Meeting Minutes

Utah Supreme Court's Ad Hoc Committee on

Regulatory Reform Licensed Paralegal

Practitioner Workgroup

October 9, 2025; 12:00 – 1:00
Remote

Attendance Online: Maryt Fredrickson, Nick Stiles, Bre Hickerson, Jon Wayas, Emily Lee, Michael Barnhill, Judge Daniel Taubman, Judge Angie Arkin,

---

1. Welcome and Review of Meeting Minutes
    - Maryt welcomed everyone to the meeting. The minutes from September's meeting were approved with no changes.
2. Brainstorming and listing barriers tied to the original charge:
    a. "Identify barriers to entry (time & cost, dearth of available training, absence of alternative paths to qualify for exam, lack of awareness of the program, etc.)"
        - Emily started by noting that education is a significant barrier to entry, and there have been some changes to the requirement for LPPs.
        - Jon explained that previously, you had to have an associate's or bachelor's degree in paralegal studies to be an LPP. There used to be 5-6 programs that offered those degrees in Utah, but now only SLCC offers it. As such, the rules were changed this summer to allow any associate's or bachelor's degree plus a paralegal certificate, effectively immediately.
        - LPPs can also meet the education requirement by obtaining a national paralegal certificate, but the program requires a lot of time and more intensive experiential components.
        - Maryt noted the alternative licensure program that was just announced for Utah attorneys and asked if there should be an equivalent for LPPs.
        - Jon responded that the national certification pathway is essentially the alternative licensure pathway. All LPPs must have 1500 hours of experience. Previously, paralegals with 7 years of experience could obtain licensure without meeting the education requirements but that rule was sunsetted. That was intended to jumpstart the program in the early years.

- Jackie noted that people that met the 7-year experience path still had to obtain the national certification, which is why the rule was sunsetted because it did not take away any of the pathways still available for LPPs currently.
- Nick asked about how long the national certification program takes. Jackie noted that the certifications vary depending on which program the individual uses, and the programs are a significant amount of work that are a substantial barrier. Jon said that the programs are estimated to take about a year and that often the exams included in those programs are harder than Utah's LPP exam.
- Jon also noted that one of those national programs is shutting down, which reduces the options available to obtain the national certification.
- Nick asked if we think this path has struck the right balance or if we should consider other pathways analogous to the new attorney alternative licensure path.
    - Emily mentioned that the LPP requirements already resemble the alternative licensure path for attorneys by requiring a mix of the LPP exam, experience, and education requirements.
    - The group brainstormed a program where experience supplemented education to reduce the education requirement.
    - Maryt asked whether the initial 7-year pathway was effective at getting people to jump in, and Jackie mentioned that almost all of the first LPPs came in through that path.
    - Maryt asked Bre to look into the Colorado rule to examine their LPP requirements in the next meeting.
    - Frequently Asked Questions About Licensed Legal Paraprofessionals (LLPs) - Colorado Supreme Court
    - We noted that in Colorado, if a candidate can't meet the educational requirement, they can show the equivalent of three years of full-time employment in law-related practical experience. Nick asked what issues we see with a program like this in Utah.
    - Jackie asked whether this would remove the LPP exam requirement and highlighted that Colorado's LPP education program is more stringent than ours (because we don't require a degree specifically in paralegal studies). But their education v. experience substitute is a more relaxed requirement than ours.

