

STATE OF MINNESOTA  
IN SUPREME COURT  
ADM19-8002



**ORDER ESTABLISHING PUBLIC HEARING AND  
PROMULGATING AMENDMENTS TO RULES GOVERNING  
LEGAL PARAPROFESSIONAL PILOT PROJECT**

This court established the Legal Paraprofessional Pilot Project to evaluate the expanded use of legal paraprofessionals in Minnesota courts. This pilot project was put into effect by promulgating amendments to the Supervised Practice Rules, which were effective as of March 1, 2021. *See Order Implementing Legal Paraprofessional Pilot Project*, No. ADM19-8002 (Minn. filed Sept. 29, 2020). The Standing Committee for the Legal Paraprofessional Pilot Project was directed to administer the pilot project and to file an interim status report on the pilot project with recommendations for any further rule amendments or other refinements to the pilot project. *Id.* at 2–3. The Standing Committee filed its interim report on December 27, 2021, which included five recommended amendments to Rule 12 of the Supervised Practice Rules and a sixth request to extend the pilot project. *Interim Report and Recommendations from the Standing Committee for Legal Paraprofessional Pilot Project*, No. ADM19-8002 (filed Dec. 27, 2021). The six recommendations were as follows:

1. Amend Rule 12.01(e) to remove the prohibition against providing advice and representation in court or at mediations if the family law case involves allegations of domestic abuse or child abuse.
2. Amend Rule 12.01(b) and (c) to include the establishment of child support.

3. Amend Rule 12.01(a) to eliminate the requirement that a “district court have an established Housing Court or a dedicated calendar for housing disputes” for a legal paraprofessional to provide services in that court.
4. Amend Rule 12.01(f) to clarify Appendix 1 to Rule 12 of the Supervised Practice Rules.
5. Add eligibility to provide advice and representation in Order for Protection and Harassment Restraining Order cases to the scope of work in which a legal paraprofessional may provide services.
6. Extend the Pilot Project and continue the amended Supervised Practice Rules that govern the Pilot Project to March 31, 2024.

*Id.* at 7–10.

On January 28, 2022, we opened a public-comment period, and six written comments were filed. Three of the comments expressed explicit support for some or all of the proposed recommendations. These comments were submitted by the National Federation of Paralegal Associations, the Institute for the Advancement of the American Legal System, and the Minnesota Paralegal Association. Three other groups submitted comments expressing concern about expanding the pilot program into cases involving domestic abuse, implicating recommendations 1 and 5 above. These comments were submitted by the Domestic Abuse Committee of the Family Law Section and the Family Law Section of the Minnesota State Bar Association, Standpoint and the Minnesota Coalition Against Sexual Assault, and the St. Paul and Ramsey County Domestic Abuse Intervention Project.

We have considered the Standing Committee’s recommendations and have reviewed the written comments. Following that review, we have concluded that the recommendations and proposed amendments which received only support, and for which no concerns were raised, will be adopted. This includes the amendments to Rule 12.01 made in

recommendations 2–4, as well as recommendation 6 extending the pilot project to March 31, 2024. The action to be taken on recommendations 1 and 5 will be decided following a public hearing. A copy of the Standing Committee’s report with the proposed amendments and recommendations is available on the public access site for the Minnesota Appellate Courts, under case number ADM19-8002 – *Interim Report and Recommendations from the Standing Committee for Legal Paraprofessional Pilot Project* (filed Dec. 27, 2021).

IT IS HEREBY ORDERED THAT:

1. The Supervised Practice Rules are amended as shown below. The amendments are effective as of May 1, 2022.

2. The pilot project is extended. The pilot project shall end and the Supervised Practice Rules that govern the pilot project shall expire on March 31, 2024. On or before January 17, 2024, the Standing Committee shall file a final status report on the pilot project that includes recommendations for continuation, abandonment, or modification of the pilot project, or for permanent codification of the rules for the pilot project. The Standing Committee may file an additional interim report by January 15, 2023.

3. A hearing will be held before this court to consider recommendations 1 and 5 contained within the Interim Report and Recommendations from the Standing Committee for Legal Paraprofessional Pilot Project filed on December 27, 2021. The hearing will take place in the Supreme Court Courtroom, State Capitol, Saint Paul, Minnesota, on May 17, 2022, at 10 a.m. Any person or organization who wishes to make a presentation at the hearing in support of or in opposition to recommendations 1 or 5 shall file a request to so appear along with one copy of the material to be presented with the Clerk of the Appellate

Courts, using the appellate courts' e-filing application, E-MACS, if required to do so. *See* Minn. R. Civ. App. P. 125.01(a)(1). All requests and accompanying materials shall be filed so as to be received by the Clerk's office no later than April 26, 2022.

Dated: April 1, 2022

BY THE COURT:

A handwritten signature in black ink, appearing to read "Lorie S. Gildea". The signature is written in a cursive style with a large initial "L" and "G".

Lorie S. Gildea  
Chief Justice

## SUPERVISED PRACTICE RULES

*[Note: in the following amendments, deletions are indicated by a line drawn through the words, and additions are indicated by a line drawn under the words.]*

### **Rule 12. Authorized Practice by Legal Paraprofessionals in Pilot Project**

#### *Rule 12.01 Scope of Work*

An eligible legal paraprofessional may, under the supervision of a member of the bar, provide the following services:

(a) Provide advice to and appear in court on behalf of tenants in housing disputes as defined in Minnesota Statutes Chapter 504B and Minnesota Statutes § 484.014. ~~Eligible legal paraprofessionals may only provide such services in district courts that have established a Housing Court or a dedicated calendar for housing disputes,~~ except that eligible legal paraprofessionals shall not appear in Housing Court in the Fourth Judicial District.

(b) Appear in court on behalf of clients in family law cases, at default hearings, pretrial hearings, and informal family court proceedings, and hearings related to establishing child support, child-support modifications, parenting-time disputes, and paternity matters.

(c) Provide advice to clients in family law cases related to establishing child support, child-support modifications, parenting-time disputes, paternity matters, and stipulated dissolution and custody/parenting time agreements, including the drafting of stipulated dissolution and custody/parenting time agreements.

\* \* \*

(f) With authorization from the supervising attorney, prepare and file ~~a limited set of~~ documents which include but are not limited to the documents identified in Appendix 1 to these rules.

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