

Increasing Access to Justice THROUGH Community Justice Workers

A Proposal for California



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IN JULY 2024, the [Legal Aid Association of California](#) convened a working group of leaders from California’s legal aid organizations to explore the potential for a Community Justice Worker (CJW) program. This group was led by [Legal Link](#) and [OneJustice](#), with advice and support from Stanford Law School’s [Deborah L. Rhode Center on the Legal Profession](#) and [Frontline Justice](#). Discussions over the last six months focused on expanding the reach and impact of legal aid organizations by allowing nonlawyer staff and community members, with attorney training and supervision, to independently do discrete legal procedures for which there is a deep and unmet need. This would require authorization to perform a limited range of activities which could fall within the scope of the practice of law.

We are thrilled to share our CJW proposal for California, which would allow legal aid organizations to extend and expand on their work for the lowest-income Californians using a CJW model, as many other states are now doing. The proposal describes a framework for California legal aid organizations seeking to certify individual Community Justice Workers who will serve under the supervision of their attorneys. This is not a proposal for specific projects; rather, it is a proposal for an authorization and oversight framework for a California CJW program in which legal aid organizations across the state can choose to participate. The proposal seeks to streamline the process for groups already under IOLTA review and scrutiny, while allowing other organizations to enter the CJW Program should they meet a set of requirements. Our group is hopeful that our efforts to innovate and provide deeply needed services in a safe and measured way are embraced and carried forward.

Sincerely,

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Monique Berlanga, Centro Legal de la Raza, Executive Director

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INTRODUCTION

Access to justice is a cornerstone of our legal system, encapsulated by the four words inscribed on the façade of the United States Supreme Court building: *equal justice under law*. Unfortunately, these words do not reflect the reality of our American legal system in practice. Most Americans do not have any access to justice at all.

The statistics are shocking.¹ 75 percent of low-income households experienced at least one civil legal problem in the past year, and 40 percent experienced at least five.² 92 percent of those people do not receive any or enough legal assistance.³ In state courts, which handle 98 percent of civil disputes, lawyers represent both sides in only 24 percent of cases on average.⁴ In some legal areas, such as family, housing, and debt, 80 to 90 percent of parties have no lawyer at all.⁵ These figures only capture those who make it to court—many more struggle with serious legal problems outside the formal judicial process.⁶ These individuals often navigate complex and life-altering issues—affecting their family, safety, housing, employment, and finances—without any legal guidance.

California is significantly affected by this crisis. The State Bar’s 2019 study of the justice gap revealed that 55 percent of Californians faced at least one civil legal problem in the past year (13 percent experienced six or more), yet 85 percent received insufficient or no legal help.⁷ The California justice gap transcends socioeconomic status, with merely 27 percent of low-income and 34 percent of middle-income Californians receiving legal assistance.⁸ This study also showed that the most vulnerable among us experience more legal problems than others: those living in a household with a person with disabilities experience an average of three times as many legal problems and survivors of domestic violence or sexual assault expe-

1 Americans experience an estimated at least 150 million new civil justice problems annually. See Rebecca L. Sandefur & James Teufel, *Assessing America’s Access to Civil Justice Crisis*, 11 U.C. IRVINE L. REV. 753, 765 (2020). At least 120 million of those problems go unresolved. See INSTITUTE FOR THE ADVANCEMENT OF THE AMERICAN LEGAL SYSTEM & HAGUE INSTITUTE FOR INNOVATION OF LAW, JUSTICE NEEDS AND SATISFACTION IN THE UNITED STATES OF AMERICA 235 (2021), <https://iaals.du.edu/sites/default/files/documents/publications/justice-needs-and-satisfaction-us.pdf>.

2 *Justice Gap Research*, LEGAL SERVS. CORP., <https://www.lsc.gov/initiatives/justice-gap-research>.

3 *Id.*

4 Anna E. Carpenter, Colleen F. Shanahan, Jessica K. Steinberg, & Alyx Mark, *American’s Lawyerless Courts: Legal Scholars Work to Recommend Large-Scale Changes in Lawyerless Civil Courts*, NO. 4 A.B.A. L. PRAC. 48 (2022); NAT’L CTR. FOR STATE CTS., CIVIL JUSTICE INITIATIVE: THE LANDSCAPE OF CIVIL LITIGATION IN STATE COURTS 31 (2015), https://www.ncsc.org/_data/assets/pdf_file/0020/13376/civiljusticereport-2015.pdf. Equally significant is the stark disparity in representation rates between plaintiffs and defendants. On average, 92 percent of plaintiffs are represented by counsel, whereas only 26 percent of defendants have legal representation. *Id.*

5 LUCY RICCA AND ERIC HELLAND, CONFERENCE ON ACCESS TO JUSTICE IN CALIFORNIA 1 (2024), https://www.rand.org/content/dam/rand/pubs/conf_proceedings/CFA3400/CFA3411-1-v2/RAND_CFA3411-1-v2.pdf.

6 Rebecca Sandefur, *What We Know, and Need to Know, About the Legal Needs of the Public*, 67 S.C.L. REV. 443, 447-449 (2015).

7 ROCIO AVALOS, ERICA CARROLL, LISA CHAVEZ, HELLEN HONG, LINDA KATZ, AND ELI WALLACH, CALIFORNIA JUSTICE GAP STUDY: EXECUTIVE REPORT 6 (2019).

8 *Id.*

rience eight times as many legal problems.⁹ Millions of Californians, unable to secure the help they need, fall into this justice gap often with lasting impacts for their lives, families, and communities.¹⁰

A. Traditional Approaches are Insufficient to Address the Immense Need

Traditional approaches to addressing the access to justice crisis—like increasing the overall number of lawyers or mandating pro bono service—have proven ineffective. The number of lawyers has increased in both absolute terms and proportional to the American population and yet the numbers of self-represented people continue to grow.¹¹ And, while many lawyers are dedicated to pro bono work, only a small portion of hours across the profession are committed to it.¹² Even a significant increase in pro bono efforts would fall short—studies show that if every lawyer in the U.S. provided 100 additional pro bono hours per year, each household with a civil legal issue would still receive only 30 minutes of legal help.¹³

Those who know this problem best, who see the overwhelming need day after day, are the members of California’s legal aid community. These lawyers, paralegals, administrative assistants, and other staffers bear the brunt of this ever-worsening issue. Although they offer many services to thousands of Californians in need every single day, they lack the resources to meet the overwhelming demand. Legal Service

⁹ *Id.* at 9.

