

## 7.2 Discussion Regarding the 2024 California Justice Gap Study and State-Level Approaches to Expanding Legal Services

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Board of Trustees Meeting | May 22–23, 2025

# Agenda

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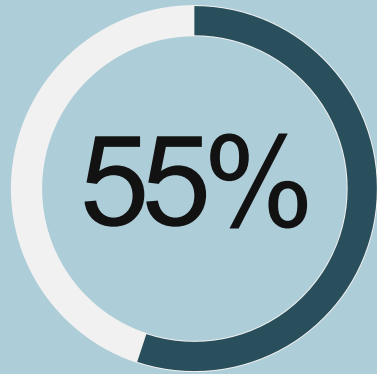
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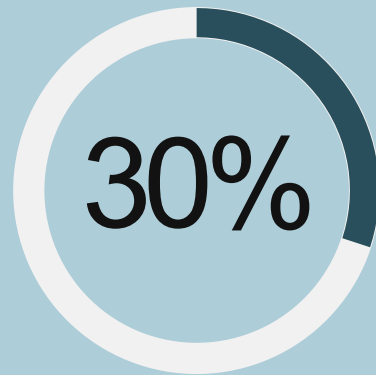
1. The 2019 Justice Gap Study Key Findings and Recommendations
2. The 2024 California Justice Gap Study
3. State-Level Approaches to Expanding Legal Services
4. Discussion

The 2019  
Justice Gap Study:  
Key Findings and  
Recommendations

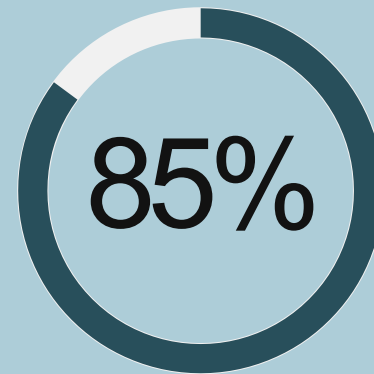
# The Services Gap



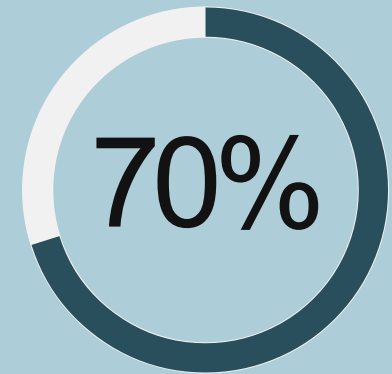
of Californians at all income levels experienced at least one civil legal problem in their household within the past year



of low-income Californians sought legal assistance, and only 32% of Californians above 125% sought legal assistance



of Californians' legal problems received no or inadequate legal help



of legal problems presented to legal aid went unresolved or were only partially resolved

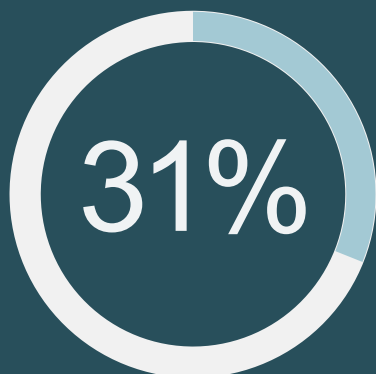




# The Knowledge Gap



of Californians at all income levels were unsure if their problem was a legal issue



of Californians decided to deal with the problem without help



of Californians worried about cost



of Californians did not know where to look for help



of Californians were afraid to pursue legal action



# 2019 JGS Recommendations

## Knowledge Gap

- Increase the availability of accessible, engaging, and reliable legal information and tools to help diagnose legal problems.

## Services Gap

- Increase the availability of legal services and address the areas of greatest legal needs.
- Modify legal aid funding requirements to improve organizational efficiency and sustainability.
- Remove barriers to legal aid recruitment and retention.





# Strategic Plan Initiatives to Reduce the Knowledge and Services Gap

**2017–2022 Strategic Plan was updated to include new items under Goal 4 to:**

- Support public education about key problems not recognized as legal issues; and
- Support efforts to attract and retain lawyers in legal aid organizations.

**2022–2027 Strategic Plan, Goal 2 implementation steps developed based on the 2019 Justice Gap Study.**

# Actions Taken to Reduce Knowledge and Services Gap

## Benefiting low-income Californians

- Piloted communications campaigns to address the knowledge gap
- Recruitment and retention in legal aid initiatives
- Statutory change to expand eligibility requirements for IOLTA funded work
- Administrative changes and funding preferences for legal aid grants
- Technology initiatives to increase access to justice



# Actions Taken to Reduce the Service Gap

## Benefiting modest means Californians

- The Board of Trustees commissioned a Legal Market Landscape Report, leading to the formation of:
  - The Task Force on Access Through Innovation of Legal Services;
  - The California Paraprofessional Working Group; and
  - The Closing the Justice Gap Working Group
- AB 2958 passes, prohibiting the State Bar from advocating for a paraprofessional program and limiting its exploration of a regulatory sandbox
  - AB 2958 sunset on January 1, 2025





# Strategies to Increase Supply of Attorneys



## **Legal Aid Leaders Fellowship (result of 2019 CA Justice Gap Study)**

- Summer fellowships at legal aid organizations for law students, funded through portion of \$45 voluntary contribution to legal aid via annual fees
- **Goal:** strengthen pipeline of lawyers who work in legal aid/public interest careers.



## **Legal Incubators**

- 12-18 month programs designed to cultivate a workforce of private practice attorneys dedicated to providing affordable legal services
- Receive office space, mentorship, training, practice management software subscriptions and other resources.



## **Lawyer Referral Services**

- State Bar-certified services connect the public with private attorneys and by law are required to support efforts to increase access to the justice system by including services to serve persons of limited means

# The 2024 California Justice Gap Study

# 2024 CALIFORNIA JUSTICE GAP STUDY

Start Reading →



## Report Content



### Demand for Civil Legal Help

- ❑ Measuring unmet civil legal needs: findings from NORC Survey of 6K Californians
- ❑ The need for immigration legal services
- ❑ Civil legal needs of criminal defendants
- ❑ Legal needs of small business owners



### Supply of Attorneys and Legal Services Available to Meet Needs

- ❑ California's legal market
- ❑ Attorney deserts
- ❑ Pro bono service
- ❑ Funding for legal aid organizations
- ❑ Strategies to increase supply of attorneys and legal services



### Policy Recommendations

- ❑ Policy recommendations developed by the LSTFC





# **The Demand for Civil Legal Help**

# 2024 NORC Survey of Californians

**Background:** a 2019 NORC survey was the centerpiece of the 2019 California Justice Gap Study

**Key findings:** the justice gap was widespread, pervasive, and multifaceted, characterized by two dimensions: gaps in knowledge about how to access legal help and in service

**Purpose of 2024 survey:** to assess what has changed since 2019

**Key survey details:**

- Informed by stakeholder feedback
- Administered to over 6,000 Californians in summer 2024 (with a short re-ask survey conducted in early 2025)
- Survey asked whether respondents or anyone in their households experienced one of over 80+ legal problems
- Sampled to ensure representation across four income groups

Income category	Definition	Survey respondents
Lowest-income	< = 200 percent of the FPL, regardless of county	1,576
Low-income	> 200 percent of the FPL and < 80 percent AMI	1,495
Middle-income	80 percent–120 percent AMI	1,501
High-income	> 120 percent AMI	1,758

# Stakeholder Engagement



## Focus Groups / Surveys

- **Focus groups:** representatives from the Consumer Attorneys of California (CAOC), California Employment Lawyers Association (CELA), and legal aid grantees
- Facilitated by the California Access to Justice Commission
- **Survey** of solo and attorneys in small law firms

**Goal:** solicit feedback on 2019 Justice Gap Study and hear suggestions for 2024 study.

Impact:

- ✓ Updated NORC survey questions

Summer 2024

## Preliminary results shared

What we learned:

- ✓ “Personal injury” was **not** one of the 80+ legal problems asked about on the survey.

