UTAH SUPREME COURT AD HOC COMMITTEE

REGULATORY REFORM

CJA Workgroup Meeting: October 23, 2025

12:00pm – 1:00pm

Hybrid Meeting

Education Room, Matheson Courthouse, and WebEx:
Meeting Link
Nick Stiles, Co-Chair Maryt Fredrickson, Co-Chair

1. Welcome
2. Review of Meeting Minutes (Tab 1)
3. Introduction of new member: Mark Steinagle, Director, Division of Professional Licensing (DOPL)
4. Discussion: Defining a CJA – Continuing to compile and refine the list of CJA characteristics (Tab 2)
5. Closing and Action Items

Recent Resources: Illinois Announces New Community Justice Worker Program
https://www.illinoiscourts.gov/News/1619/Illinois-Supreme-Court-approves-vision-for-new-Community-Justice-Worker-Program/news-detail/

TAB 1

Meeting Minutes
Utah Supreme Court's Ad Hoc Committee on Regulatory Reform
Community Justice Advocates Work Group
Thursday, September 25, 2025
12:00 – 1:00
Online via WebEx

Attendance by WebEx: Maryt Fredrickson, Nick Stiles, Bre Hickerson, Judge Richard Mrazik, Dr. Jayme Walters, Andrea Donahue, Stacy Haacke, Janine Liebert, Ciriac Alvarez-Valle

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Approval of Minutes. All in favor of approving the prior minutes. No edits noted.

Welcome, Bre Hickerson, 3L from the University of Utah who is serving as one of two of the Utah Supreme Court's Legal Regulatory Reform Fellows. All members in attendance introduced themselves to Bre.

This discussion centered around a recap of the last meeting and revisiting 3 of the 4 overarching questions that we've had in discussing the CJA program.

1. **The first topic is how we can find a balance in providing necessary supervision to the CJA program in a way that balances entity resources and scalability.**
    - We've previously discussed the burdensome ongoing education requirement. So part of this discussion is to sort out whether we need recurring training for CJAs or whether an analog of the CLE program could suffice. We also want to design of the education program to allow for scalability.
    - In thinking about sponsoring entities v. independent CJAs that don't have sponsors, Nick asked if it would be valuable to discuss this in our report. Nick discussed sponsoring entities and that he believes these entities are the initial organization that is standing the CJAs up and sending them out in the community. Maryt asked how we build in portability if the CJA leaves the sponsoring entity and whether the CJA should be able to take their experience and ability to be a CJA with them if they leave the entity. Per Stacy, the question then becomes whether the individual has to then move to another sponsoring entity or if they can continue to practice independently. Alaska has highlighted difficulties of the individuals who leave an entity continuing to serve as CJAs.
    - Jayme noted that the CJAs she worked with are employed by various agencies and/or are volunteers through a legal services organization, etc. Supervision is required, so no CJA is working alone currently. We should think about malpractice insurance (as is part of the authorization order). If that's not a

requirement, then we need to brainstorm the requirements for CJAs to operate without a sponsor. Jayme believes that autonomy would allow scalability but comes with other challenges if they aren't supervised.

- Judge M. said that there is value in picking an end goal and working backwards to determine a viable process to get there. So, if the goal is that certified CJAs will function as independently certified individuals that don't require affiliation with a sponsoring entity, then we can work towards figuring out how we will keep them up to date with continuing education, etc. He said he believes this would be valuable and would allow CJAs to work with people who need help in a variety of different areas. For example, there are consolidation efforts within the judiciary for things like debt consolidation cases. But we don't have volunteer attorneys, CJAs, etc. to help with those cases. It would be very valuable to have CJAs in those scenarios. Judge M noted that Megan Connelly has suggested the UT bar could supervise and administer the CJA program. If the bar is not the best option for that, we should brainstorm other options.
- Ciriac discussed this process with health care advocates and the certification process for them. She mentioned that USU and other educational entities could help provide CLE credits to create a more circular way for CJAs to get that education from the entities they are already working with. But a central entity would be valuable for oversight and to work through funding solutions for CJA programs. This could be helpful to find more sustainable funding for CJA's work, such as considering Medicaid reimbursement in the health care advocate space, etc.
- Nick reminded us that we are trying to have someone from DOPL come to join our discussions. That would help us expand the scalability ideas.
- Jayme added that social workers already have programs which allow for continuing education within educational institutions. Students in these programs really want to be able to take a minor/certificate program for CJA info. This highlights the barrier of requiring sponsorship because if students can only get experience/work by working for specific employers, that will limit expansion in a time when students want more autonomy.
- Nick summarized that we will need to find some balance and suggested maybe CJAs can be supervised for 6-12 months and then are issued a portable CJA certificate to remove this roadblock.
- Andrea asked about whether funding was baked into the charge of the subcommittee in terms of discussing sustainability for our recommendations. This probably isn't in our charge, but Nick suggested that hopefully we can consider that in our scope even if it's not explicitly mentioned.