¹⁰ Unresolved legal issues often result in severe hardship to individuals and negative consequences to society at large. See PASCOE PLEASANCE ET AL., *Mounting Problems: Further Evidence of the Social, Economic and Health Consequences of Civil Justice Problems*, in TRANSFORMING LIVES: LAW AND SOCIAL PROCESS 67, 79, 83-85 (2006); Sandefur, *supra* note 6, at 457; Deborah L. Rhode & Scott L. Cummings, *Access to Justice: Looking Back, Thinking Ahead*, 30 GEO. J. LEG. ETHICS 485, 488 (2017).

For example, eviction can have serious social and health consequences, including interrupted employment, worsened physical health, and increased rates of mental health disorders such as depression and suicide. The associations between eviction and child health have been well documented, including adverse birth outcomes, increased rates of food insecurity among young children, and poor physical and mental health in adolescents and young adults. These consequences create a vicious circle that results in more housing instability and economic challenges. See *Prevalence and Impact of Evictions*, UNITED STATES DEP’T OF HOUS. AND URB. DEV., [HTTPS://WWW.HUDUSER.GOV/PORTAL/PERIODICALS/EM/SUMMER21/HIGHLIGHT2.HTML#:~:TEXT=MOREOVER%2C%20THE%20TOLL%20OF%20EVICTIONS,HOUSING%20INSTABILITY%20AND%20ECONOMIC%20CHALLENGES](https://www.huduser.gov/portal/periodicals/em/summer21/highlight2.html#:~:text=MOREOVER%2C%20THE%20TOLL%20OF%20EVICTIONS,HOUSING%20INSTABILITY%20AND%20ECONOMIC%20CHALLENGES). Eviction is also associated with premature death. Simply being threatened with an eviction—even when that case did not result in an eviction judgment—was associated with a 19% increase in mortality. Receiving an eviction judgment was associated with a 40% increase in the risk of death. See Nick Graetz, Carl Gershenson, and Matthew Desmond, *Rising Rents and Evictions Linked to Premature Death*, EVICTION LAB, <https://evictionlab.org/rising-rents-and-evictions-linked-to-premature-death/>.

In the context of family law, failure to address unmet legal needs may put at lives at risk through domestic violence, and result in loss of child custody by deserving parents, children left in physically dangerous, psychologically traumatic, or financially inadequate family settings, and related problems. See DEBORAH L. RHODE, *ACCESS TO JUSTICE* 3 (2004). Similarly, the long-term effects of domestic abuse can significantly impact a victim’s or witness’s life. Domestic violence significantly reduces educational achievements, self-assessed health levels, and life satisfaction; and increases mental health risks. See Liu Bo and Yating Peng, *Long-Term Impact of Domestic Violence on Individuals-An Empirical Study Based on Education, Health and Life Satisfaction*, BEHAV. SCIS. (2023).

Moreover, legal debt collection practices devastate vulnerable individuals by trapping them in a cycle of mounting fees, wage garnishment, and court judgments. See *They Need Legal Advice on Debts. Should It Have to Come From Lawyers?*, N.Y. TIMES (2022), <https://www.nytimes.com/2022/01/25/nyregion/consumer-debt-legal-advice.html>.

¹¹ The population of U.S. lawyers has grown by 400% since 1970. In 1970, the number of lawyers in the United States was 326,842. In 2022, the number is 1,327,010. Am. Bar Assoc., *Profile of the Legal Profession 2022*, <https://www.abalegalprofile.com/demographics.php#anchor1>. Furthermore, the United States had one lawyer for every 695 people in 1951 and one lawyer for every 252 people in 2005. See CLARA N. CARSON & JEEYOON PARK, AMERICAN BAR FOUNDATION, *THE LAWYER STATISTICAL REPORT: THE U.S. LEGAL PROFESSION IN 2005*, 2 (2005).

¹² Gillian K. Hadfield and Deborah L. Rhode, *How to Regulate Legal Services to Promote Access, Innovation, and the Quality of Lawyering*, 67 HASTINGS L.J. 1191, 1193 (2016).

¹³ *3 ways to meet the “staggering” amount of unmet legal needs*, AM. BAR ASS’N, <https://www.americanbar.org/news/abanews/publications/youraba/2018/july-2018/3-ways-to-meet-the-staggering-amount-of-unmet-legal-needs/>.

Corporation-funded organizations turn away nearly half of the requests they receive due to limited resources.¹⁴ Moreover, recent data show that these limited resources prevent California’s legal aid attorneys from fully resolving at least one-third of the problems presented to them.¹⁵

Increasing funding for legal aid will also not close this gap. California would need an estimated 8,961 additional full-time attorneys to address the legal needs of its low-income residents, requiring nearly \$900 million in additional annual funding.¹⁶ For comparison, California legal aid organizations cumulatively employ approximately 1,500 attorneys per year and leverage 16,000 pro bono attorneys to provide services.¹⁷

Recruiting and retaining attorneys has also become a critical challenge for California’s legal aid organizations. A 2010 survey by the Legal Aid Association of California (LAAC) revealed that over one-third of legal aid attorneys left within three years of being hired. By 2019, this trend worsened, with one-third of attorneys leaving within just two years.¹⁸ Financial stress due to low salaries is the number one reason legal aid attorneys give for leaving so soon.¹⁹ Low compensation is compounded by California’s high cost of living and attorneys’ high student loan expenses, which have grown significantly over the years.²⁰ Law students, facing high costs of living and ever-burgeoning student loans, are turning to careers in government or at private law firms instead of legal aid organizations.²¹

¹⁴ *Justice Gap Research*, *supra* note 2.

¹⁵ AVALOS ET AL., *supra* note 7, at 14.

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ *Id.* The Bay Area and Southern California—the regions with the highest costs of living and the greatest numbers of low-income people—have seen the largest increases in turnover rates and largest decreases in length of employment. The San Joaquin Valley and Central California Region continues to have the highest turnover rates, with more than a fifth of their attorneys leaving each year. See LEGAL AID ASS’N OF CAL., JUSTICE AT RISK: MORE SUPPORT NEEDED FOR LEGAL AID ATTORNEYS 2-3, 39 (2020).