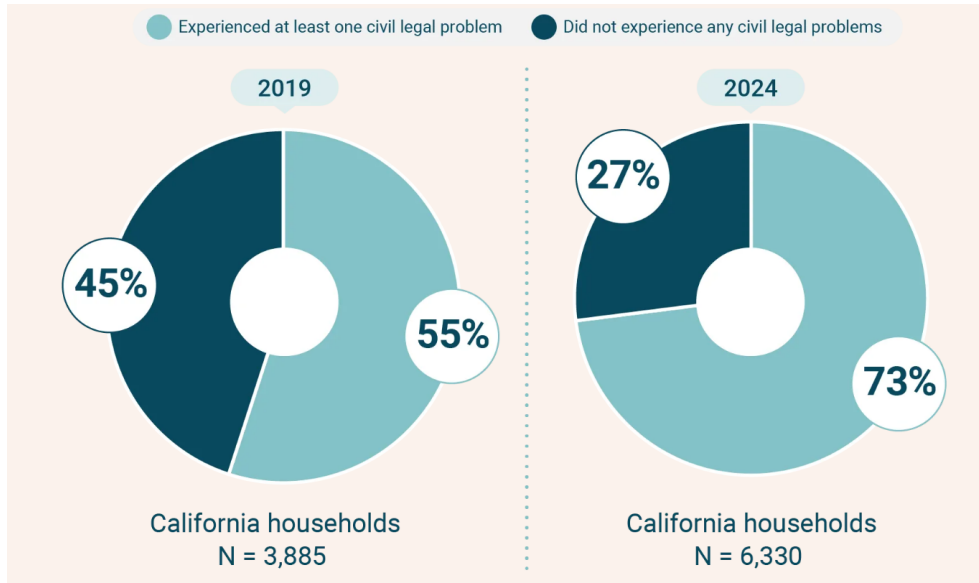
December 2024

## NORC Survey Re-Administered

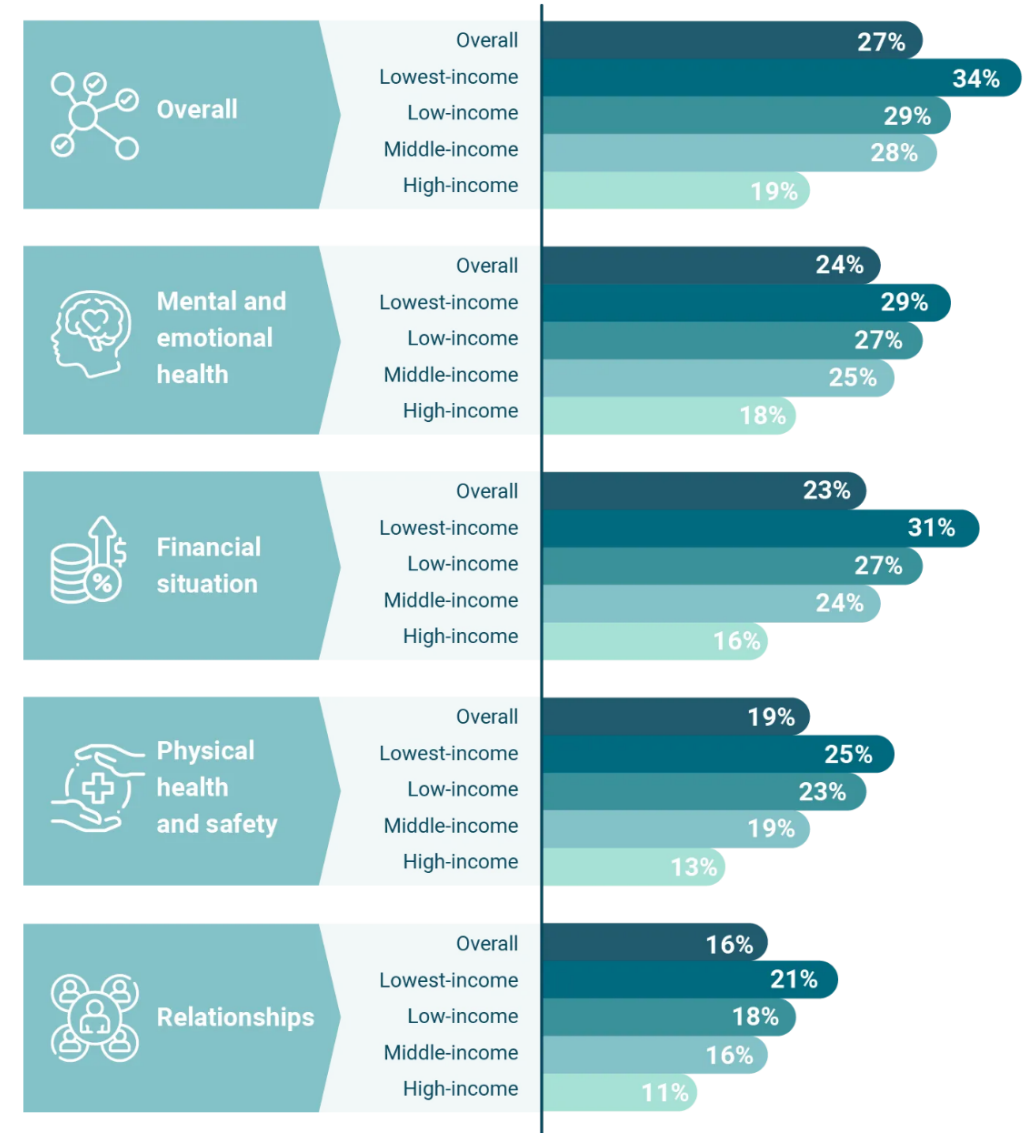
- ✓ Added **personal injury, compromised personal information, and contracts** to list of problems

Early 2025

» Californians' civil legal needs **are growing.**

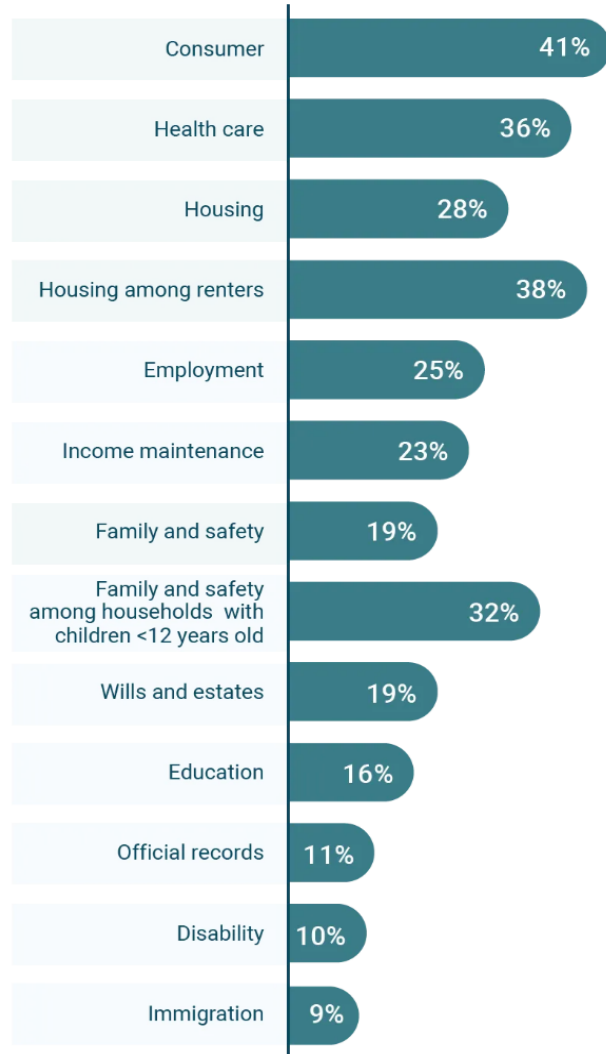


» Over 1 in 4 California households experienced a civil legal problem **that substantially impacted their lives**, taking the **greatest toll on lower-income households.**

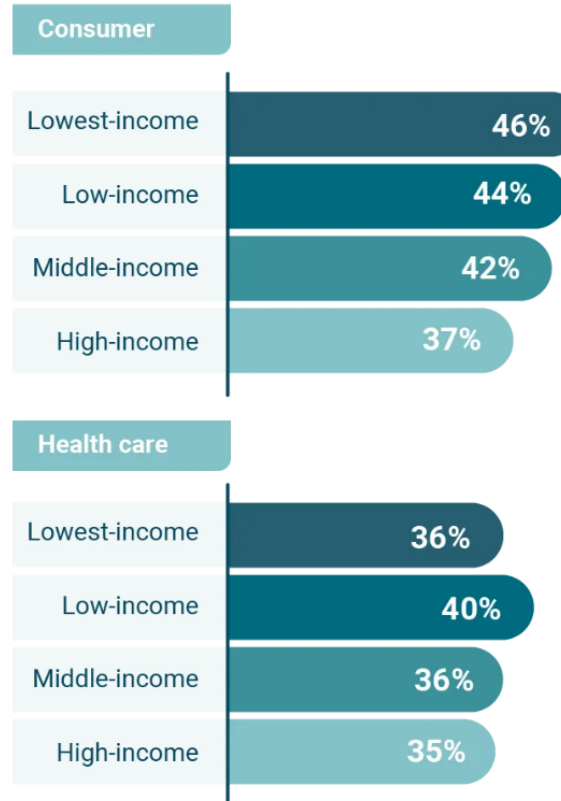


» The two most common types of civil legal problems in California households across **all income groups** are related to **consumer and health care issues**.

Percent of California Households that Experienced Civil Legal Problems by Type of Problem



Percent of California Households that Experienced Consumer and Health Care Problems by Income



### Top 3 consumer problems

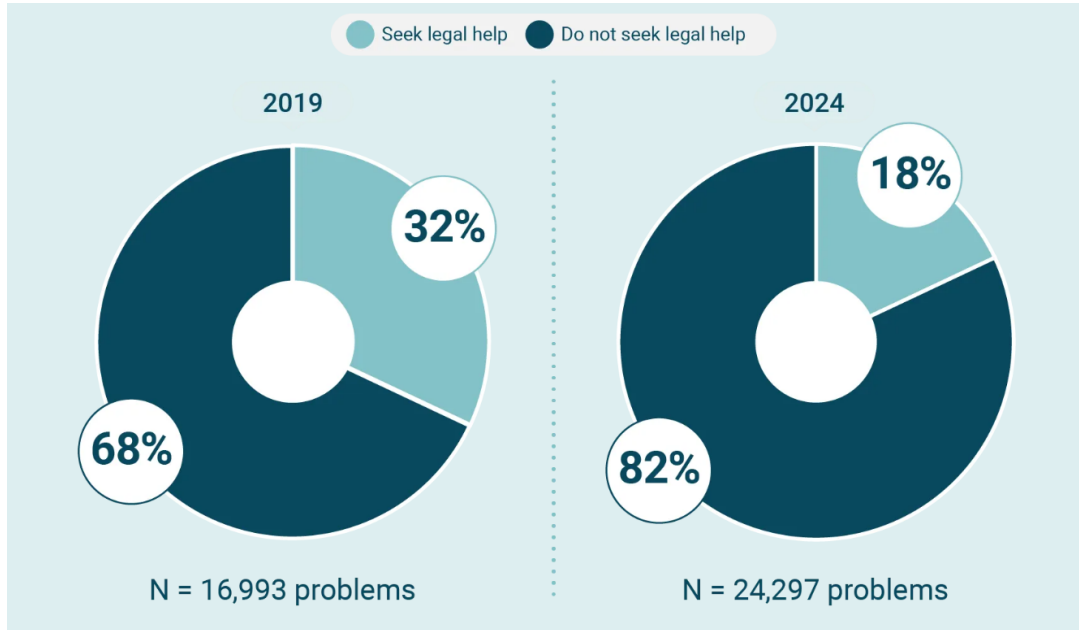
- Compromised personal information
- Contracts
- Personal injury

### Top 3 health care problems

- Health insurance not covering services
- Billed incorrectly for medical services
- Having unpaid medical debt

» Californians continue to **rarely seek legal help** for their civil legal problems, even for those that **substantially impact their lives**.

Percent of Problems for Which Californians Seek Legal Help:  
2019 and 2024



Percent of Problems for Which Californians Seek Legal Help  
by Income: 2024



Problems with substantial impact are problems impacting respondents “very much” or “severely.”

