| ● Guardianships                                 | ● Visitation                                 |
| ● Health Care Directives                        | ● Wage garnishments                          |
| ● Immigration and Marital Settlement Agreements | ● Wills                                      |

URL: <http://calda.org/>

## Colorado

In Colorado, the LLLT is being discussed. The ~~Colorado Bar~~ has a subcommittee with public meetings.

This article cites the need for inexpensive legal aid since "In 78 percent of family law cases, one party is not represented. In 53 percent of family law cases, both sides are self-represented."

<http://www.coloradosupremecourt.us/Newsletters/Spring2015/Colorado%20studying%20new%20limited%20legal%20license.htm>

**Connecticut**

In Connecticut, the bar association's Task Force on the Future of Legal Education and Standards of Admission recommended, "non-lawyers be permitted to offer some basic legal services to the public." Interestingly, in Connecticut the task force recommended that licensed non-lawyers have a bachelor's degree, with the idea they would be "more than a paralegal but less than a JD."

<http://www.ctbar.org/Portals/0/Reports/2014-2015%20Task%20Force%20Report.pdf>

Delaware

Florida

Georgia

Hawaii

Idaho

Illinois

Indiana

Iowa

Kansas

Kentucky

Louisiana

Maine

Maryland

Massachusetts

Michigan

**Minnesota**



Task Force Assembles and meeting regularly, with report due in a few months.

Minnesota has historically been active on our issue:

“Several efforts were made in Minnesota to put some form of paralegal regulation in place through the legislature and the courts. In fact, in 1994, Minnesota was one of several other states exploring some type of specialized paralegal licensing, and Minnesota Statute 481.02 actually contained a provision for “specialized legal assistants” in anticipation of its passing. However, all endeavors in Minnesota have ultimately failed – both the legislative and judicial branches of the government declined to take on paralegal regulation, as did the Minnesota State Bar Association.”

article continues...

“So what form of paralegal regulation makes sense for Minnesota? Three types of regulation for professionals exist: registration, certification and licensure. Registration constitutes a list of names with an association or agency; voluntary or mandatory, usually with no education or training requirements involved. Certification, generally voluntary, requires applicants to meet certain criteria, such as education, experience and testing. Several examples of paralegal certification exist across the nation, including state voluntary certification programs (like MnCP), as well as PACE Registered Paralegals (RP) and CORE Registered Paralegals (CRP), credentials earned through exams offered by the National Federation of Paralegal Associations (NFPA). Currently, six states offer a certification credential (including Minnesota): Delaware, Pennsylvania, New Jersey, Florida, North Carolina and Minnesota. Licensure, the most restrictive form of regulation, includes granting a license to practice by meeting certain qualifications for a particular occupation.”

continued..

“Despite all of these perceived negatives to paralegal regulation, the MPA created the MnCP program to foster the growth and professionalism of each and every Minnesota paralegal. What does the MnCP program entail? A voluntary program, the MnCP seeks to establish a standard of competency for Minnesota paralegals. The program provides an opportunity for paralegals to validate their qualifications as a career paralegal. The credential, offered only to paralegals meeting certain education and experience requirements, requires paralegals to maintain the credential with 10 hours of CLE credits in a two-year period – with one credit in ethics. You can find the clearly outlined eligibility requirements on the MPA’s website.”

MPA is a 501(c)(3) nonprofit organization. All rights reserved. For more information, please contact the MPA at 612.338.1111 or [www.mnparalegal.org](http://www.mnparalegal.org).

Mississippi
Missouri
Montana
Nebraska
Nevada
New Hampshire
New Jersey
New Mexico
<p><b>New York</b></p> <p><u>New York</u> - Court Navigators</p> <p>Certification testing - Tenant, Debt                      CLE requirements -                      Areas of Law – LL/</p> <p>“Court Navigators” – nonlawyers trained to assist pro se litigants in Housing Court cases in Brooklyn and consumer debt cases in the Bronx and Brooklyn. They will not be permitted to address the court on their own, but if the judge directs factual questions to them, they will be able to respond. They will also provide moral support and information to litigants, help them keep paperwork in order, assist them in accessing interpreters and other services, and, before they even enter the courtroom, explain what to expect and what the roles are of each person in the courtroom.</p> <p>NY Chief Justice Lippman said:</p> <p>I am pleased to announce today, that I intend to introduce legislation this year that calls for a further level of involvement by non-lawyers in assisting litigants. This proposal would codify a more substantial role for non-lawyers by establishing a category of service providers called “Court Advocates” in Housing Court and in consumer credit cases to assist low-income litigants. While there is no substitute for a lawyer, the help of a well-trained non-lawyer standing by a litigant’s side is far preferable to no help at all. We have already seen what a difference it can make.</p>

Lippman noted that New York's Committee on Nonlawyers and the Justice Gap had recently completed a [report on the impact of Navigators](#) and had concluded that it demonstrated "a marked difference in the behavior of litigants accompanied by Navigators — a greater ability to more clearly set out the relevant facts and circumstances and a significant increase in use of relevant defenses for those litigants."