¹⁹ The difference in the comments the attorneys made about legal aid salaries between the 2010 Study and the 2019 Study is extraordinary. Whereas in the 2010 Study, the attorneys commented on how hard it was to be in legal aid unless they had a spouse/partner who also had an income, the 2019 Study’s attorneys—and some leadership—are now saying it is financially impossible without a spouse/partners’ income, particularly in the higher cost areas of the state. Some law students who want to work in legal aid say they will “figure it out,” but they are unlikely to be able to do that and will leave when the financial realities set in. Nearly one in five of the legal aid attorneys have taken on second jobs to supplement their salaries. Others will just give up on legal aid entirely and look to start their legal careers elsewhere. See LEGAL AID ASS’N OF CAL., *supra* note 18, at ii, 18, 76.

²⁰ Legal aid attorneys’ educational debt has grown significantly since the 2010 Study because of the increase in law school tuition. In addition, the Public Service Loan Forgiveness program’s requirement to put loans in “income-based repayment” plans is causing the amount of debt to balloon for many of the legal aid attorneys after they graduate. More than 60 percent of the attorneys currently have educational debt with the median amount in the \$125,000 – \$149,000 range. More than one-third of these attorneys have \$200,000 – \$300,000+ in educational debt. *Id.* at 22.

²¹ See CAL. ACCESS TO JUST. COMM’N, LEGAL AID RECRUITMENT, RETENTION, AND DIVERSITY: A REPORT TO THE STATE BAR OF CALIFORNIA 3, 14-16 (2022). Public defender work is a stark example of the differences in salaries. The median entry-level salary for a legal aid attorney is \$57,000. Entry-level salaries range from \$46,000 – \$78,000. Only three of the 50+ organizations have a starting salary of \$70,000 or more. In contrast, an entry level salary for a Deputy Public Defender in Sacramento County is more than \$110,000 and in San Francisco is nearly \$122,000. These entry level salaries can be more than double the starting salaries in legal aid and are more than the median salaries for all experienced level attorney positions in legal aid organizations, except for senior legal management in some. See LEGAL AID ASS’N OF CAL., *supra* note 18, at 24, 28-29.

B. Community Justice Workers: An Emerging Movement Leveraging an Existing Resource

Recognizing the seriousness of this crisis, jurisdictions across the United States are exploring new avenues to expand access to justice.²² One such solution is the Community Justice Worker (CJW) program, where trained nonlawyers provide free limited legal services to individuals facing civil legal issues, such as debt collection or eviction. Unlike legal paraprofessionals, who must navigate a lengthy state-run licensure process to avoid violating unauthorized practice of law rules, CJWs receive a waiver that provides a limited exemption to these regulations as long as they operate under the supervision of an approved legal aid organization.

While this approach may seem novel, individuals without law licenses have long been authorized to provide representation in immigration matters, Tribal courts, and for those incarcerated in prisons and jails, as well as before various state and federal administrative agencies.²³ Indeed, as far back as 1960, the United States Supreme Court, in *Sperry v. Florida*, a case concerning a nonlawyer patent practitioner, noted that nonlawyers had practiced before the Patent Office since its establishment in 1836 and the Office had stated that “there is no significant difference between lawyers and nonlawyers, either with respect to their ability to handle the work or with respect to their ethical conduct.”²⁴

For more than half a century, researchers have studied nonlawyer assistance to gain a better empirical understanding of the benefits and risks. This body of research indicates the following conclusions:

1. Consumers want legal help, including from nonlawyers.²⁵
2. Qualified nonlawyers are competent and effective at providing help.²⁶

This evidence opens up new pathways to addressing the justice crisis.²⁷ Lawyers remain the central legal practitioners, but lay advocates can help lawyers to serve more people more efficiently. Community-based

22 RICCA AND HELLAND, *supra* note 5.

23 Matthew Burnett and Rebecca L. Sandefur, *A People-Centered Approach to Designing and Evaluating Community Justice Worker Programs in the United States*, 51 *FORDHAM URB. L. J.* 1509 (2024). See also Director Rachel Rossi of the Office for Access to Justice Delivers Keynote Remarks at the Launch of the Alaska Legal Services Corporation’s Community Justice Worker Resource Center, DEP’T OF JUST. OFFICE OF PUB. AFFS. (Oct. 25, 2023), <https://www.justice.gov/opa/speech/director-rachel-rossi-office-access-justice-delivers-keynoteremarks-launch-alaska-legal> (articulating how programs similar to CJW programs are being developed for Tribal communities in Oklahoma, Montana, Arizona, and Minnesota).

24 *Sperry v. Florida*, 373 U.S. 379, 402 (1963).

25 See, e.g., Rebecca L. Sandefur, *Legal Advice from Nonlawyers: Consumer Demand, Provider Quality, and Public Harms*, 16 *STAN. J. CIV. RTS. & CIV. LIBERTIES* 283, 289–97 (2020); NATALIE ANNE KNOWLTON, INST. FOR THE ADVANCEMENT OF THE AM. LEGAL SYS., *CASES WITHOUT COUNSEL: OUR RECOMMENDATIONS AFTER LISTENING TO THE LITIGANTS* 29 (2016); Cayley Balsler et al., *Leveraging Unauthorized Practice of Law Reform to Advance Access to Justice*, 18 *L. J. FOR SOC. JUSTICE* 66, 97–100 (2024).

26 See, e.g., MARY E. McCLYMONT, GEO. JUST. LAB, *NONLAWYER NAVIGATORS IN STATE COURTS: AN EMERGING CONSENSUS* (2019); REBECCA L. SANDEFUR & THOMAS M. CLARKE, AM. B. FOUND., NAT’L CTR. FOR STATE CTS. & PUB. WELFARE FOUND., *ROLES BEYOND LAWYERS: EVALUATION OF THE NEW YORK CITY COURT NAVIGATORS PROGRAM* (2016); DAVID KRAFT ET AL., *FIVE YEAR REVIEW OF PARALEGAL REGULATION: RESEARCH FINDINGS. FINAL REPORT FOR THE LAW SOCIETY OF UPPER CANADA* 6 (2012); HERBERT M. KRITZER, *LEGAL ADVOCACY: LAWYERS AND NONLAWYERS AT WORK* (1998); Sandefur, *supra* note 26, at 297–308; JESSICA K. STEINBERG ET AL., *Judges and the Deregulation of the Lawyer’s Monopoly*, 89 *FORDHAM L. REV.* 1315 (2021); Deborah L. Rhode, *What We Know and Need to Know About the Delivery of Legal Services by Nonlawyers*, 67 *S.C. L. REV.* 429, (2016); Richard Moorhead et al., *Contesting Professionalism: Legal Aid and Nonlawyers in England and Wales*, 37 *LAW & SOC’Y REV.* 765, 785–87 (2003); Nora Freeman Engstrom, *Effective Deregulation: A Look Under Hood of State Civil Courts*, *JOTWELL*, Oct. 31, 2022.