» Californians seek legal assistance for only a small fraction—**approximately one in 10—of consumer and health care problems.**

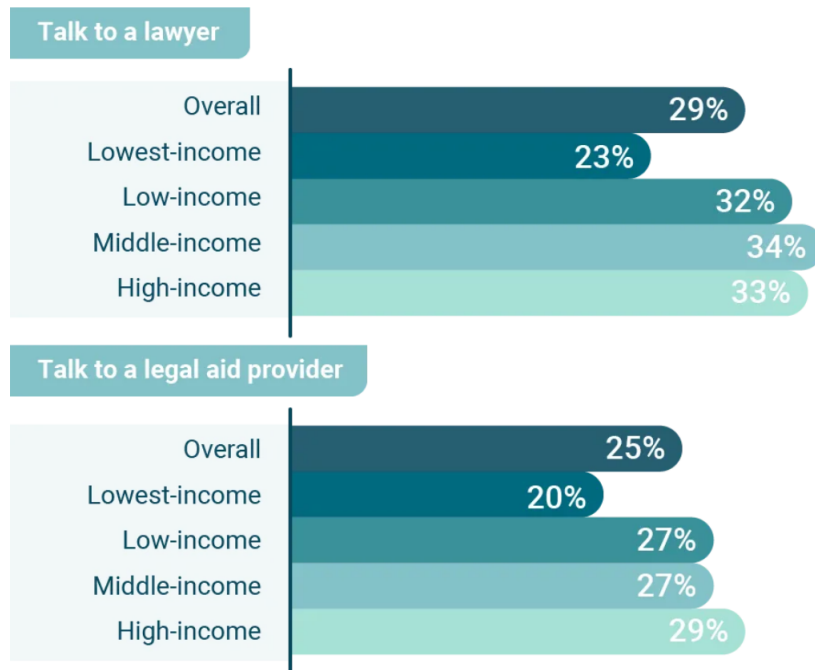




- » Californians seek help from a lawyer for **only three in 10** civil legal problems that substantially impact them.
- » Lowest-income Californians are less likely to speak to a lawyer than all other groups and they **seek help from a legal aid provider for just one in five problems** that substantially impact them.

- » When Californians consult a lawyer the most common response is **their case is valid and legal action is recommended.**
- » For 1 in 4 problems: they are offered **contingence fee** arrangements
- » For 1 in 5 problems: they are told **their case is valid** but **would not win enough money for case to be worthwhile for lawyer**

Percent of Substantial Problems for Which Californians Seek Legal Help by Type of Legal Professional



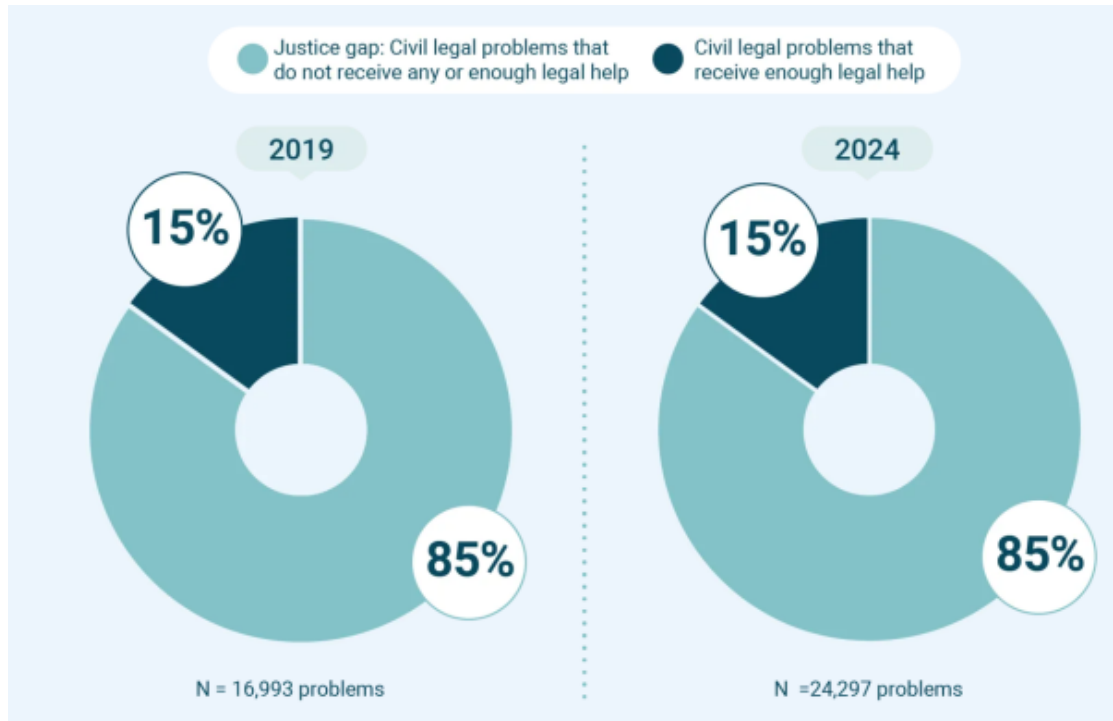
Substantial problems are problems impacting respondents "very much" or "severely."

What Californians Hear from Lawyers About Their Civil Legal Problems



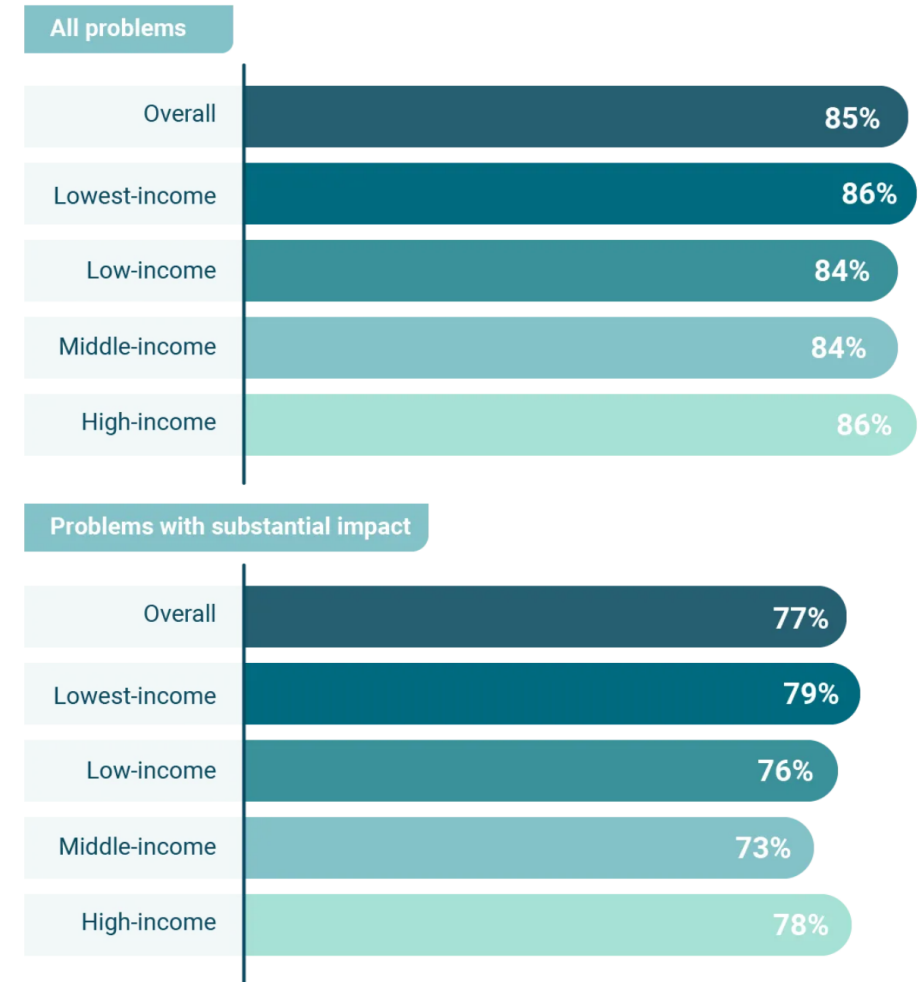
$$\text{Justice gap} = \frac{(\text{Problems not receiving any legal help}) + (\text{Problems not receiving enough legal help})}{\text{all problems experienced}}$$

» The justice gap **remains unchanged**



Californians across the income distribution **do not receive any or enough legal help** for the vast majority of their civil legal problems, including problems that substantially impact them.

**The Justice Gap: Percent of Problems for Which Californians Do Not Receive Any or Enough Legal Help**





## Knowledge barrier

» Most Californians **are unaware** that lawyers or other legal professionals can help resolve many of the everyday civil legal problems they face.

### Percent of Problems Californians Believe a Lawyer or Other Legal Professional Could Help Resolve



Survey question: "In your opinion, is this a type of problem that a lawyer or other legal professional could help resolve?"

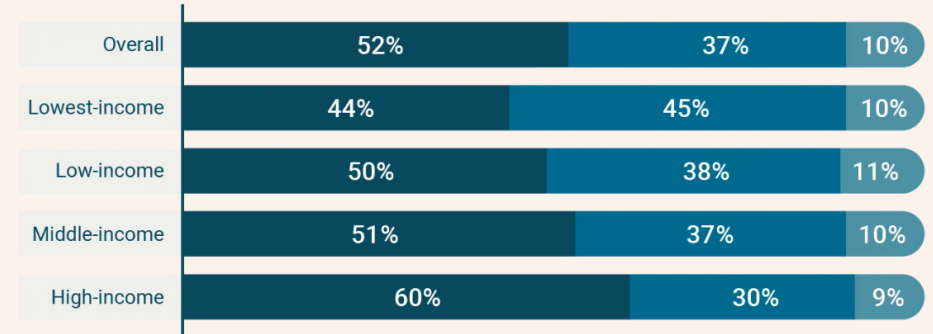
## Attitudinal barrier

- » Lowest-income Californians **are more likely to have uncertain or negative perceptions of the civil legal system** than Californians in higher income categories.
- » **44% believe the civil legal system can help people like them solve important legal problems**, compared to about half of low- and middle-income Californians and 60% of high-income Californians.
- » **31% think the system treats people like them fairly**. In contrast, about 4 in 10 of low- and middle-income Californians and nearly half of high-income Californians think the same.
- » **Less than half agree that people like them can use the system to protect and enforce rights** compared to 63% of high-income Californians.

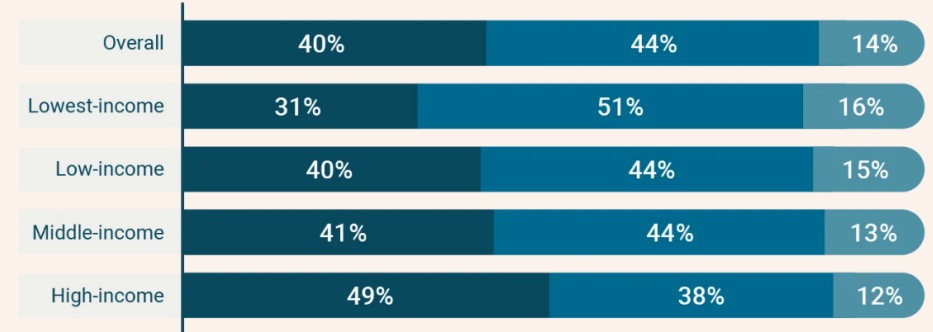
## Californians' Beliefs about the U.S. Civil Legal System

● Agree ● Not sure or are indifferent ● Disagree

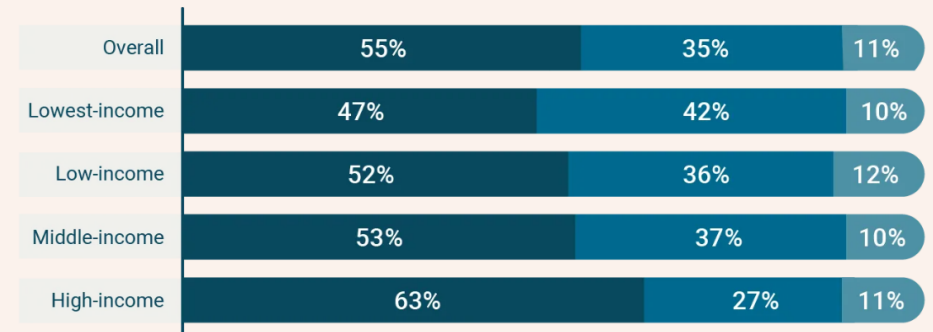
The system can help people like me solve important problems.