URL: <http://nylawyer.nylj.com/adgifs/decisions15/022415report.pdf>

North Carolina

North Dakota

Ohio

Oklahoma

Oregon

Oregon - Limited License Legal Technician  
Certification testing - Yes CLE requirements – Yes Areas of  
Law – Family Law, LL/ Tenant, Estates

The reason for the delay, Jennings said, is that the [Oregon] LLLT board is waiting for the Washington Supreme Court to vote on [amendments](#) to the LLLT rules that would alter the exam requirements. The amendments would allow an LLLT applicant to satisfy the core examination requirement by passing the National Federation of Paralegal Association's Paralegal Core Competency Exam. The amendment would also make the ethics portion of the exam a separate, one-time exam, graded separately from the practice area exam.

URL: Task force report dated February 13, 2015

[http://www.oregonbar.org/Portals/0/Reports/LLLT%20Task%20Force%20Report%202015.pdf](#)

Pennsylvania

Rhode Island

The president of the bar association, Robert Weisberger, as voiced support for LLLTs.

South Carolina

South Dakota

Tennessee

## Texas

### FIRST

Texas has a program of State Certification. It is completed through the Texas Bar.

#### Paralegal Certification

The Texas Board of Legal Specialization certifies paralegals in seven select areas of law. Paralegal certification "*recognizes and promotes the availability, quality, and utilization of the services of paralegals who, working under the supervision of duly licensed attorneys, have achieved a level of special knowledge in particular areas of law... .*"

The paralegal certification process closely parallels the attorney certification process. It includes a thorough assessment of the paralegal's experience under the supervision of a licensed Texas attorney as well as their record of Continuing Legal Education and specialty area duties. It requires the completion of Baccalaureate or higher degree, or completion of an accredited paralegal program or four additional years of relevant experience. References from attorneys, judges and other professionals associated with the specialty area are evaluated, and a passing score on a half day area examination is required. Visit the [www.tbar.org](http://www.tbar.org) web site for complete information related to the paralegal certification process. More than 300 paralegals have distinguished themselves with board certification.

More than 300 paralegals have distinguished themselves with board certification. Begin your

#### News

Visit the individual links below for current TBLS news:

- [New TBLS Accredited Attorney Certifying Organizations](#)
- [New TBLS Accredited Paralegal Organizations](#)
- [New TBLS Accredited Attorney Certifying Organizations](#)

#### Links

The TBLS maintains a list of [Professional Resources](#) for consumers and legal professionals. Professional resources include other Bar Organizations, Certified Attorneys Organizations, Paralegal and TBLS Accredited Attorney Certifying Organizations.

### SECOND

Texas seems to grapple the the issue we are discussing by narrowing the definition of UPL.

[Texas Bar Organization](#) [Texas Board of Legal Specialization](#) [Texas Board of Paralegal Certification](#) [Texas Board of Legal Specialization](#) [Texas Board of Paralegal Certification](#)

They have redefined UPL narrowly and carved out specific exceptions. Some highlights are below see link above for full text:

Sec. 81.1011. EXCEPTION FOR CERTAIN LEGAL ASSISTANCE. (a) Notwithstanding Section 81.1001 (a), the "practice of law" **does not** include **technical advice, consultation, and document completion assistance provided by an employee or volunteer of an area agency** on aging affiliated with the Texas Department on Aging who meets the requirements of Subsection (b) if that advice, consultation, and assistance relates to:

(1) a **medical** power of attorney or other advance directive under Chapter 166, Health and Safety Code; or

(2) a designation of **guardian** before need arises under Section 679, Texas Probate Code.

(b) An employee or volunteer described by Subsection (a) must:

(1) provide benefits **counseling** through an area agency on aging system of access and assistance to agency clients;

(2) comply with rules adopted by the Texas Department on Aging regarding qualifications, training requirements, and other requirements for providing benefits counseling services, **including legal assistance and legal awareness services**;

(3) have received specific training in providing the technical advice, consultation, and assistance described by Subsection (a); and

(4) be certified by the **Texas Department on Aging** as having met the requirements of this subsection.

(c) The Texas Department on Aging by rule shall develop certification procedures by which the department certifies that an employee or volunteer described by Subsection (a) has met the requirements of Subsections (b)(1), (2), and (3).

Added by Acts 2001, 77th Leg., ch. 845, Sec. 1, eff. Sept. 1, 2001.

I found a persuasive article done by a 2001 task force which sought to redefine "unauthorized practice of law" - Very persuasive.

<http://www.texasbar.com/legis/legis/legis.htm>

### THIRD

There is an only Texas Bar CLE that lists caselaw discussing situations where filling out forms was considered UPL.

Bar CLE that list caselaw discussing the filling out of forms and how it constitutes unauthorized practice of law

[http://www.texasbarcle.com/materials/events/11010/141194\\_01.pdf](http://www.texasbarcle.com/materials/events/11010/141194_01.pdf)

Utah

Vermont

Virginia

**Washington**

Limited License Legal Technician

Certification testing – Yes  
Law – Family

CLE requirements – Yes

Areas of

LLLT's are trained and licensed to advise and assist people going through divorce, child custody and other family law matters in Washington. Think of them like nurse practitioners, who can treat patients and prescribe medication like a doctor. Licensed Legal Technicians bring a similar option to the legal world, making legal services more accessible to people who can't afford an attorney. While they cannot represent clients in court, Legal Technicians are able to consult and advise, complete and file necessary court documents, help with court scheduling and support a client in navigating the often confusing maze of the legal system.

URL:

<http://www.wa.gov/department-of-social-and-humor-services/child-support-services/limited-license-legal-technician>

West Virginia

Wisconsin

Wyoming