27 See Appendix A for a more detailed discussion of the key studies of nonlawyer-provided legal assistance.

lay helpers can serve as an important part of the legal ecosystem, enabling communities to identify and vindicate their legal rights and prevent avoidable harm from having devastating impacts.

Several states have successfully created and implemented programs allowing limited legal practice by CJWs. The Alaska Supreme Court recently approved a waiver of unauthorized practice of law restrictions, allowing the Alaska Legal Services Corporation to train and supervise community justice workers in Alaska’s rural and remote communities, many of which qualify as legal deserts.²⁸ Delaware recently authorized registered agents to represent both landlords and tenants in eviction cases, correcting a previous inequality where only landlords could employ non-lawyers.²⁹ In Arizona, Domestic Violence Legal Advocates and Housing Stability Legal Advocates provide general legal information and legal advice regarding housing matters, orders of protection, and family law.³⁰ In Utah, CJW programs include domestic violence advocates, housing stability advocates, and medical debt advocates. And in June, Texas launched a CJW program through the Texas Access to Justice Foundation Moonshot Grant program, where lay advocates will address unmet legal needs in areas such as consumer debt, credit repair, housing, public benefits, and special education.³¹

Alaska’s program, which is the largest and about which we have the most information, has had remarkable success. As of September 30, 2024, 271 CJWs have completed training, and another 143 are progressing.³² Because part of the training program requires case handling under supervision, all 414 CJW’s are handling cases. The CJWs have a 100 percent success rate in the areas in which they have been deployed so far (primarily assisting clients with accessing SNAP benefits and drafting wills). Due to the success of the program, Alaska Legal Services Corporation (the sponsoring legal organization) was able to double the overall number of clients assisted in one year.

Utah’s domestic violence advocate program, though smaller in size, has also had a positive impact, particularly in the large rural areas of Utah. From June 2021 through June 2024, advocates helped clients seek 225 protective orders.³³ In those 225 cases, an *ex parte* order was issued in 205 cases and denied in only 20 cases.³⁴ Timpanogos Legal Center (TLC), the supervising legal aid organization, notes that of the 205 with *ex parte* orders issued, only 17 were denied final orders by the court. 39 clients chose to dismiss their order request at the final hearing, usually because an alternative agreement was reached. 118 clients were

²⁸ *Community Justice Worker Program*, ALASKA LEGAL SERVS. CORP., <https://www.alsc-law.org/cjw/>.

²⁹ *Delaware to Allow Non-Lawyer Representation for Tenants in Eviction Cases*, NAT’L LOW INCOME HOUS. COAL., <https://nlihc.org/resource/delaware-allow-non-lawyer-representation-tenants- eviction-cases>.

³⁰ *Legal Advocates*, ARIZ. JUD. BRANCH, <https://www.azcourts.gov/cld/Legal-Advocates>.

³¹ *Innovative Legal Program To Provide Access to Justice for More Texans*, TEXAS RIOGRANDE LEGAL AID, <https://www.trla.org/news-releases/innovative-legal-program-to-provide-access-to-justice-for-more-texans#:~:text=The%20Moonshot%20Grant%20funding%20will,TLSC%2C%20and%20TRLA%20as%20subgrantees>. The Texas Supreme Court recently issued an order delaying the effective date of the rule changes related to CJW practice activities.

³² Information provided by Sarah Carver, Co-Director, Alaska Community Justice Worker Resource Center (Nov. 1, 2024).

³³ Timpanogos Legal Center, Certified Advocate Partners Program, Our Data, <https://www.timplegal.org/legal-services/certified-advocate-partners-program> (last visited Nov. 1, 2024).

³⁴ *Id.*

awarded final orders.³⁵ TLC compared this outcome data with that collected by the Administrative Office of the Utah State Courts and found that clients receiving legal services from an advocate are roughly twice as likely to receive a protective order than the statewide average.³⁶

C. Community Justice Workers in California

Community justice workers can be a key part of solving the justice crisis in California. Indeed, many of our legal service organizations already rely on justice workers to provide key connections with communities, legal information, and referrals back to legal aid. For example, Stay Housed LA is a broad partnership between government, legal aid organizations, and community-based organizations in Los Angeles.³⁷ Volunteers and staffers in the community-based organizations provide legal information and referrals to the legal aid partners for Los Angelenos facing housing insecurity. In Northern California, Legal Link works across a range of community-based organizations, training their staffers and volunteers to provide “legal first aid” by surfacing and identifying legal problems and assisting people with finding legal services.³⁸

But the impact could be so much more significant. Legal aid stands ready to train and deploy supervised CJWs to help more people reach just resolutions to their problems. By allowing CJWs to perform activities such as providing simple legal advice to someone who has just received an unlawful detainer complaint or assisting another with answering a debt collection complaint or advising a survivor on how to file for an order of protection, our legal aid organizations can increase their impact in vulnerable communities, drive better outcomes for those we seek to serve, and build trust with our community partners.

As Jessica Jewell, the Executive Director of California Rural Legal Assistance, explains, “In rural areas, California Rural Legal Assistance, Inc. is often the only source of legal assistance for people trying keep their homes, maintain their incomes, and protect their safety. But millions of California residents are priced out of private legal representation, and demand for our services far outpaces our capacity. This proposal would allow for innovative growth of resources to serve communities’ legal goals.”

The proposal below offers a framework for individual California legal aid organizations to seek approval to develop and deploy programs in their communities that allow supervised CJWs to offer simple legal services, including specific legal advice and assistance, in core areas of need. This proposal recognizes the expertise legal aid organizations have in their communities and their legal needs and seeks to allow each organization the flexibility to develop programs that respond to those needs. In this way, the framework

³⁵ *Id.* 31 clients were awaiting final outcome at the time of reporting.

³⁶ *Id.* The referenced statewide average includes both lawyer represented and self-represented parties. Email from Hayley Cousins (Nov. 7, 2024) (on file with authors).

³⁷ Stay Housed LA, <https://www.stayhousedla.org/about> (last visited Nov. 13, 2024).