People like me are treated fairly in the system.



People like me are can use the system to protect and enforce rights.

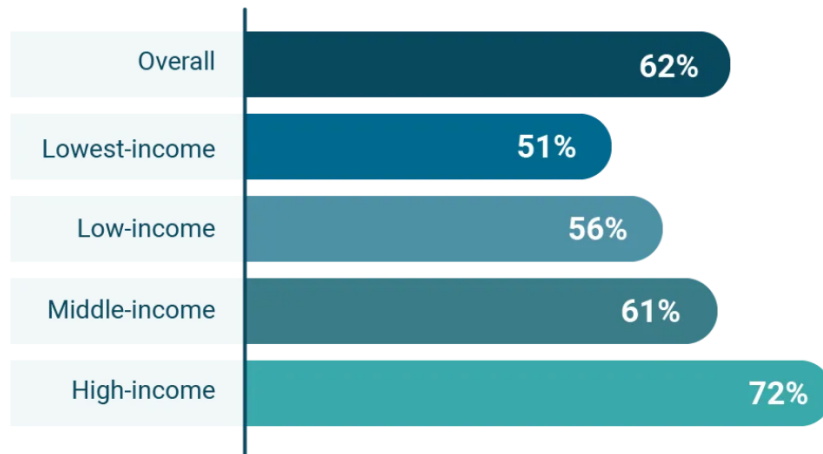


**Cost barriers:** real or perceived cost of receiving legal help.

» Just 6 in 10 Californians **are confident they could find an affordable lawyer or legal professional** if they needed help **with a serious legal problem**.

» Lowest-income Californians are least confident.

Percent of Californians Who Are Confident in Their Ability to Find a Lawyer or Legal Professional They Can Afford



**“Why haven’t you talked with a lawyer or legal professional about this problem?”**

30% decided to deal with problem on their own

**27% worried about the cost**

26% didn’t think the problem was serious enough

**“Why haven’t you gotten all the legal help you wanted?”**

**22%** report that **ongoing costs are too expensive** to get any or more help

**“How much would you have been willing to pay to speak to a lawyer (if this was the lowest rate you could find) for one hour to learn about your options for solving your problem?”**

Nearly 1 in 2 problems: **“don’t know”**

4 in 10 problems: **“would only speak to a lawyer I they didn’t have to pay anything upfront”**

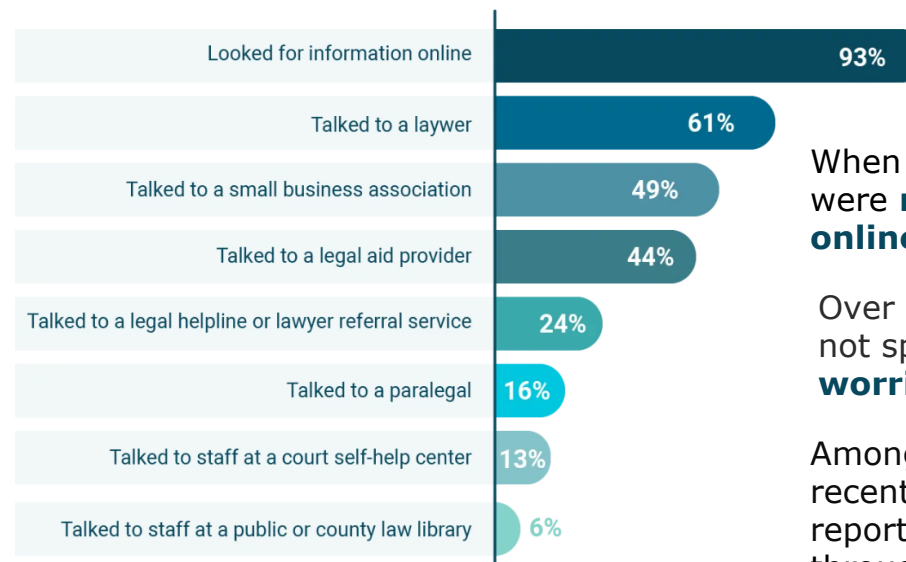
Average amount willing to pay: **\$153**

# Legal Needs of Small Business Owners

**Methodology:** survey of over 100 small business owners administered in partnership with the California Office of Small Business Advocate (CalOSBA).

**Purpose:** learn about the challenges faced by the state's 4.1m small business owners, many of whom lack affordable legal help when running their businesses.

- 40% reported having **at least one legal need** in previous 12 months.
- 50% needed help related to **drafting, reviewing, and negotiating contracts.**
- 40% needed help related to **tax law and financial legal advice**
- 38% needed help with **compliance, governance, and licensing/permits**



When seeking help, small business owners were **more likely to look for information online** than talk to a lawyer.

Over two-thirds (67%) of those who did not speak to a lawyer reported they **were worried about the cost** involved.

Among business owners whose most recent legal needs were not met, 85% reported being impacted financially through **lost business or revenue and the prevention of business growth.**

# Civil Legal Needs of Criminal Defendants

**Methodology:** survey of all public defenders (and their staff); 37 out of 58 counties, 80 completed surveys

**Purpose:** learn about the civil legal needs of public defender clients whose socioeconomic realities often mean they are greater risk of experience a justice gap.

- Nearly **90%** of public defenders reported that their clients experienced civil legal issues that **substantially impacted their lives** or **the lives of others in their households**.
- 59% estimated that **only a few** of their clients **sought help from a lawyer or legal professional** for their civil legal problems.

**“What reasons do your clients give about why they don’t seek help from a lawyer or legal professional for their civil legal problems?”**



# The Demand for Immigration Services

Over a quarter of Californians—approximately 11 million—are foreign born, with nearly 5 million (45 percent) without U.S. citizenship.

The 2024 NORC survey showed:

- 9% of California households **experienced a problem related to immigration.**
- Californians **sought legal help for more than 50%** of their immigration-related problems yet **received legal help for just 40%**, underscoring potential challenges in accessing services even among those who actively pursue assistance.

- Over 8 in 10 State Bar-funded legal aid organizations **report an increase in requests for immigration legal services** since the 2024 national election.
- Just 2% of active attorneys in California self-report **practicing immigration law.**



In 2023, State Bar-funded legal aid organizations provided services related to over 8,000 immigration legal matters.

- ✓ 1,948 benefits related to immigrant status obtained, including travel documents and AB 60 driver's licenses
- ✓ 1,836 individuals gained citizenship
- ✓ 1,717 employment authorizations obtained
- ✓ 833 permanent residencies secured
- ✓ 761 other legal or quasi-legal statuses obtained
- ✓ 623 deportations prevented
- ✓ 590 asylums granted
- ✓ 28 releases from immigration custody achieved





# **The Supply of Attorneys and Legal Services Available to Meet Demand**

# California's Legal Market

**Background:** in 2019, the State Bar commissioned a report from Professor William Henderson of Maurer School of Law at Indiana University on the national legal market.

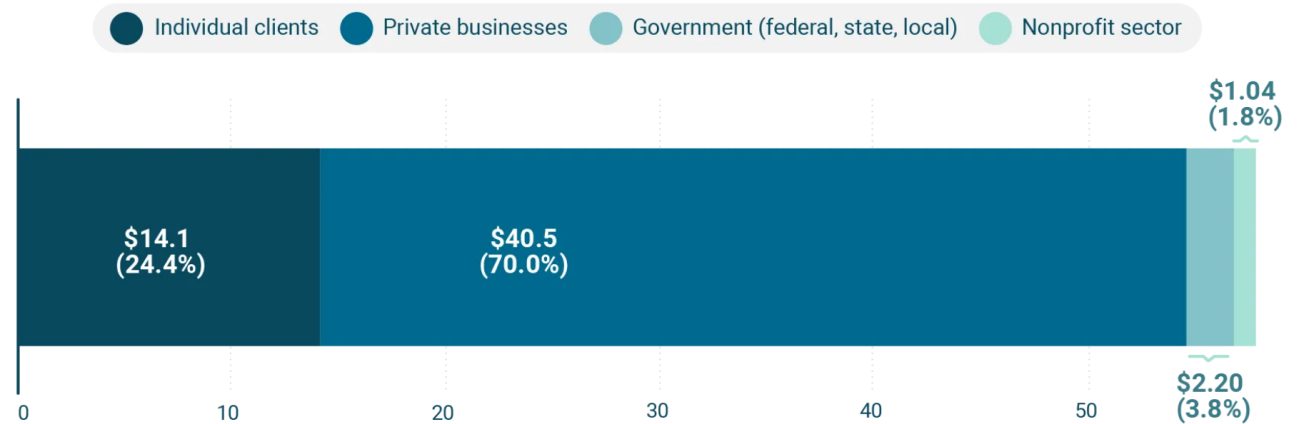
**Key finding:** nationwide: the majority of the legal market served organizations rather than individuals ("PeopleLaw Sector")

**2024 commissioned report methodology:** Professor Henderson updated the study and explored California's **\$57.8 billion** legal market.