2. **The second issue discussed was what kind of entities we want to be sponsors for this and how we can help facilitate the development of those programs.**
    - We discussed this within the health care space, noting that Holy Cross Ministries used to be a CJA sponsor. This just shows that there have been non-legal sponsoring entities in the past.
    - Judge M. asked who we feel like we can trust to design these education programs and administer them. It's clear that the larger educational institutions are clearly competent to do this (like the U, BYU, USU, etc.) but we need to determine what other entities we trust to develop these programs and the potential need for a a central entity who is approving all CJA curriculums/plans. Maryt noted that this ties in with the potential need for a clearinghouse. Nick agreed that a clearinghouse is probably the best way to standardize things and that the Bar would be a good place for that. The bar could then evaluate each program to make sure it is sufficient and then issue certificates to CJAs. Nick noted that the closer we can get these alternative licensures to being analogous with certification of lawyers, the more sustainable/scalable it is. For example, dealing with disciplinary issues in a comparable way, etc.
    - Maryt connected the clearinghouse issue to the first meeting to allow for more organizations to contribute to the CJA program. Judge M noted the value of having the judicial branch to oversee this program as a way to manage funding resources, etc. and that this could be a valuable option for the clearinghouse.
    - Nick noted that the luxury of having this program run through the Bar is that they are one more step removed from fiscal-conservative minded people and noted that the judiciary is bound to the legislature's budgets, etc. But the Supreme Court definitely recognizes the value of helping provide legal services to people who can't afford them.
    - Judge M. noted that leaders of the Alaska program have said that if they could do it over again, they wouldn't limit the program to legal services because of funding limits. Judge asked if this is as simple as saying that this program is limited to legal entities (org run by a lawyer in good standing with the bar) or the other big educational entities in the state (and we would list them out). Are there any blindspots we should think about for that program or other significant entities that we would be excluding with that limitation? Maryt said that this is potentially excluding things we haven't thought about so far, like startups or churches. Those entities could have a sponsoring attorney, though, so it might not exclude them. The clearinghouse might allow for a broader scope, so these are two different options.
    - Ciriac asked about how CJAs would be able to access continuing education that they need, especially in rural areas, that might not have any of these big certifying entities nearby.

- Jayme asked about qualifications that would allow an entity to be a sponsor. If we just set the criteria for any entity to be able to apply and then deliver this training/certification, then it is the entity's responsibility to meet that criteria instead of limiting it to specific kinds of organizations (like the legal/educational entities). That could help us set parameters for these programs. Andrea brought up portability again and asked whether we are thinking about a more cohesive training/requirement system and how we would get all entities on board with the same structure/whether that requires acceptance of minimum standards.
- Judge M. analogized to teaching law school classes and how differently different professors teach the same topics. He notes that there often isn't one way to teach something, and so we should think about the minimal level of credibility/reliability so that we don't have to bind every program to the exact same training program. Jayme noted that this is why a clearinghouse is critical to check in on these various entities and make sure they are all subject to oversight at regular intervals. Those regular checks would help us ensure that the people who are being certified are meeting the minimal standard but are not dictating exactly what the programs look like.
- Stacy compared this to mediation training and oversight of those programs. There are basic standards there that entities are accountable to, but the entities have the freedom to figure out how best to do that. Stacy noted that these programs are listed on the court website, and the ADR director/committee is functioning as a clearinghouse for that. Maryt suggested that we investigate how the mediation program was developed to see if this could be helpful for developing our minimum standards.

3. **The final topic was a discussion about defining the scope of CJAs' practice.**
   - Maryt notes that we've agreed that CJAs don't have to be attorneys, but we should think about whether law students could be CJAs, whether CJAs could be paid/unpaid, and what topic areas are covered in developing that scope. Defining what it means to be a CJA is critical.
   - Nick noted that he believes CJAs should be unpaid where LPPs are paid, which is the key difference between the programs. He noted that this would require CJAs' reliance on sponsoring entities even more, though.
   - Judge M. recommended that CJAs should be individuals that provide legal information or advice without charging for those services, whether or not they are paid.
   - Judge M. noted other differences between CJAs and LPPs, such as that LPPs can sign documents on behalf of clients. CJAs are not meant to act as agents but rather helpers for self-represented people to represent themselves better. He notes this might help us find balance here in defining the scope of each.