³⁸ *Our Mission and Model*, Legal Link, <https://legallink.org/our-mission-model/> (last visited Nov. 13, 2024).

allows for variability among programs, including in legal areas served, status of justice worker (whether internal employee or volunteer from an outside community-based organization), training, and range of activities. CJWs are not independently licensed, can only serve clients of the legal aid organization, and cannot charge any fees for their work. The legal aid organizations themselves are responsible for the work performed by the CJWs and must hold malpractice insurance covering the CJWs.

The proposal is intentionally simple, leveraging already existing regulatory structures and provider organizations to ensure minimal expense and maximal scale and sustainability. We believe this proposal outlines a path for California to move forward to respond to the urgent access to justice crisis, simply by allowing trusted providers to deploy justice workers at scale and in more impactful ways.

We look forward to feedback on this proposal and working with our partners in California to create thoughtful, impactful, and sustainable solutions to the justice crisis.

PROPOSAL: Community Justice Workers in California

In the proposed program, **authorized legal services organizations** will be able to deploy **Community Justice Workers** (“CJWs”) to provide legal services, including legal advice and other activities that may be defined as the practice of law, to clients who otherwise qualify for free legal services from the organization. Authorization in the program allows these organizations and their certified CJWs to provide these services without violating Cal. Bus. & Prof. Code 6125 *et seq.*, California’s prohibition on the unauthorized practice of law by those who are not licensees of the State Bar of California. The ability of nonlawyer CJWs to provide legal services under the umbrella of this program is controlled by and overseen by the authorized legal services organizations and limited to the scope of activities approved by that organization.

1 | Definitions

- a** **Authorized legal services organization** is an organization satisfying the definition set forth in Cal. Bus. & Prof. Code 6159.51 which satisfactorily completes the application process and is authorized by the authorizing body to implement and run a waiver-based CJW program.
- b** **Community Justice Worker** is a person not licensed by the California State Bar who has satisfied the training and other relevant requirements as certified by an authorized legal services organization and will engage in the limited practice of law exclusively for an authorized legal services organization.

2 | Authorization of legal services organizations

- a** The [authorizing body]³⁹ shall serve as the authorizing body for legal services organizations seeking to certify CJWs under this program. The [authorizing body] shall review each application and ensure that the application sufficiently sets forth the requirements listed below. The authorizing body shall then issue authorization for the legal services organization pursuant to this program. The authorizing body shall immediately submit the organization’s authorization to the California State Bar.
- b** Application requirements:
 - i.** The applicant organization shall attest to status as a legal aid organization under the definition set forth in Cal. Bus. & Prof. Code 6159.51;
 - ii.** The applicant organization shall submit a narrative description of the proposed CJW program;
 - iii.** The applicant organization shall submit its CJW training plan, including any curricular components, testing, and experiential learning

³⁹ The working group suggests that the Legal Services Trust Fund Commission is a possible entity to serve as the authorizing body for this program. The Commission’s role in overseeing and administering IOLTA funds to California legal aid organizations makes it well placed to perform the authorizing role for this program. However, we believe that the final determination of the appropriate entity for the authorizing body should be made through additional discussions with the Supreme Court, State Legislature, State Bar, and legal services organizations. We do note that should the Commission be found to be the appropriate entity, it seems likely that Cal. Bus. & Prof. Code § 6210.5 would need to be amended to allow the Commission to perform the authorization function.

- 1. The training plan shall include training on ethical service provision, including the Rules of Professional Conduct.
 - iv. The applicant organization shall submit a plan for gaining informed and written client consent to receive CJW-provided services;
 - v. The applicant organization shall submit a plan for ensuring control and security of the organization's client files;
 - vi. The applicant organization shall submit proof of malpractice insurance that covers CJWs;
 - vii. The applicant organization shall attest to the organization's ability to comply with any reporting requirements.
- c** Organizations which the [authorizing body] has determined currently satisfy the definition of a qualified legal services project under [Cal. Bus. & Prof. Code 6213\(a\)\(1\)](#) are automatically considered authorized legal services organizations. Such organizations need only submit their intent to launch a qualifying CJW program to the State Bar and must comply with the certification requirements for each CJW as described below.
- i. In the case that an organization is no longer a qualified legal services project under [Cal. Bus. & Prof. Code 6213\(a\)\(1\)](#) but wishes to continue operating as an authorized legal services organization under this program, then the organization shall have [30]days from the date on which it ceased to be a qualified legal services project under [Cal. Bus. & Prof. Code 6213\(a\)\(1\)](#) to request such continuation from the authorizing body.

3 Requirements for authorized legal services organizations

- a** Once authorized, the legal services organization must:
 - i. Certify each individual CJW to the State Bar once that person has satisfactorily completed the organization's relevant training requirements and submit each CJW's scope of practice, including legal service area(s) and scope of activities.
 - ii. Report any relevant changes in status, either of the organization or any CJW, including:
 - 1. Immediately inform the State Bar if the organization no longer receives IOLTA funding or stops providing approved services.
 - 2. Immediately inform the State Bar when any CJW is no longer eligible for inclusion in this program, whether by resignation, termination, or other reason.
 - 3. Immediately report any known violations of applicable rules by CJWs to the State Bar. Violation may be grounds for termination of CJW status.
 - iii. Report the following information to the State Bar on an annual basis, to ensure ongoing feedback for continuous program improvement:
 - 1. Number of clients served by CJWs through the waiver;
 - 2. Hours worked by CJWs;
 - 3. Legal / Financial outcomes
 - 4. Post-services survey of clients served by CJWs;
 - 5. Client Complaints and resolution of complaints, if any; and

6. Certain information on organization's active CJWs, including:
 - a. gender,
 - b. age,
 - c. race/ethnicity;
 - d. income level;
 - e. highest level of education;
 - f. language capability;
 - g. does the CJW identify as a member of the client community.

4 | Requirements for CJWs

- a A CJW is not permitted to perform any activities constituting the practice of law outside of the scope of certification submitted by the authorized legal services organization to the State Bar. Any activities constituting the practice of law outside the scope of the certification are subject to enforcement under Cal. Bus. & Prof. Code 6125 *et seq.*
- b A CJW is not permitted to charge any fees, including fees structured on a contingent or percentage basis, or for a referral, for legal services provided under this program.
- c A CJW's authorization to provide the services outlined in the certification is contingent upon affiliation with an authorized legal services organization. Should that affiliation cease for any reason, the CJW is no longer certified to provide the relevant legal services and will be subject to enforcement under Cal. Bus. & Prof. Code 6125 *et seq.* should the CJW continue to provide such services. However, a CJW may transfer affiliation as contemplated in Section 5 below.
- d No disbarred or suspended attorney, whether disciplined in California or any other jurisdiction, may be certified as a CJW.
- e Each CJW shall be subject to the California Rules of Professional Conduct, California Rules of Court, and other relevant statutes and rules.