## Key findings:

- California's legal market mostly serves the organizational market; **just 24% serves individual clients ("PeopleLaw")**; this is also a nationwide finding
- Between 2016 and 2023: **45% increase** in the number of California lawyers working as **"in-house" lawyers**.
- Reasons relate to both supply and demand for legal services: salaries, drop in consumer spending on legal services costs of hiring a lawyer

## California Legal Services Economy







# California's Attorney Deserts

## Methodology:

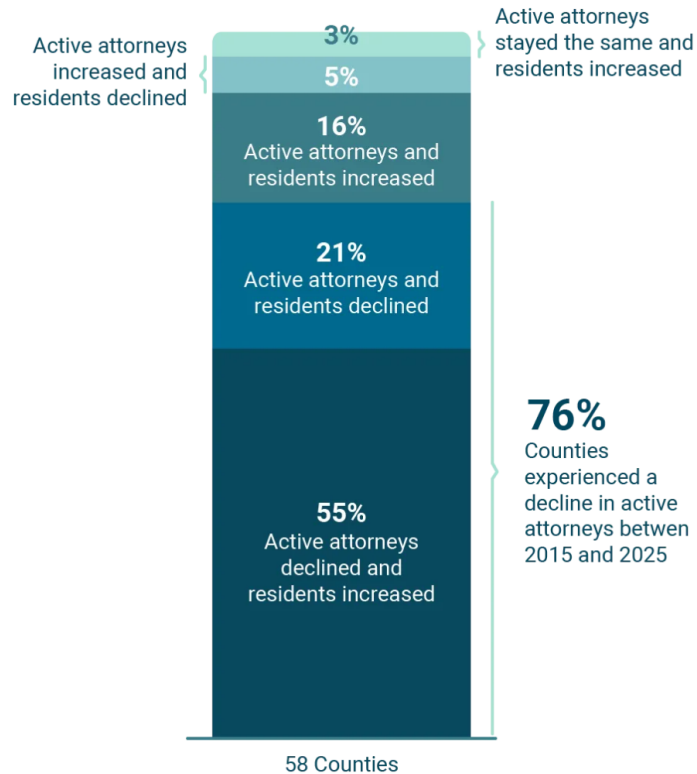
- Utilized American Bar Association definition of “attorney desert”
- Explored trends in the number of California active licensees who live in-state vs. out of state.
- Explored population trends across counties.
- Identified counties and both urban and rural areas within counties that are attorney deserts or at risk of becoming a desert.

## Key findings About California Licensees and Overall Population

- Of the 196,600+ active California licensees, **13% live out of state**, up from 11% in 2015.
- The number of active attorneys residing in California **grew by just 3%, falling short of the state's 4% population growth.**
- In contrast, the number of **inactive attorneys** living in state **increased by 59%.**

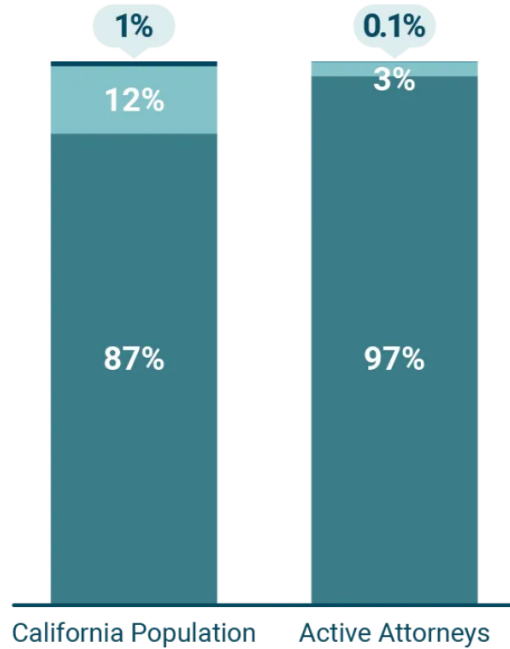
» 76% of counties have experienced a **decline in the number of active attorneys** in the last 10 years.

» 55% of counties **experienced a decline** in active attorneys **while simultaneously experiencing an increase in residents**.

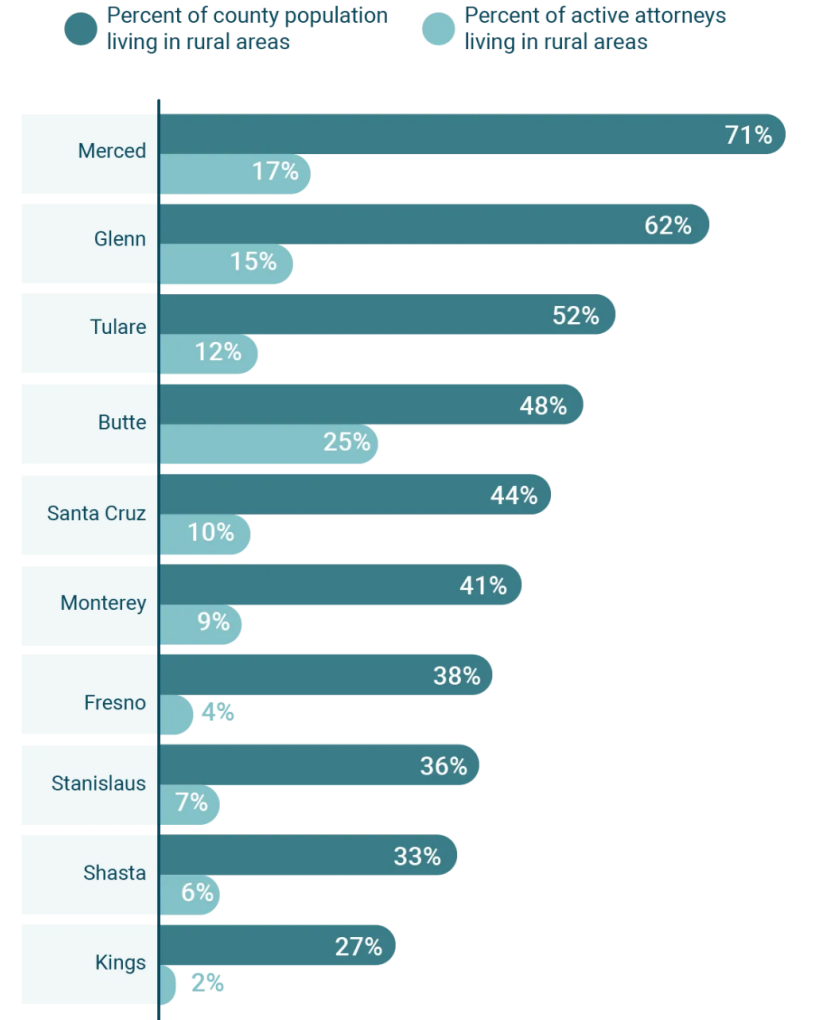


» Just **3% of California's active attorneys live in rural areas**, compared to 12% of California's residents.

Where California's Residents and Active Attorneys Live: 2025



» Some counties have **extreme mismatches** between active attorneys' and residents' locations.



The combined effect of these trends—shifts in the overall active attorney population and the persistent scarcity of attorneys in rural regions—has led to increasing and widespread attorney deserts.

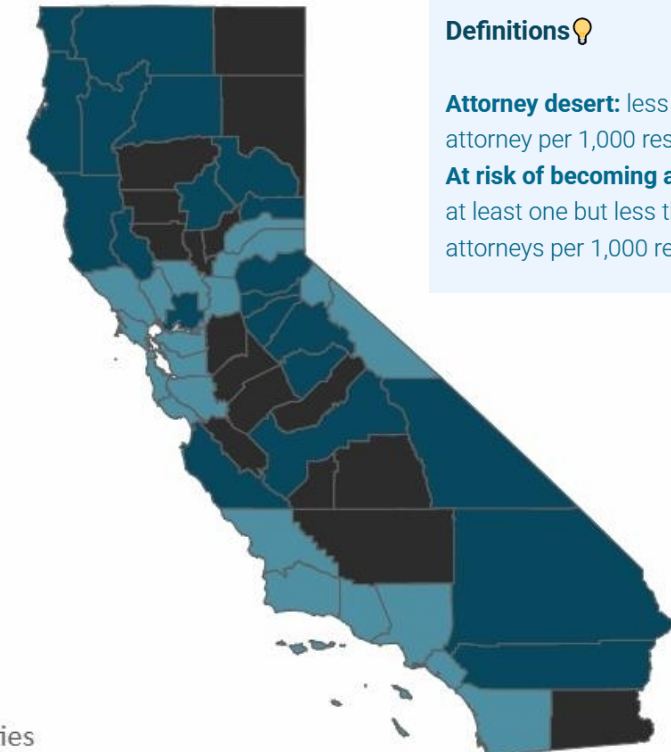
- The number of counties that are attorney deserts has **increased from 11 to 16** over the last 10 years.
- **Most** California counties are attorney deserts **or at risk of becoming one**.
- In general counties that are attorney deserts or at risk of becoming one **are poorer and less populous** than counties that are not attorney deserts.
- 10 counties do not have enough attorneys in **both rural and urban areas**
- Drawing upon the inactive attorney population to offer pro bono through Pro Bono Practice program will not alleviate deserts **due to few inactive attorneys living in areas that are attorney deserts**.

Number of Counties

2025 County Characteristics

	2015	2025	Average Population	Average Number of Active Attorneys	Average Poverty Rate
Attorney Deserts	11	16	244,149	200	15%
At Risk of Becoming an Attorney Desert	18	21	366,725	510	13%
Not an Attorney Desert	29	21	1,315,961	7,441	10%

● Is an Attorney Desert ● At Risk of Becoming an Attorney Desert ● Not an Attorney Desert



58

Count of Counties



# Pro Bono Service



## Pro bono policy landscape



## State Bar's efforts to promote pro bono service

State Bar Pro Bono Resolution: **encourages at least 50 hours** of pro bono legal service.

Pro Bono Practice Program: a program that **waives license fees for attorneys who would otherwise be inactive** to maintain active status and provide pro bono service to legal service organizations

✓ Average participation over last 6 years: **111 attorneys**

Pro bono grant allocations to legal aid organizations: for organizations that rely primarily on pro bono attorneys to provide representation

✓ In 2023: over 14,000 attorneys participated, providing over 333,000 hours of service. Equivalent to 160+ full-time attorneys



**Analysis of over 3,000 California responses to an American Bar Association survey on pro bono service.** The survey captures pro bono hours, type of pro bono service, attitudes about and barriers to providing service.

## Just 45% of California attorneys engaged in pro bono service in 2022.

- 55% of California attorneys provided **no pro bono services in 2022**, similar to 2016. This is **higher** than what attorneys report nationwide (43%).
- 23% California attorneys provided 50 or more hours of pro bono service in 2022, **up from 20% in 2016**.
- On average, attorneys engaged in pro bono services provided 116 hours in 2022, **a 47% increase** compared with the 2016 average of 79 service hours offered in 2016.
- Another notable change is the share of attorneys who provided 80 hours or more of pro bono service: 15% of attorneys reported doing so in 2022 compared with 12% in 2016.

