



September 14, 2022

Colorado Supreme Court  
2 E. 14<sup>th</sup> Avenue  
Denver, CO 80203

**Re: Rocky Mountain Paralegal Association Comments Regarding Licensure of Legal Paraprofessionals**

To Whom It May Concern:

The Rocky Mountain Paralegal Association (“RMPA”) is a non-profit organization that was founded in 1973. RMPA was founded on the premise of organizing and promoting the paralegal profession in the Rocky Mountain region, with most of our membership based in Colorado. This letter is written in support of the Implementation Plan of the Licensed Legal Paraprofessional (“LLP”) Program, which allows LLPs to provide certain types of legal services in domestic relations matters. With nearly 73% of domestic relations matters filed by people without the benefit of representation and/or access to general information and advocacy, RMPA regards the LLP as a distinct mechanism to help ease backlogs, streamline uncomplicated and non-contested cases, and make advocacy more accessible in matters that meet the licensure criteria. RMPA recognizes the implementation of a limited licensure as a welcome contribution to the community paralegals and legal paraprofessionals already serve.

LLP’s can assist clients who view their matter as largely non-controversial, amicable and/or uncontested. They may also assist those who have simpler matters which require general guidance through judicial procedure. Anticipated LLP services to such clients will often include providing basic functions of form selection, form interpretation, and completion, process education, and procedural support. Whatever the driving forces may be, it is important to note that the prospective LLP client is an individual who is choosing between having the guidance of an LLP or “going it alone” as a *pro se* party.

RMPA invites the Court to consider the comparison between medical and legal services offered in Colorado and, specifically, how the LLP may be similar in nature and usefulness to the nurse practitioner. It cannot be denied that the services of nurse practitioners and even medical assistants have greatly reduced lack of access to timely healthcare. In much the same way, the LLP will be able to provide timely “legal care” to those who need it. Another example of this paradigm lies in

the fact Colorado is a direct access state -- meaning a patient does not need a physician's referral in order to receive specialized medical services, such as physical therapy treatment. An LLP can function in a similar capacity, and RMPA is hopeful that the State will be eager to provide such services.

RMPA anticipates that paralegals and legal paraprofessionals currently working in Colorado law firms who pursue the LLP opportunity, will be an integral part of implementing the LLP service to the community. In fact, there are current RMPA members actively serving on a Paraprofessionals and Legal Services ("PALS") Subcommittee working group to further implementation efforts.

Whether paralegals and legal paraprofessionals opt to work in law firms or in private practice, they already observe strict personal and professional ethical standards, exhibit high levels of discretion, and adhere to the regulatory guidelines of their field. Simply stated, paralegals and many legal paraprofessionals understand rules, roles, scope, discretion, discernment, conflicts, governance, solutions, complexities, responsibilities, propriety needs and limitations in domestic relations cases. Paralegals interact daily with the inquiring public and often see first-hand the barriers facing people of all backgrounds in obtaining competent and affordable help. They often find themselves unable to offer an alternative option to people at a time when they most desperately seek it. The LLP addresses a long-standing, unmet need that paralegals are intimately aware of.

As for their suitability to the task at hand, the LLP is a natural progression for family law paralegals and legal paraprofessionals who already serve as brainstorming partners, problem solvers, advocates, organizers, implementors and educators for both clients directly and the attorneys they support. Indeed, the Senior Paralegals at many firms have trained and supported generations of new counselors. Offering *direct* services to clients, within a framework designed to promote a partnership with attorneys is a logical step for Colorado citizens. We also invite eligibility to take MVL cases, pro bono cases generally and sliding scale and unbundled services thereby additionally enhancing the currently scarce resources.

RMPA agrees that suitability, education, training, oversight, and clear expectations are critical to the success of the program. The current practical experience requirements to become an LLP include 1500 hours of hands-on legal experience, of which includes 500 hours specifically in the family law practice area. It should be noted that this rigorous requirement is a higher practical requirement than even an entry level licensed attorney is required to demonstrate prior to assuming his or her first case. RMPA has a long-standing history of providing CLE opportunities to its members and asserts that this experiential requirement, coupled with ongoing CLE, is sufficient to meet the needs of the intended cases and clients. Currently, the RMPA has a number of eager paralegals who meet the proposed requirements and are ready to sit for a family law and ethics exam.

As it concerns oversight of LLP's in law firms, it is in the purview of the law firm employing an LLP to implement their own policies, best practices, and case management expectations just as they would ordinarily do for staff, paralegals, interns, and licensed attorneys. LLP's serving both within law firms and in private practice will be beholden to licensing requirements, insurance mandates, continuing education and rules enforced by the Office of Attorney Regulation in the same way that lawyers are.

In conclusion, paralegals and fellow legal paraprofessionals are the pin-point to solving Colorado's representation crisis. RMPA endorses the approved Implementation Plan and believes that

paralegals and fellow legal paraprofessionals are great candidates for the LLP license. This program, when implemented, will undoubtedly assist thousands of Coloradans to access to justice in their domestic relations matters for years to come.

Best Regards,

*Kyle A. Melchior*  
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Rocky Mountain Paralegal Association

Written in collaboration with the RMPA Family Law Section.

Approved by:

RMPA President, Stefanie Trujillo  
RMPA Executive Committee