5 | CJW Transferring Affiliation

- a If a CJW wishes to transfer affiliation from one authorized legal services organization to another, the organization to which the CJW is transferring must independently determine that the CJW is qualified to competently provide services within that organization's program and then certify the CJW to the State Bar as described in 3(a)(i).
- b The transferring CJW cannot provide services in the transferee legal services organization until that certification has been accepted by the State Bar.

6 | State Bar Role

- a** The State Bar shall maintain a roster of authorized legal services organizations that shall be posted on its website;
- b** The State Bar shall maintain a roster of each authorized legal services organization’s active CJWs, including their scope of practice;
- c** The State Bar shall develop a simple process by which authorized legal services organizations can certify individual CJWs to the State Bar for inclusion in the organization’s roster of CJWs. Such certification should include:
 - i.** The name of the CJW; and
 - ii.** The scope of practice (legal service area(s) and scope of activities of the CJW).
- d** The State Bar shall develop a process by which it promptly communicates the roster of authorized legal services organizations and their CJWs to any other relevant authorities, including those authorities responsible for enforcement of Cal. Bus. & Prof. Code 6125 *et seq.*
- e** The State Bar shall report to the Legislature and Supreme Court all complaints received by the State Bar against active and inactive CJWs, the nature of the complaint, and the resolution on an annual basis.

7 | Program Evaluation

- a** The program shall be evaluated after [5] years.⁴⁰ The evaluation shall assess:
 - i.** The number of CJW providers and the number of clients served;
 - ii.** The impact on the ability of legal services organizations to serve their communities, including
 - 1.** Legal and financial outcomes - immediate and longer term;
 - 2.** Impacts on access to justice for underserved communities as a result of the CJW program; and
 - 3.** Community trust and engagement.
 - iii.** Cost of implementation within individual legal services organizations;
 - iv.** Cost of implementation of the program.

⁴⁰ The working group suggests that the California Access to Justice Commission is an appropriate entity to administer the evaluation of the program but defers determination of this question until after there have been additional discussions with the Supreme Court, State Legislature, the Access to Justice Commission, the State Bar, and legal services organizations.

POSSIBLE POLICY VEHICLES for Implementation of the California CJW Proposal

The working group discussed a range of possible policy vehicles by which the proposed program could be enacted. The working group notes that in all other states implementing CJW programs, the enabling policy vehicle is an order from the state supreme court. This may be a possible approach in California. The group concluded that particular outstanding questions, such as the entity serving as the authorizing body, need to be addressed before the appropriate policy vehicle is identified.

The California Supreme Court has the inherent power to determine who is qualified to practice law in this state.⁴¹ The California State Bar serves as the administrative arm of the Court to effectuate that power.⁴² However, the California Legislature also plays a significant role in the regulation of legal services and oversight of the State Bar through the State Bar Act.⁴³

The California Supreme Court has found that the legislature may enact rules and regulations related to the practice of law, including admission to practice law, but if those rules and regulations conflict with those imposed by the Supreme Court, then “the legislative enactment must give way.”⁴⁴ The Legislature may not, using an example from the case law, authorize a person disbarred upon conviction of a crime to practice law again through a pardon statute.⁴⁵ Thus, the Court and the Legislature work together to dictate the regulation of the practice of law, but ultimate authority rests with the Court.

We can see this relationship expressed through the State Bar Act and the California Rules of Court. Section 6125 of the State Bar Act states:

No person shall practice law in California unless the person is an active licensee of the State Bar.⁴⁶

Section 6126, however, recognizes that certain people may be authorized by other statutes or rules to perform activities constituting the practice of law. The Section, which lays out the consequences for unauthorized practice, states:

Any person advertising or holding himself or herself out as practicing or entitled to practice law or otherwise practicing law who is not an active licensee of the State Bar, or otherwise

⁴¹ Cal. Rules of Ct. Rule 9.3: Inherent Power of the Supreme Ct. (2024); *see also* *Merco Constr. Eng'rs, Inc. v. Mun. Ct.*, 581 P.2d 636, 638 (1978) (noting that statements of California courts have consistently supported the contention that the judiciary has the inherent power to regulate the practice of law); *Eagle Indem. Co. v. Comm'n of Cal.*, 18 P.2d 341, 342 (1933) (“The Legislature may, in the first instance, prescribe the qualifications for admission to the bar and define what shall constitute the practice of the law, but regulations to that end must stand the test of judicial inquiry as to their propriety and reasonableness.”).

⁴² *Id.*

⁴³ Cal. Bus. & Prof. Code §§ 6000 et seq., https://www.calbar.ca.gov/Portals/0/documents/rules/State_Bar_Act.pdf.

⁴⁴ *Merco*, 581 P.2d at 638.

⁴⁵ *In re Lavine*, 41 P.2d 161, 163-64 (1935).

⁴⁶ Cal. Bus. & Prof. Code § 6125.

authorized pursuant to statute or court rule to practice law in this state at the time of doing so, is guilty of a misdemeanor....⁴⁷

This language provides safe harbor to a range of people authorized to practice law by statute or rule who are not licensees of the bar, including lay representatives who may represent people before state and federal agencies and people authorized by the Supreme Court through its rules.

For example, the California Rules of Court Title 9, Division 4 concerns “Appearances and Practice by Individuals Who Are Not Licensees of the State Bar of California.”⁴⁸ This section contains language permitting the practice of law for certain groups of people, including military spouses, law students, and out-of-state arbitration counsel, who are not licensees and thus would otherwise be subject to the prescription of Cal. Bus. & Prof. Code § 6125. In this manner, Sections 6125 and 6126 establish legislative authority over who may and may not practice law in California but build in deference to the Court (as well as other state and federal authorities).

Taking this partnership between the Legislature and the Court into consideration, there are several possible pathways for enacting the proposed CJW program in California.

POSSIBLE PATHWAY #1: New section added to Cal. Rule of Court 9.4.

This division of the California Rules of Court contains sections outlining rules for allowing non-licensed or provisionally licensed individuals to practice law in California.