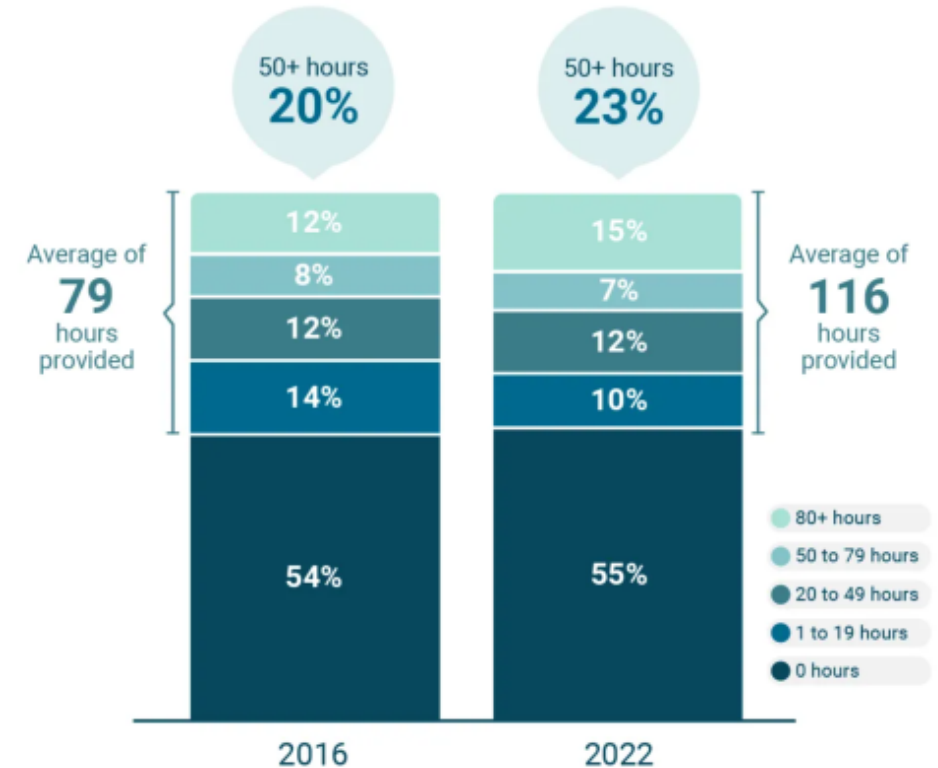
### Top Legal Tasks Performed During Pro Bono Service

1. Providing advice
2. Reviewing and/or drafting documents
3. Interviewing clients

### Top Practice Areas Performed During Pro Bono Service

1. Family law
2. Contract law
3. Immigration law
4. Estate planning/probate/wills
5. Criminal law

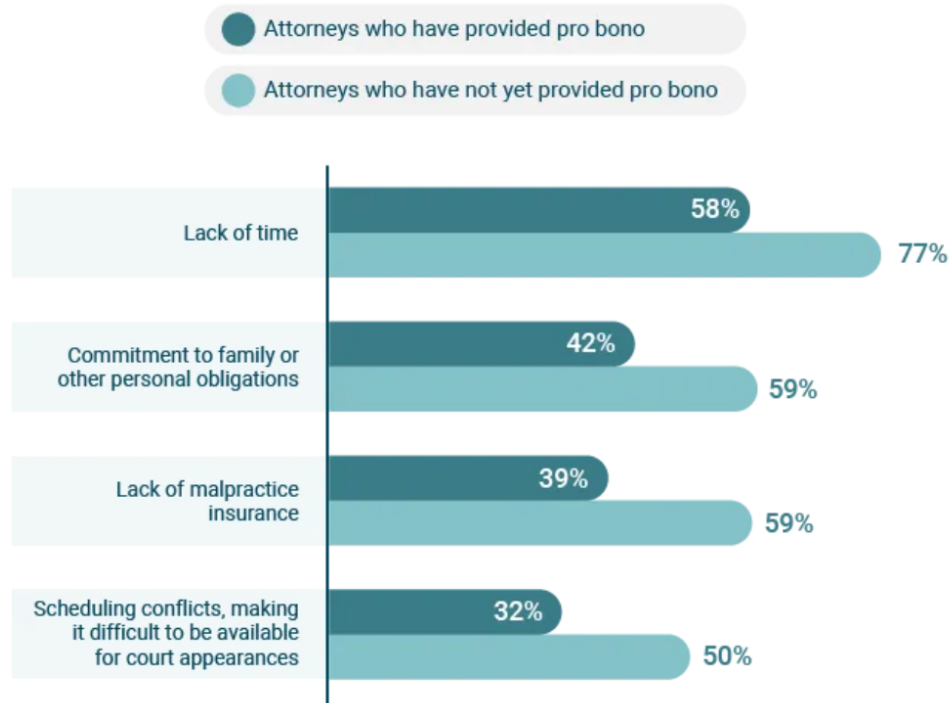
### Hours of Pro Bono Service California Attorneys Provided in 2016 and 2022



# » 75% of California attorneys have provided pro bono services at some point in their careers

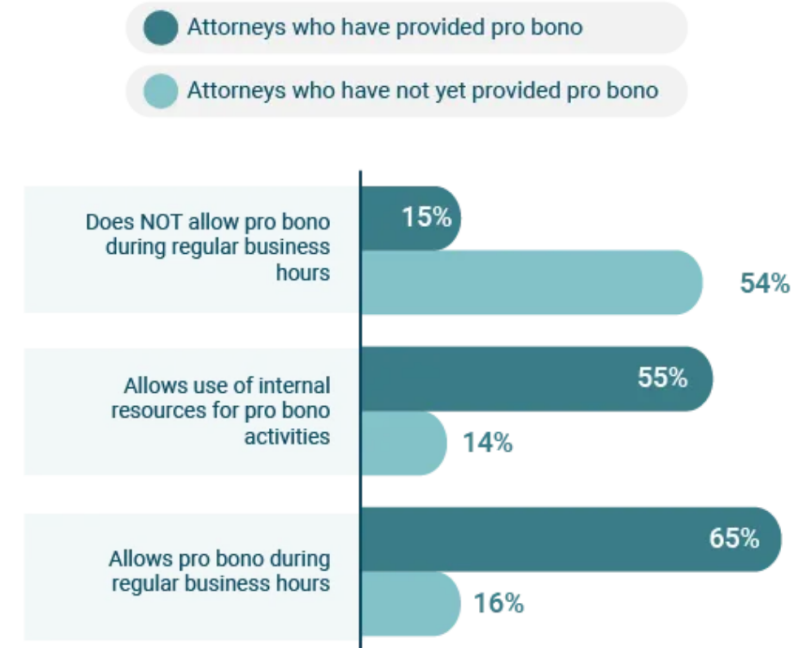
Attorneys who have not yet provided pro bono services reported **lack of time** as the top discouraging factor when it comes to providing pro bono service.

California Attorneys' Ratings of Factors as "Very Discouraging" in Doing Pro Bono by Previous Pro Bono Experience



Nearly half of attorneys who have not yet provided pro bono reported that **their employers do not allow pro bono during regular business hours**.

Ways Employers Discouraged or Encouraged Pro Bono According to California Attorneys by Previous Pro Bono Experience





# Funding for Legal Aid



## Overview of funding for legal aid organizations that receive State Bar funding: trends and funding from all sources

- Staffing changes since 2019
  - 24% increase in **attorney staffing**; 49% increase in **nonattorney staff**



## Challenges faced by legal aid organizations

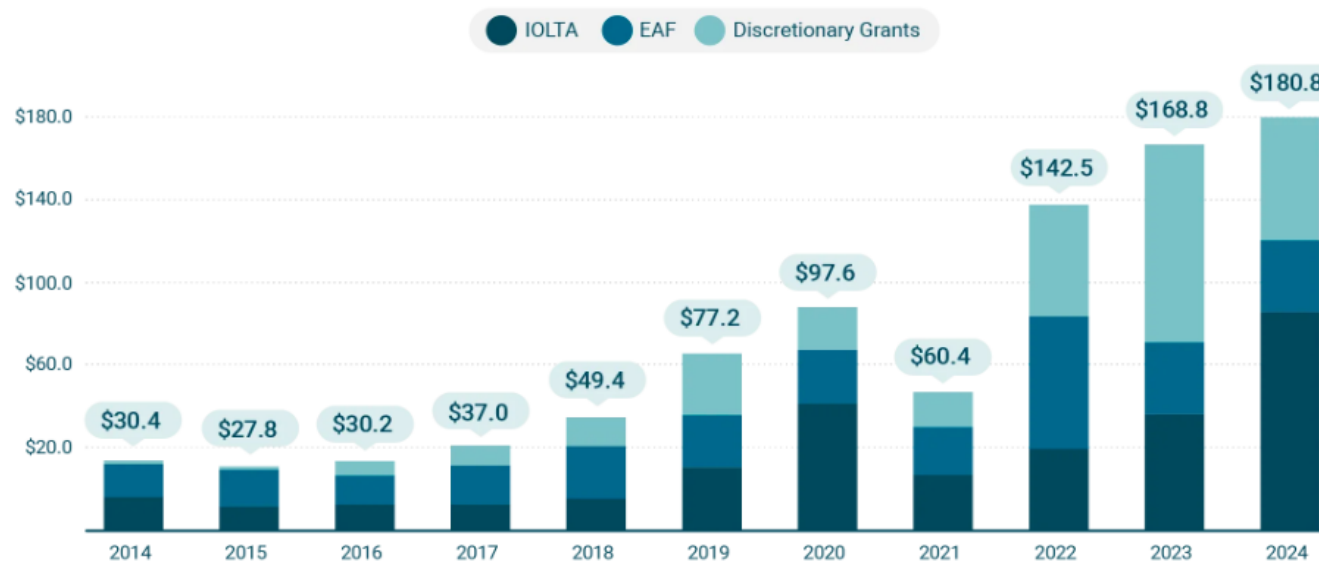
- Pro bono hours **has not recovered from pre-pandemic levels**
- Legal aid recruitment and retention **remain a challenge**



## Outcomes achieved over the last 5 years

- More than **656,000 legal outcomes** achieved; additional **764,861 people** served through **self-help clinics** and **571,629** served through **hotline calls**
- Recovered nearly **\$544M on behalf of clients** and **obtained almost \$315M in reduction amounts** (such as elimination or reduction of unpaid rent or medical debt).

Total Amount of Legal Aid Grant Funding Disbursed by the State Bar, 2014-2024 (in millions)



# Conclusion

- » The state's justice gap remains persistent, widespread, and deeply entrenched across all income groups.
- » The fundamental barriers identified five years ago—knowledge gaps and service gaps—continue to leave the majority of Californians without the legal help they need when facing significant civil legal problems.
- » The supply of attorneys and legal services available to meet Californians' civil legal needs remains constrained by many factors including:
  - a legal market that primarily serves organizations;
  - increasing attorney deserts;
  - limited pro bono service, with most not meeting recommended service levels; and
  - and strategies to increase supply of attorneys are promising but operate at a limited scale.





