



OREGON PARALEGAL ASSOCIATION

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Oregon Paralegal Association's Position Statement on the Proposed Licensed Paraprofessionals ("LP") Program

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The Oregon Paralegal Association ("OPA") recognizes the gap in access to justice within our communities, which disproportionately affects low income and BIPOC individuals. OPA also recognizes that paralegals in Oregon are in a unique position to help bridge that justice gap.

OPA's members are made up of a diverse group of paralegals with a wide array of experience and education, many of whom have overcome hardships and barriers in their personal lives to work in this profession. OPA members prioritize giving back to the legal profession and their communities through pro bono and community service efforts such as Legal Aid, Wills for Heroes programs, volunteering with the Classroom Law Project and donating to the Court Cares program, to name just a few. Many of our members have also seen first-hand the issues impacting the underserved members of our community and want to find a way to help. This proposal could offer a way to channel the desire to help into a tangible response.

Because we know that the path to becoming a paralegal is not a linear one, we acknowledge that some enter the paralegal profession as a second career; others start out as a legal assistant and work their way up to a paralegal job; while others never obtained any formal education but were hired as a paralegal because of their organization and problem solving skills. Regardless of the path that our members have taken, many are trusted and respected members of their legal profession, by attorneys and judges alike. They voluntarily attend monthly CLES offered by OPA's specialty groups, by the local bar associations or those by the courts; and many seek voluntary paralegal certification through the Oregon Certified Paralegal program or one of the national paralegal associations to build up the paralegal profession.

Further, the profession evolved out of the necessity for trained professionals to assist attorneys with substantive tasks. For that reason, the courts have long recognized the essential contributions of paralegals in both efficiency and as a cost savings to clients, so long as the paralegal's qualifications are substantiated by education, experience and training/certification.

That is why, OPA supports the LP proposal's various eligibility pathways, including a variety of education and experience components substantiated by both attorney certification and competency assessments.

Additionally, OPA is on the front line in identifying the need for low-cost legal services in our communities. The association regularly receives inquiries from the general public who ask for referrals to paralegals to assist them with a variety of legal matters, and many are seeking legal advice or to hire someone who can file pleadings on their behalf. OPA's procedure is to refer these numerous inquiries to the Oregon State Bar Lawyer Referral Service, only providing a brief explanation that paralegals may not practice law unless supervised by an attorney.

Oftentimes, these referrals do not meet the needs of these individuals seeking assistance, because even if the individuals qualify for a modest means referral, the maximum rates are often still out of reach for the average person. Within the limited scope proposed by the Oregon State Bar's LP Program, LPs could help low income clients with basic legal matters for a fraction of the cost of the usual attorney retainer through flat fees or lower per hour rates. The individuals who may be helped the most by this program currently do not qualify for these lower cost programs but still cannot afford the standard rates of most attorneys. For these reasons, and the limited scope of practice being proposed, we believe that an LP would not compete with attorneys practicing in these family law or landlord/tenant matters.

OPA further supports legislation and adoption of court rules permitting the limited practice of law by licensed paraprofessionals in both of the proposed practice areas: landlord/tenant and family law. The association also supports limitations on the scope of practice recommended by applicable regulatory bodies. We thank the Oregon State Bar and the Oregon Supreme Court for the opportunity to submit these comments and look forward to supporting the rollout of the program in the future.

The Oregon Paralegal Association Board of Directors