In this approach, the working group would petition the California Supreme Court, either directly or through the California State Bar, to authorize the proposed program through the Rules of Court by adding a new section to Title 9, Division 4 detailing the program. The Rule could be styled as follows:

Rule 9.45.1 Legal Aid Supervised Community Justice Worker Program

- (a) Definitions
- (b) Application requirements
- (c) Eligibility for certification
- (d) Supervision
- (e) Compliance and reporting
- (f) Transferring affiliation
- (g) Program evaluation

⁴⁷ Cal. Bus. & Prof. Code § 6126(a) (emphasis added).

⁴⁸ Cal. Rule of Ct. 9.4.

Given the language identified above in Cal. Bus. & Prof. Code § 6126, this section could be added without any statutory change needed (see e.g. Rule 9.41.1, Rule 9.42, Rule 9.45).

POSSIBLE PATHWAY #2: New section added to Cal. Rule of Court 9.4 and statutory waiver enacted to Cal. Bus. & Prof. Code § 6125.

In this approach, the working group would both seek a new Rule of Court as outlined above and a statutory amendment to Cal. Bus. & Prof. Code § 6125:

6125.1

An individual who is not an active licensee of the California State Bar shall be exempt from § 6125 if they qualify for the Community Justice Worker Program outlined in Cal. Rule of Court 9.45.1.

POSSIBLE PATHWAY #3: Order issued by the California Supreme Court.

As noted, the California Supreme Court retains the inherent power to determine who may practice law in this state.⁴⁹ The Court could issue an administrative or standing order enabling the program and directing the State Bar and any other relevant bodies to develop the processes and procedures needed to carry out the order. In other states which have implemented these programs, the state supreme courts have issued orders authorizing the program.⁵⁰

⁴⁹ See sources cited *supra* note 41.

⁵⁰ See Ala. Sup. Ct. Ord. No. 1994; Ariz. Sup. Ct. Admin. Ord. No. 2024-34; *id.* 2024-35; Del. R. Sup. Ct. R. 57.1; Haw. Sup. Ct. Ord. No. SCMF-23-0000343; Utah Sup. Ct. Standing Ord. No. 15; *id.* No. 16.; Tex. Sup. Ct. Ord. No. 24-9050.

ESTIMATED FUNDING NEEDS

This proposal is for a framework to authorize and oversee legal aid organizations using CJWs to offer legal services to their clients. The framework is intentionally simple and meant to leverage already existing entities and resources to perform the proposed tasks. Specifically, we estimate the following:

Staffing support for application body: Approximately 50% FTE

Staffing support for oversight body: Approximately 50% FTE

Technical support: Approximately 25% FTE

We note that this proposal does not incorporate programmatic development or implementation support for legal aid organizations to stand up CJW programs, either individually or collectively. Such support will be needed and LAAC, Legal Link, and other working group organizations are working toward building this support.

APPENDIX A

Overview of empirical research on nonlawyer provided legal assistance

Over the past fifty years, there have been a range of studies looking at legal assistance provided by nonlawyers, assessing different tribunals, at different times, and using different metrics. The overall conclusion is that trained nonlawyers can perform as well as, or sometimes better than, their J.D.-toting counterparts. A short review of several of the key studies is informative.

In the 1980s, two studies looked at representation across a range of providers in both child abuse and neglect cases (Duquette & Ramsey) and in social security and immigration issues (Hostetler).⁵¹ Professors Duquette and Ramsey, using court data and interviews to evaluate both process and outcome measures, found “[n]onlawyers carefully selected and trained and under lawyer supervision performed as well as trained lawyers in representing children, and certainly performed better than lawyers without special training.”⁵²

Professor Hostetler conducted interviews with federal officials and legal aid representatives and reported “a high level of satisfaction with nonlawyer representatives, not only at the early stages of assisting with forms and informal conferences, but also at later stages of agency proceedings.”⁵³ Indeed, she concluded that “[t]he overwhelming opinion is that there is little perceived difference in the quality of help between lawyers as a class and nonlawyers as a class.”⁵⁴ Interestingly, Hostetler’s subjects noted that a key factor in the quality of the services provided by the nonlawyers was likely the special training they received in the administrative agency’s rules, process, and forms, resulting in specialized expertise.⁵⁵

In the 1990s, political scientist Herb Kritzer studied the work of lay agents across four administrative contexts in Wisconsin: unemployment compensation appeals, tax appeals, Social Security disability appeals, and labor grievance arbitration. Kritzer found that “nonlawyers can be effective advocates and, in some situations, better advocates than licensed attorneys.”⁵⁶ Specifically, Kritzer concluded:

[T]he key to effective representation is the combination of three types of expertise: knowledge about the substance of the area, an understanding of the procedures used, and familiarity with the other regular players in the process. The latter can come only with experience, but the first two (substantive and procedural expertise) could be

⁵¹ See generally Donald N. Duquette & Sarah H. Ramsey, *Representation of Children in Child Abuse and Neglect Cases: An Empirical Look at What Constitutes Effective Representation*, 20 U. MICH. J.L. REFORM 341 (1987) and Zona Fairbanks Hostetler, *Nonlawyer Assistance to Individuals in Federal Mass Justice Agencies: The Need for Improved Guidelines*, 2 ADMIN. L.J. 86 (1988).

⁵² Duquette & Ramsey, *supra* note 51, at 390.

⁵³ Hostetler, *supra* note 51, at 103.

⁵⁴ *Id.*

⁵⁵ Hostetler, *supra* note 51, at 105.

⁵⁶ Herbert M. Kritzer, *Viewpoint: Rethinking Barriers to Legal Practice*, 81 JUDICATURE 100, 100 (1997). Kritzer used multiple methodologies to perform the study, including observation, interviews, and outcome analysis.

imparted through one-year, specialized training programs for paralegals, legal technicians, and licensed advocates.⁵⁷

In the 2010s, Professor Rebecca Sandefur conducted a careful meta-analysis to understand the impact of lawyer representation on the outcomes of formal adjudication.⁵⁸ She found that lawyers “perform so much better than lay people, but only somewhat better than [nonlawyer advocates].”⁵⁹ In a key insight, Professor Sandefur noted that the lawyers’ impact seemed to come less from professional expertise and rather from relational expertise in a “rarified interpersonal world.”⁶⁰

A 2017 study by Professors Anna Carpenter, Alyx Mark, and Colleen Shanahan, using interviews and case data from more than 5,000 unemployment insurance appeal hearings, found that when nonlawyers and lawyers appear at hearings the case outcomes and procedural behaviors are similar and that the similarity reflected the specialized expertise of the context.⁶¹

Most recently, the 2023 Report from the White House Legal Aid Interagency Roundtable found that 15 federal agencies permit nonlawyers to provide legal assistance across a wide range of substantive areas, including housing, public benefits, immigration, civil rights, tax, food security, and worker protection.⁶² The activities these nonlawyers perform range from “straightforward and procedural” to “highly technical and complex,” such as representation in a removal proceeding in the immigration context.⁶³ Although not an empirical study, the Report notes the potential benefits of nonlawyer assistance, including that it may be the only available form of legal help in a given community, particularly rural or remote areas and that it can lead to increased public engagement with and trust in the justice system by the impacted community.