# 2024 JGS Recommendations\*

- Support grantees' use of artificial intelligence to enhance service delivery
- Address immigration legal needs: accredited representatives
- Develop pro bono attorney outreach and engagement plan
- Support and expand the Legal Aid Leaders Fellowship grant
- Explore outreach opportunities and partnerships among legal aid, pro bono, and Lawyer Referral Services (LRS) partnerships; public defenders and LRS; small businesses and LRS
- Conduct further data collection and analyses: immigration legal needs, pro bono attorney hours, and attorney deserts; LRS and Legal Incubator programs; State Bar grantee intake census

\*Recommendations developed in collaboration with the Legal Services Trust Fund Commission

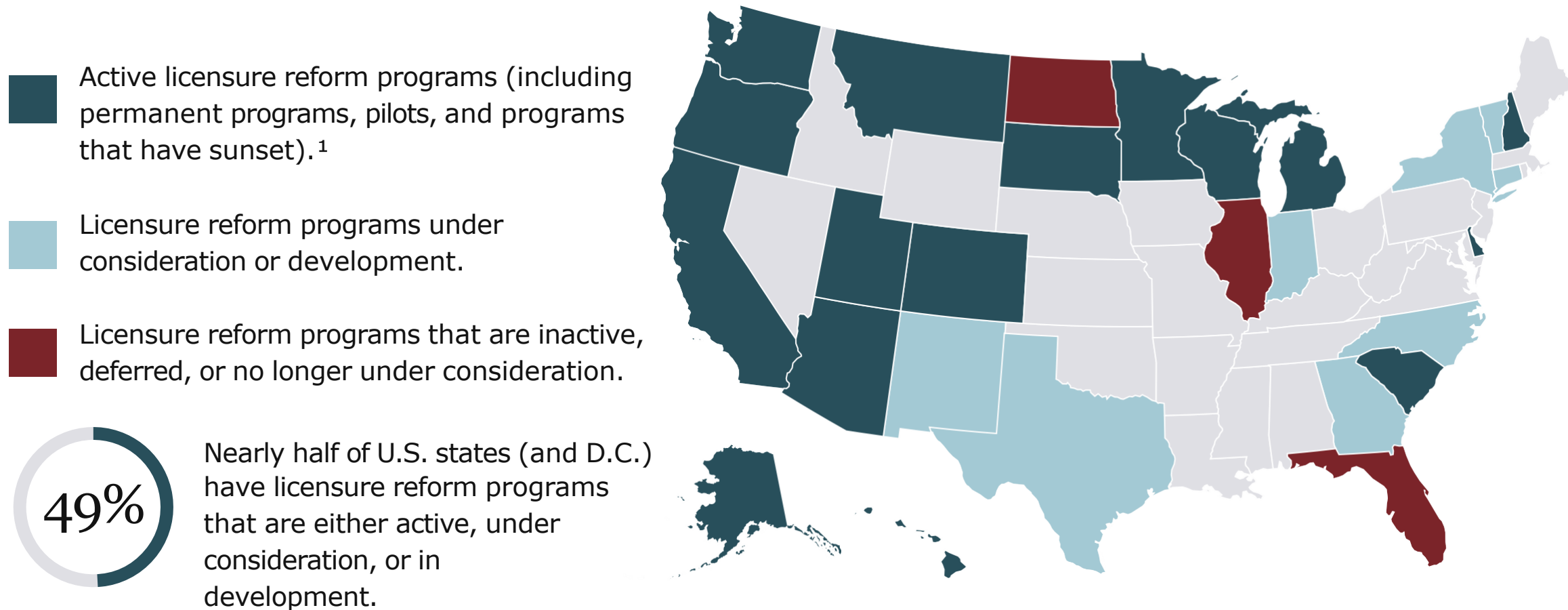


# State-Level Approaches to Expanding Legal Services

# State-Level Approaches

- ① Alternative Business Structure (ABS)
- ② Alternative Pathways to Licensure (APL)
- ③ Community Justice Workers (CJW)
- ④ Paraprofessionals
- ⑤ Regulatory Sandbox

# Mapping State-Level Licensure Reform



<sup>1</sup>Although Washington's paraprofessional program sunset, those with active licenses may still practice.

# Licensure Reform by Jurisdiction

Jurisdiction	Type of Licensure Reform	Status
Alaska	CJW	Active
Arizona	ABS APL CJW Paraprofessionals	Active (all)
California	APL Paraprofessionals CJW	Active No longer under consideration Under consideration
Colorado	Paraprofessionals	Active
Connecticut	Paraprofessionals	Under consideration
Delaware	APL CJW	Under consideration Active
District of Columbia	ABS	Active
Florida	Paraprofessionals	No longer under consideration
Georgia	Type(s) to be determined	Under consideration
Hawai'i	CJW	Active
Illinois	Paraprofessionals	Deferred

# Licensure Reform by Jurisdiction

Jurisdiction	Type of Licensure Reform	Status
Indiana	Paraprofessionals Regulatory Sandbox	Under development (both)
Montana	CJW	Active
Michigan	Paraprofessionals	Under consideration
Minnesota	Paraprofessionals Regulatory Sandbox	Active Under development
New Hampshire	APL Paraprofessionals	Active (both)
New Mexico	Paraprofessionals	Under consideration
New York	CJW	Under consideration
North Carolina	Paraprofessionals	Under consideration
North Dakota	APL	No longer under consideration
Oregon	APL Paraprofessionals	Active (both)
South Carolina	CJW	Active



# Licensure Reform by Jurisdiction

Jurisdiction	Type of Licensure Reform	Status
South Dakota	APL	Active
Texas	ABS APL CJW Paraprofessionals	Rejected Under consideration Delayed Delayed (Supreme Court); under consideration (Legislature)
Utah	ABS Paraprofessionals Regulatory Sandbox (includes CJWs)	Active (all)
Vermont	CJW	Under consideration
Washington	APL Paraprofessionals Regulatory Sandbox (includes ABS)	Active Sunset Active
Wisconsin	APL	Active

# Examples of Programs in Operation

# Alaska's Community Justice Workers (CJWs)



## Background

- Trusted community members who work or volunteer in their communities
- Trained and supervised by the Alaska Legal Services Corporation
- Over 200 fully trained CJWs
- CJWs have secured approximately \$23.7 million in SNAP benefits
- Clients report a 100 percent satisfaction and success rate
- **Education, Experience, and Training Requirements**
  - Complete free, online, self-paced training in one or more practice areas; and
  - Some options for in-person training

## Practice Areas

- Primarily SNAP advocacy and drafting wills
- Also debt collection, Indian Child Welfare Act, and domestic violence

## Scope

- Limited scope legal advice, supervised by an attorney from Alaska Legal Services Corporation
- May expand due to the passage of Rule 43.5 (UPL waiver)

# Arizona's Elimination of Rule 5.4



## **Background**

- Arizona Supreme Court abolished rule 5.4 in 2020
  - Allows nonlawyers to own law firms and manage lawyers
- First ABS approved in 2022
- Over 110 active ABSs in Arizona

## **ABS Requirements**

- Must be licensed;
- Must pay licensing fees; and
- Must have at least one lawyer licensed to practice in Arizona to serve as its compliance lawyer

## **Example Practice Areas**

- Civil litigation
- Class action
- Mass tort
- Mass arbitration
- Immigration
- Estate planning
- Personal injury

# Arizona's Certified Community Legal Advocates (LAs)



## **Background**

- LAs provide services to clients free of charge
- Permanent as of March 2025 through an Arizona Supreme Court Administrative Order

## **Education, Experience, and Training Requirements**

- High school diploma or GED;
- Employed by or volunteer with an approved organization;
- Successfully complete the relevant course of study through i4J; and
- Pass the subject matter-specific substantive law and court forms examination

## **Practice Areas**

- Family and housing

## **Scope**

- Domestic violence: limited scope legal advice on some matters; attend court with a survivor to provide quiet advice and answer direct questions from the court
- Housing: limited scope legal advice on some matters; attend court with a tenant to provide quiet advice and answer direct questions from the court; limited scope legal advice to tenants with common post-eviction legal problems

# Arizona's Lawyer Apprentice Program (ALAP)



## **Background**

- Established in July 2024 to help increase the number of attorneys in public offices (e.g., prosecution and defense agencies as well as legal services organizations) and rural Arizona
- A pathway to licensure for those scoring below Arizona's minimum score on the Uniform Bar Exam (UBE)

## **Education, Experience, and Training Requirements**

- Graduate from an ABA-accredited law school;
- Score 260–269 on a UBE administered after July 1, 2023;
- Meet all other Arizona law practice requirements; and
- Obtain a qualifying job under the supervision of a qualified Arizona attorney in rural Arizona or in public law for at least two years

## **Practice Areas**

- All

## **Scope**

- All, under the supervision and discretion of the apprentice's supervising attorney



# Colorado's Licensed Legal Paraprofessionals (LLPs)

## Background

- Final LLP rules adopted March 2023
- First LLPs sworn in by Colorado Supreme Court in 2024
- 91 LLPs have been sworn in

## Education, Experience, and Training Requirements

- Completion of an ethics class;
- Passing the LLLP exam;
- At least 1,500 worked hours of substantive law-related practice, including 500 hours of Colorado family law; and
- Either:
  - JD from an ABA-accredited or state-accredited law school;
  - Associate's or Bachelor's Degree in paralegal studies;
  - Bachelor's Degree with a paralegal certificate or 15 hours of paralegal studies;
  - Non-U.S. Law Degree and an LLM; or
  - Work experience and employment in lieu of education requirements

## Practice Area

- Family Law

## Scope

- Limited legal services in lower-asset marital dissolution, parentage, and allocation of parental responsibility cases

# Delaware's Qualified Tenant Advocates (QTAs)



## **Background**

- QTAs authorized by the Delaware Supreme Court in January 2022 via Rule 57.1
- Rule 57.1 enabled Delaware's Right to Representation in eviction proceedings

## **Education, Experience, and Training Requirements**

- Must be trained by one of Delaware's legal aid organizations; and
- Must be supervised by an attorney who is employed at one of Delaware's legal aid organizations

## **Practice Area**

- Housing

## **Scope**

- May represent tenants below the 200 percent Federal Poverty Level to:
  - Prosecute or defend in eviction proceedings
  - Engage in settlement negotiations
  - File pleadings and other documents
  - Appear in the Justice of the Peace Court on behalf of tenants

# Hawai'i's Rural Paternity Advocates (RPAs)



## Background

- Authorized by the Hawai'i Supreme Court as a pilot
- Provide representation under the supervision of a Hawai'i-licensed attorney
- Must be employed by the Legal Aid Society of Hawai'i
- May represent low-income, pro se litigants
- The first RPA was certified in 2023

## Education, Experience, and Training Requirements

- 14 classroom hours;
- 5 courtroom observations hours;
- 20 to 50 hours shadowing an attorney working paternity cases; and
- Either:
  - A Bachelor's Degree
  - An ABA-approved paralegal certificate or degree, or
  - 7 years of relevant experience

