MINNESOTA JUDICIAL BRANCH

For the Legal Paraprofessional Pilot Project Implementation Committee

Meeting Summary

September 30, 2019 | 1:00 pm – 4:00 pm

#	Topic

1. Welcome

2. Review and Discuss Paralegal and Attorney Subgroup Recommendations

The paralegal subgroup reviewed their proposal for the paralegal requirements and qualifications. The recommendations included items such as continuing education credits, minimum years of experience, minimum education and certification requirements, and established working relationship with supervising attorney. The committee discussed the proposal and agreed that it is a good start and is a good basis for continued review and refinement as the pilot plan is developed. The attorney subgroup did not have a proposal at this meeting.

3. Review and Discuss Preliminary Survey Responses

The committee reviewed the preliminary survey results. 579 individuals completed the survey. It took an average of 6 minutes to complete the survey. Overall impression after reviewing the responses is that there seem to be many responders who do not know the breadth of work that paralegals are already permitted to do. Committee members wanted more time to review the responses before making any final decisions.

4. Presentation: Unauthorized Practice of Law and Ethics Rules for Supervision

Ethics rules impose an obligation to supervise non-lawyers. The traditional interpretation of UPL permits non-lawyers to do all of the tasks listed in the pilot project survey as a conduit to the licensed attorney. This project is shifting that conduit piece and saying that paralegals are permitted to do the work directly.

Student practice rules require supervision but there is no mechanism in place to formalize the relationship. Appearance is permitted without the lawyer present if the lawyer deems the student competent to appear independently. Since paralegals are not attorneys the Board does not have authority over them but the paralegal associations do have ethics requirements, etc.

5. Focus Group Discussion

A few people sent in emails to the committee volunteering to participate in a focus group. A couple of committee members will start drafting questions for the focus group discussions for review at the next meeting.

Other Discussion

The committee members had additional discussions about other programs in the state that are offering other ways to supporting unrepresented parties in these areas of law and how or if the pilot can leverage their infrastructure, lessons learned, etc.

Member Roster & Attendance

☒	Justice Paul Thissen	Co-Chair
☒	Judge John Rodenberg	Co-Chair
☒	Thomas Nelson	MSBA
☒	Sally Dahlquist	Inver Hills Community College
☒	Maren Schroeder	Rochester, MN
☒	Tiffany Doherty-Schooler	Duluth, MN
☐	Pamela Wandzel	Minneapolis, MN
☐	Christopher O. Peterson	Minneapolis, MN
☒	Bridget Gernander	State Court Administrators Office
☒	Liz Reppe	State Law Library
☒	Guests:	

- Susan Humiston, OLPR
- Ellen Bendewald, SCAO