⁵⁷ *Id.* at 101.

⁵⁸ Rebecca L. Sandefur, *Elements of Professional Expertise: Understanding Relational and Substantive Expertise through Lawyers’ Impact*, 80 AM. SOCIO. REV. 909, 913 (2015).

⁵⁹ *Id.* at 924. The studies included in Sandefur’s meta-analysis contained an enormous range of nonlawyer providers including law students, labor union staffers, paralegals, social workers, friends, and family members. *Id.* at 915.

⁶⁰ *Id.* at 926 (citations omitted).

⁶¹ Anne E. Carpenter, Alyx Mark & Colleen F. Shanahan, *Trial and Error: Lawyers and Nonlawyer Advocates*, 42 L. SOC. INQUIRY 1023, 1038-42 (2017).

⁶² WHITE HOUSE LEGAL AID INTERAGENCY ROUNDTABLE, ACCESS TO JUSTICE IN FEDERAL ADMINISTRATIVE PROCEEDINGS 25 (2023), <https://www.justice.gov/d9/2023-12/2023%20Legal%20Aid%20Interagency%20Roundtable%20Report-508.pdf>.

⁶³ *Id.*

APPENDIX B

Sample Program Concepts

The Working Group identified program concepts that they felt would be a good fit for their organization, including how the CJWs would positively impact their client communities (the need), who the CJWs would be and the work they would do, and how the CJWs would be trained and supervised. Of the program concepts suggested, below are three examples that the working group more fully developed as possibilities. We present these here as examples of programs that could be authorized through the proposal outlined above.

HOUSING STABILITY Unlawful Detainer

NEED: The National Coalition for a Civil Right to Counsel found that approximately 4% of all tenants have representation in unlawful detainer cases, while landlords have representation 83% of the time. Tenants across California are unable to get help on basic housing stability issues, are representing themselves in evictions, and are losing not only their current housing but also their ability to qualify for housing in the future because they don't have basic information or support. There isn't enough legal support to meet the need, and there is very limited upstream support that can help folks address issues before they land in court. Equipping community-based partners to provide information and referrals, and to support on key housing procedures will expand the work of legal aid organizations and courts, especially in counties with limited resources.

WHO: Community Justice Workers would be staff at housing and tenant-focused community-based organizations in counties without a tenant right to counsel. Also possibly in counties where there is a right to counsel and an established network, to support and expand the right to counsel work.

SCOPE OF WORK: Some of the proposed work is work that is currently allowed under California's Unauthorized Practice of Law, but could be expanded and done with reduced levels of supervision by the Organization attorneys.

- Habitability letters and advice
- Security deposit letters and advice
- Source of income discrimination advice and support filing claims with the CRD
- Reviewing notices to terminate tenancy
- Negotiation with opposing counsel/self-represented landlords
- Housing Authority - hearings with PHAs
- Rent Board petitions and hearings
- Reasonable accommodation requests and negotiations/interactive process

TRAINING & SUPERVISION: Clear training on boundaries of work and scope as a CJW, including supervision structure and reporting requirements.

Training to identify housing issues, using tools to advise on and complete each of the identified proce-

dures, understanding how to spot patterns and trends, and effectively utilize the substantive supervision structure.

Supervision by Organization attorneys at key moments for each procedure, with increasing independence with experience.

EMPLOYEE RIGHTS Wage and Hour Claims

NEED: Los Angeles is the wage theft capital of the world. More than \$23 million of wages is stolen from workers each week. Legal Services Organization currently offers assistance to low-income workers with wage and hour claims against unscrupulous employers. Organization works with workers' rights organizations to issue-spot and refer clients to Organization.

WHO: Community Justice Workers would be staff at workers' rights centers and other community-based organizations that are on the front lines of working with low-income workers.

SCOPE OF WORK: Much of the proposed work is work that is currently allowed under California's Unauthorized Practice of Law framework, but could be expanded and done with reduced levels of supervision by the Organization attorneys.

- Preparing wage tables
- Coordinate with clients to get documentary evidence and help collate the evidence
- Preparing claims to be filed with the Labor Commissioner's Office
- Attending settlement conferences
- Attending labor commissioner hearings
- Supporting the attorneys in preparing and delivering know your rights trainings to workers and community partners
- Performing intake interviews with prospective clients (at clinic and outside of clinic)
- Assisting in preparing retaliation, discrimination, and harassment claims with administrative agencies

TRAINING & SUPERVISION: Clear training on boundaries of work and scope as a CJW, including supervision structure and reporting requirements.

Substantive training to issue spot wage and hour issues, steps needed to advise on and complete the proposed work, understanding how to spot patterns and trends, and effectively utilize the substantive supervision structure.

Supervision by Organization attorneys at key moments for each procedure, with increasing independence with experience.

CONSUMER LAW Debt Defense

NEED: Debt collection lawsuits are 33% of the state’s civil court docket, and only an average of 9% of consumers file an answer in response. Consumers need help early and upstream to understand that they need to respond, that they have rights, and that there are actions they can take. The procedures will help to reduce the default rate and tee cases up for legal aid support when available.

WHO: Community Justice Workers would be staff at community-based organizations, including Family Resource Centers, Sparkpoint (a United Way financial empowerment project), and nonprofit debt management organizations.

SCOPE OF WORK: Some of the proposed work is work that is currently allowed under California’s Unauthorized Practice of Law (UPL) framework, but could be expanded. Other pieces of the scope of work will require a waiver of the UPL.

- Debt validation letter and advice
- Complete answer to debt lawsuit and referrals and/or prepare for self-representation
- Claims of Exemption and advice

TRAINING & SUPERVISION: Clear training on boundaries of work and scope as a CJW, including supervision structure and reporting requirements.

Substantive training to issue-spot debt collection defense issues, steps needed to advise on and complete the proposed work, understanding how to spot patterns and trends, and effectively utilize the substantive supervision structure.

Supervision by Organization attorneys at key moments for each procedure, with increasing independence with experience.