- Jayme noted that we should be careful about CJAs not having to be unpaid but merely not being able to charge for the legal services they are providing. This wouldn't mean you can't be paid more for having a CJA certification and providing those services in your professional role. For example (from Judge M.) it would not be appropriate for a hospital to charge more to have someone who is providing legal information at discharge as an itemized charge. But the individual providing that information could be paid more because they are a CJA. Judge M. noted that this could make job candidates more competitive and they could charge higher rates, just not specifically to provide legal services.
- Nick suggested that perhaps compensation is an easy part of defining CJAs.
- Jayme noted that the messy part is when you are in private practice and market this skill and have a client that comes to you only for legal advice, then you are technically charging for that service.
- Maryt noted that LPPs might want to be CJAs to get their practice/experience. LPPs might charge for those services. Would that be allowed? Notarios might be similar in this way?
- Jayme said that we can expect to get pushback about CJAs not being able to charge for their services, but that the key difference probably is that a CJA is not a representative of a client and shouldn't be charging for that. But if the services they provide are more affordable, could they still be charging lower rates for those services?
- Judge M. brings us back to the purpose of the regulatory reform effort being to bridge the access to justice gap. Allowing CJAs to charge for services would make it harder for us to meet that purpose. Maryt explains that if there was an opening for CJAs to charge, then the market would take over and we would be closing the door to the people who don't have income to hire those people. So, allowing CJAs to charge for their services might not serve the access to justice mission.
- In closing, Judge M. notes that defining the scope of CJAs was something Haley had really practical thoughts, so we should definitely get her input. Maryt notes that this discussion is ongoing, so we'll definitely loop Haley in.

Nick concluded with a note about future plans and our current action items:

- No current action items for the group.
- Sometime in the winter (Jan or Feb) the overall committee on reg reform is planning to submit a bulleted list of where we are heading and recs from each of the 4 work groups. To do that, we need to have another brainstorming meeting and then Bre, Nick, and Maryt will start drafting a rough list of bullet points to refine with the committee in Nov/Dec. This allows us to check in before next summer when we give them final recommendations.

The meeting adjourned at 1pm.

TAB 2

How Other States Define CJAs

Arizona

- "Certified Community Legal Advocates" provide "limited-scope legal advice in two practice areas, Housing Stability and Domestic Violence. They are trained through the state's "Innovation for Justice" program and are certified by the AZ Supreme Court.
- Must be employed by "community-based organizations." The court has a list of "Approved Organizations" that CCLAs can volunteer or work with. CCLAs can provide limited advice and attend mediations and hearings with clients.

Alaska
- Community Justice Workers are "non-lawyers trained and supervised by Alaska Legal Services Corporation" and may "provide legal assistance in a limited capacity in certain civil matters" (e.g. public benefits, debt, DV protective orders, Indian Child Welfare Act, etc.).

Delaware
- Qualified Tenant Advocates are "non-lawyer agents" that may "represent residential tenants in eviction proceedings." QTAs must be trained by one of DE's 3 legal aid agencies and are supervised by the legal aid lawyer while representing the tenant. QTAs can "prosecute or defend eviction proceedings, engage in settlement negotiations, file pleadings and other documents, and appear in the Justice of the Peace Court."
- Notably, services must be "free of charge to the residential tenant."

South Carolina (pilot program)
- Launched a 3-year pilot program in 2024 to allow non-lawyer advocates "to provide only basic, limited information to tenants in eviction actions in magistrates court who agree to participate in the Housing Program." No other clear definition/guidelines that I could find, but flagging because that could evolve.

California
- The CJW program, if approved, would enable "trained nonlawyers provide free limited legal services to individuals facing civil legal issues, such as debt collection or eviction. Unlike legal paraprofessionals, who must navigate a lengthy state-run licensure process to avoid violating unauthorized practice of law rules, CJWs receive a waiver that provides a limited exemption to these regulations as long as they operate under the supervision of an approved legal aid organization."

- CJWs are defined in the proposal as "a person not licensed by the California State Bar who has satisfied the training and other relevant requirements as certified by an authorized legal services organization and will engage in the limited practice of law exclusively for an authorized legal services organization."

- CJWs are "not permitted to charge any fees, including fees structured on a contingent or percentage basis, or for a referral, for legal services provided under this program."

- CJWs must be "affiliated with a legal services organization"

Brainstorming Our CJA Characteristics

Areas where consensus may exist:

- Limited license follows the person, not the organization
- Not required to be tied to legal services organization because of risk of grant limitations reducing the people who can be served (this differs from AK's model and California's proposal)
- Central/clearing house entity for CLEs, licensing, and oversight (because scalability is limited under current models)
- Can work for a paid entity (like a hospital) but likely cannot charge a fee for the CJA services in order to meet ATJ target.
- CJAs can be paid by their employer, and they may be more employable because of their CJA certification. CJAs can also be volunteers.
- CJAs cannot sign documents or file papers or otherwise act as an agent of a person the way LPPs can. They exist to help a self-represented person represent themselves better.

Needing further discussion:

- malpractice insurance if not in a sponsoring entity?
- Supervision & if so: duration (limited or forever) and ratio of atty to CJA
- Criteria for sponsoring entities
- Interface between the limited license for legal assistance with other licensing (social workers, nurses, etc.)
- Disciplinary options where needed?