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Art Garwin, Deputy Director  
Center for Professional Responsibility  
American Bar Association  
321 North Clark Street, 21<sup>st</sup> Floor  
Chicago, IL 60654-7958  
[futurelegaled@americanbar.org](mailto:futurelegaled@americanbar.org)

**RE: Task Force on the Future of Legal Education – Non-lawyer practice**

Dear Mr. Garwin:

The National Federation of Paralegal Associations, Inc. (NFPA) is a non-profit paralegal professional organization, founded in 1974, and currently represents the largest number of individual paralegal members in the United States. As the first national paralegal professional organization, NFPA is directed by its membership to be issues-driven, and policy-oriented.

As a long-time proponent for mandatory paralegal regulation in the United States, NFPA closely monitors all topics which are peripherally related. NFPA formally addressed the issue of non-lawyer practice in 2005, and published a position statement supporting legislation and/or adoption of court rules permitting non-lawyers to deliver limited legal services directly to the public provided such rule or law meets minimum criteria.

The NFPA's Position Statement on Non-Lawyer Practice is available on our website at: [http://www.paralegals.org/associations/2270/files/non\\_lawyer\\_practice.pdf](http://www.paralegals.org/associations/2270/files/non_lawyer_practice.pdf) and is also attached for ease of reference. The minimum standards for non-lawyer practice contained in NFPA's Position Statement are as follows:

- (a) Minimum post-secondary education substantially equivalent to a bachelor's degree in paralegal studies, plus two years of substantive paralegal experience under an attorney licensed to practice law in the state in which the non-lawyer practice will occur (see Appendix A).
- (b) Advanced competency testing as to specialty practice area, and limitation of practice as prescribed by laws, regulations, or court rules.
- (c) Required Continuing Legal Education (see Appendix B)

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- (d) Required Fitness and Character criteria (see Appendix C)
- (e) Required Bonding or Insurance.

NFPA supports the idea of creating a framework for licensing non-lawyers to provide limited legal services which is embraced by individual states.

NFPA supports the American Bar Association's paralegal education approval program in its mission for a standard in paralegal education. This program is well-recognized as a sound starting point for non-lawyer education. Certainly additional criteria must be developed to address direct contact with the public by non-lawyers, as this is not currently part of any paralegal education curriculum, but it makes fiscal sense to keep the educational program contained in one source. The most cost-effective delivery method should be utilized to help achieve the goals of low-cost access to justice by the public which is driving this topic of discussion.

NFPA applauds the strides that the Washington Supreme Court has made with the implementation of the Limited License Legal Technicians Rule (Admission to Practice Rule 28). The creation of a separate board to oversee the operational details which includes non-lawyers and educators is essential to efficient implementation of a new profession. The due diligence employed in the creation of the program is a model for all.

NFPA and its members stand ready to assist the ABA's Task Force with any additional resources at our disposal on this particular topic. Please contact me at the telephone number or email address above with any questions or if additional information is required.

Sincerely,



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