## Practice Area

- Family law

## Scope

- May appear in family court for some matters related to paternity, child custody, and visitation under the supervision of a licensed attorney

# Minnesota's Legal Practitioners (LPs)



## **Background**

- Began as a pilot in 2020, permanent as of January 1, 2025
- LPs are supervised by attorneys
- Currently 30 LPs; no complaints have been received
- LP custody matters took an average of 50 days less to resolution compared to those with lawyer representation

## **Education, Experience, and Training Requirements**

- Associate's or Bachelor's Degree in paralegal studies;
- Paralegal certificate in addition to an Associate's or Bachelor's Degree;
- Law degree from an ABA-accredited school; or
- Highschool diploma and five years of substantive paralegal experience

## **Practice Areas**

- Family and housing law

## **Scope**

- Appear in court on behalf of clients in some family law cases, provide advice in other family law cases, and appear with a client in family law mediations in some cases
- Advice and appear in court for housing disputes (eviction and eviction expungement)

# Utah's Regulatory Sandbox



## **Background**

- Pilot authorized by the Utah Supreme Court from September 2020 to August 2027
- Participants may only provide services in specific legal service categories, using specific service models
- As of January 2024: 51 entities authorized, over 75,000 services provided to approximately 24,000 consumers
- Only 14 complaints received

## **Legal Service Category Examples**

- Business law services
- Immigration
- Veterans' benefits
- End-of-life planning

## **Service Model Examples**

- ABS
- Software provider with lawyer involvement
- Nonlawyer provider (e.g., CJWs) with lawyer involvement

## **Sandbox Phase 2**

- Utah Innovation Requirement: participants must demonstrate that sandbox authorization benefits underserved Utah consumers

# Utah's Certified Advocate Partners Program (CAPP)



## **Background**

- Authorized by the Utah Supreme Court under the Utah Regulatory Sandbox
- Advocates are supervised by an attorney
- Victim advocates provide legal advice to pro se survivors
- Assisted 358 clients, closed 327 cases, and provided 841 unique services in 3 years
- 77 percent of clients served live in rural Utah
- 16 active CAPP advocates

## **Education, Experience, and Training Requirements**

- 50 to 60 hours of training over three months;
- Asynchronous and synchronous including a practice manual, assignments, one-on-one feedback, and an exam;
- 7 units, including ethics, legal writing, and rules of evidence; and
- Advocates must have 2 or more years of victim advocacy, including experience with civil protective orders

## **Practice Area**

- Family law

## **Scope**

- Legal advice on civil protective orders and stalking injunctions



# Washington's Entity Regulation Pilot



## Background

- Pilot authorized in 2024 by the Washington Supreme Court
- Authorized for 10 years
- Collaboration between the Washington State Bar Association (WSBA) and the Practice of Law Board (POLB)
- Allows entities with innovative business models to offer legal services without violating rules on UPL
- The WSBA and POLB will develop the application, review process, and data collection requirements
- At the end of the pilot, the WSBA and POLB will make recommendations to the Washington Supreme Court based on data collected
- The Washington Supreme Court will determine whether to make the program permanent

A Legal Aid-Led  
California  
Community  
Justice Workers  
Proposal

# Background: Working Group Recommendations



## **Scope of Program**

- Recommends a statewide CJW program
- Proposes authorized legal services organizations (LSOs) could:
  - Certify individual CJWs
  - Provide legal advice
  - Serve clients who qualify for legal aid
  - Operate without violating California's prohibition on UPL
- Recommends streamlining the process for IOLTA-funded organizations
- Suggests pathway to authorization for non-IOLTA organizations

## **Role of LSTFC**

- The LSTFC would review applications, including:
  - CJW training plan;
  - Informed consent plan;
  - Client files security plan; and
  - Proof of malpractice insurance
- The LSTFC would issue authorization for the LSO and notify the State Bar

# Working Group Proposed Requirements for Authorized Legal Services Organizations

Certify each individual CJW to the State Bar.

- Submit each CJW's scope of practice

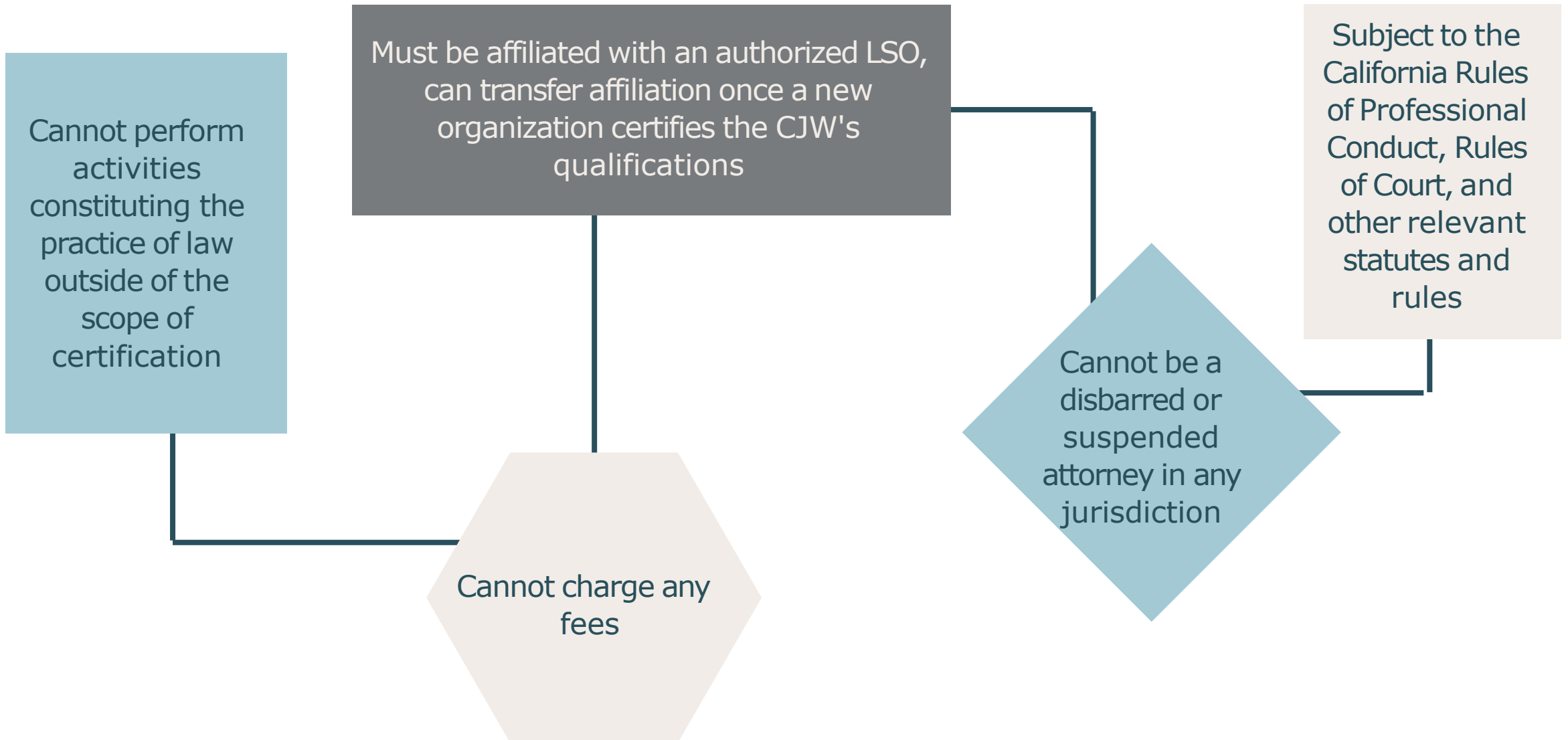
Report any relevant changes in status, either of the organization or any CJW, including:

- IOLTA status or loss of services
- CJW loss of eligibility, and
- Violations of rules

Annually report to the State Bar:

- Number of clients served by CJWs
- Hours worked by CJWs
- Legal/financial outcomes
- Post-services survey of CJW clients
- Client complaints and resolution, and
- CJW demographics

# Working Group Proposed Requirements for CJWs



# Working Group Proposed Role for the State Bar

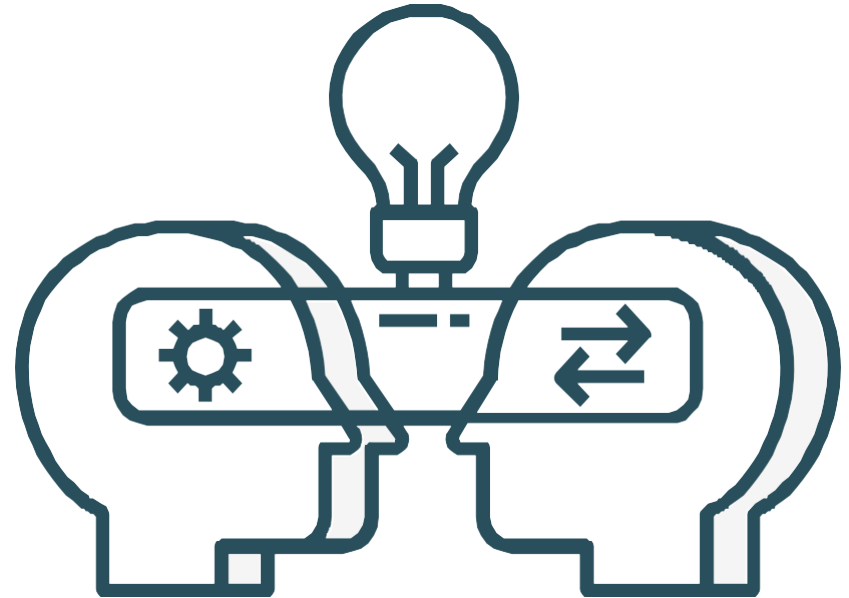
- Post a roster of authorized LSOs online
- Develop a process for authorized LSOs to certify individual CJWs
- Communicate the roster of authorized LSOs and their CJWs to other relevant authorities, including those who enforce UPL
- Report to the Legislature and Supreme Court all complaints received against CJWs annually, including:
  - The nature of the complaint; and
  - The resolution of the complaint



# Working Group Proposed Program Evaluation Plan

After five years, assess:

- The number of CJW providers
- The number of clients served
- The impact on LSOs to serve their communities, including:
  - Legal and financial outcomes
  - Impacts on access to justice for underserved communities
  - Community trust and engagement
- Cost of implementation within individual LSOs
- Cost of program implementation



# Summary and Discussion

- California's justice gap continues to grow
- 2022–2027 Strategic Plan, Goal 2 implementation steps were developed to address the 2019 Justice Gap Study
- Other jurisdictions demonstrate that licensure reform can expand access to justice
- In addition to its current work plans to address the justice gap, what other steps—if any—would the Board like the State Bar to take?