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Opposition to HB453 & HB661

The Executive Board of the Baton Rouge Paralegal Association ("BRPA") on behalf of its members, which include Non-Attorney Notaries, oppose HB453 and HB661.

No citizen, in any capacity, should be mandated by its local, state or federal government to make financial or other contributions to any association, corporation, or charitable institution, especially when that citizen has no membership and/or representation in said association, corporation, or charitable institution. It is also worthy to note that the LSBA does not mandate contribution to the LBF/Access to Justice Commission of its own members; rather the contribution is optional during membership renewal. Before mandating to others outside of its control and governance, perhaps it should mandate to those within its purview.

The Program which HB453 and HB661 aims to fund is directed by the Louisiana State Bar Association, specifically the Access to Justice Commission. The Louisiana State Bar Association's mission is to *assist and serve its members in the practice of law...assist the Supreme Court in the regulation of the practice of law...promote professional competence of attorneys...*

Non-Attorney Notaries are not members of the Louisiana State Bar Association. Non-Attorney Notaries are not authorized to *practice law*; the Louisiana State Bar Association does not *regulate* notarial practice in Louisiana; nor does the Louisiana State Bar Association *promote* or ensure *competence* of Non-Attorney Notaries. Rather, Louisiana Non-Attorney Notaries are commissioned by the Governor of the State of Louisiana, whose powers are enumerated and governed under the Louisiana Revised Statutes, which commissions are administered through the Secretary of State, and may only be suspended by the Secretary of State and/or suspended/revoked after a rule to show cause hearing brought before the court by the District Attorney or the Attorney General.

Further, the Louisiana Access to Justice Commission is collaboration of the State Bar, the State Supreme Court and the Bar Foundation. The Commission is comprised of a Louisiana Supreme Court Justice, a representative from the Supreme Court's Judicial Administrator's Office, two members from the Louisiana District Judges Association, a representative from the Louisiana Clerk of Court's Association, two corporate counsel from the LSBA's Corporate Counsel Committee, two leaders from Louisiana's civil legal aid programs, one representative from the Louisiana pro bono program, one representative from law schools, and one representative from the Bar Foundation. There are also three unrestricted positions. All positions on the Commission are appointed by the President of the LSBA. There is no Non-Attorney Notary representative on the Commission.

While the BRPA agrees that the mission of the Access to Justice Commission and the programs it funds are worthwhile, we disagree that said funding should be mandated upon those who have no representation or participation therein.

For these reasons the BRPA opposes HB453 and HB661: (1) no citizen in any capacity should be forced to contribute to any association, corporation, or charitable institution; (2) Non-Attorney Notaries are in no way affiliated with or governed/regulated/administered by the LSBA/LBF; and (3) Non-Attorney Notaries are not represented on the LACJ nor are their services included in those provided by LACJ.

However, should this bill prevail, mandating Non-Attorney Notaries fund the Louisiana Access to Justice Commission, then it should also be mandate that (1) the LSBA members be similarly "taxed" so as to contribute to the LACJ annually; (2) the Commission include representatives who are Non-Attorney Notaries; and (3) that notarial services be included in the programs and resources offered by the Commission to the citizens of Louisiana (if the true mission is to offer assistance to every citizen of the State of Louisiana at affordable or no cost).

Respectfully Submitted By:

Rachael A. Reed, President
*on behalf of the members of the
Baton Rouge Paralegal Association, Inc.*

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