    - Emily and Jackie mentioned that the certification requirement takes a long time and is expensive, so it could be very valuable to look at including a substitute of experience for the education requirement.
    - Jon noted that it would be very helpful to clarify in the rule what counts as "law-related practical experience." For example, would a judicial assistant role count for that experience?
    - Courtney noted that adding a pathway for very experienced paralegals nationwide would probably be very advantageous in Utah to allow experienced workers to be LPPs without having to go back to school or complete the national certification.
    - Other states have this type of substitute/are developing programs with this now, and Courtney is advocating for such a substitute through IAALS to remove that particular barrier to entry. Courtney noted that AZ, CO, MN, and OR all offer experience-only options.
- Courtney also mentioned that Colorado just launched a comprehensive evaluation of the LPP program to examine how successful it has been. Arizona completed a more casual evaluation, but that could be something to look at.
    - Jon noted that our lack of data is a barrier that is preventing us from evaluating the LPP program and figuring out how to build the most effective program.
- Cost of LPP program as a barrier
    - Lindsey mentioned that one difficulty is the cost-benefit analysis for paralegals to work on their own as LPPs versus with firms. It isn't super advantageous from a salary perspective to be an LPP versus a paralegal at a big firm, and that is certainly a barrier.
    - Maryt noted that this is more of a barrier to practice than entry.
    - Nick noted that allowing for the experience/education substitute could help minimize the barrier to practice by removing the cost to get a separate certification to qualify to be an LPP.

b. "Identify barriers to practice (rule limitations on the scope of practice, challenges establishing or running a practice, public mistrust, competition in the Sandbox etc.)"
    - Courtney noted the salary issue and marketing to law firms to educate them about how to use LPPs is the biggest conundrum.

- Maryt asked about "competition in the Sandbox" and whether that is a barrier to practice.
    - Lindsey noted that LPPs who are well-established and don't have a hard time getting new clients probably don't face this barrier, however, other programs like the CJA program can create competition with LPPs. Nick noted that this means we need to be able to distinguish LPP work from CJA work to be successful. This probably ties back into the marketing barrier because we aren't educating the public about what LPPs do.
    - Lindsey noted that people are hiring LPPs more for emotional support than legal outcomes. We should consider what the intent of an LPP is in Utah and what their value is.
    - Andrea noted that the Sandbox establishes two categories of legal providers outside of LPPs: CJAs and other alternative legal providers (including within for-profit companies). This can create confusion between these three different types of providers.
    - Emily noted that she thinks this is what we need to discuss the most because creating a sustainable LPP career path is the goal but we haven't really created that.
- Lindsey explained that LPPs have to charge more than $200 an hour to match the rate of billing paralegals. This is less than attorneys but doesn't help us bridge the lower-income tiers of the access-to-justice gap.
    - Emily explained that this is the disconnect, because having LPPs that are available to low-income individuals is different than creating an LPP career. The Sandbox complicated this. Emily suggested that we consider either a combined LPP/CJA program or we need to make the lines between the programs distinct enough to separate the roles.
    - Lindsey noted that she does not have any low-income clients and often is just asked to tag along just so that she can explain things to clients that a lawyer doesn't have time to explain, etc. LPPs are more accessible than paralegals and can give some legal advice.
- Jon noted that this ties into one of the biggest barriers, which is the rules for the scope of practice and the limitations of what an LPP can do.
    - This creates a situation where clients then have to pay an attorney anyway, if the case exceeds what an LPP can work on.

    - Some states allow more expansive scopes but require attorney supervision, so we could consider that. For example, in Minnesota, there are only maybe two practice areas LPPs are allowed to work in, but they can do anything within that area. Essentially, the LPPs there function as limited practice attorneys within those areas.
    - Lindsey noted that this ties into the volunteer benefit of LPPs, because the volunteer LPP might end up in situations where they have to do things they've never done before (like arguing a statement of discovery issues).
    - Courtney noted that Colorado just expanded the scope of practice for LPPs there and that this is the trend.
    - Courtney also noted that in developing the LPP program with regard to access to justice, states are examining how LPPs can bridge the gap specifically for middle class individuals instead of specifically targeting lower income people. It's possible the LPP goal should be more narrow depending on our goals for the program in Utah.
    - Jon mentioned it might be helpful to talk to people working as LPPs to see what sorts of work that they have and what they are doing. We discussed connecting with a firm that has a few LPPs in Provo and inviting some of their attorneys to chat with us.
- Nick noted that marketing what LPPs can do and how they can add value to smaller firms is probably the biggest barrier that we can address.
    - Michael echoed this and mentioned that when he spent some time looking into the court website and summons info, there was no info about LPPs and what they can do. This is an actionable barrier for us to address, because editing court forms to include this info would make it easier for people to connect with LPPs.