



# D.C. Courts Civil Legal Regulatory Reform Task Force

## PROVIDE INPUT ON A PROPOSAL TO INCREASE ACCESS TO JUSTICE IN D.C.

**THE PROBLEM** Thousands of DC residents try to solve their civil legal problems and navigate our complex court and administrative systems without legal advice and representation. This is often because they can't afford to pay attorney fees and there are not enough attorneys available who offer free or low cost legal help. Individuals' outcomes are often not as good if they don't receive any legal help: families are separated; houses are lost; financial support and benefits are not received; victims of domestic abuse remain at risk.

**THE TASK FORCE** The D.C. Courts established the Civil Legal Regulatory Reform Task Force in July 2023 to investigate the idea of allowing nonlawyers who have sufficient qualifications and training to provide certain kinds of legal advice and representation in civil cases to people whose important interests are involved. Current rules only allow licensed lawyers to provide legal advice and representation. The courts asked the Task Force to get broad input about that idea. Learn more about the Task Force's work [HERE](#) (with amendment [HERE](#)).

**WE NEED YOUR INPUT** The Task Force seeks your views on these potential solutions to expanding access to justice in DC. We will circulate a written survey soon. Send comments to [CLRRTaskForce@dcsc.gov](mailto:CLRRTaskForce@dcsc.gov).

### POTENTIAL SOLUTIONS BEING CONSIDERED

The courts could allow individuals to provide legal advice and representation independently. This approach was proposed by a working group of the D.C. Bar (its draft report [HERE](#)). **Licensed paraprofessionals/practitioners** would be allowed to provide help limited to:

- legal areas where the unmet need for legal advice and representation is greatest, like housing/landlord-tenant; family-law; estate and probate; unemployment; and public-benefits determinations; and
- certain tasks, like completing forms; interviewing clients; negotiating on behalf of clients; counseling and advocating on behalf of clients in mediated negotiations; communicating with other parties regarding relevant forms and matters; and explaining possible legal rights, remedies, defenses, options, and strategies.

Because these individuals would be permitted to work independently, they'd be required to meet certain qualifications, like sufficient educational background, character and fitness, testing requirements on legal ethics and relevant law, and other practice-related experience (i.e., prior work under lawyer supervision or legal training).

The courts could allow nonlawyer legal advice and representation by people who are not licensed to work independently, but who are instead permitted to provide legal advice and representation under lawyer supervision. Alaska, for example, permits nonlawyers they call **Community Justice Workers** to provide certain kinds of legal advice and representation if they have been trained by, and work under the supervision of, a local legal services provider. You can learn more about this approach [HERE](#).

The courts could allow nonlawyers to provide legal advice and representation as part of a court-authorized program, already allowed under [D.C. App. R. 49\(c\)\(10\)](#). By utilizing this Authorized Court Program approach, the courts would encourage the submission of proposals that could offer creative solutions to address the unmet need for legal advice and representation.

*Task Force Co-Chairs*

The Hon. Roy McLeese, D.C. Court of Appeals

The Hon. Alfred Irving, D.C. Superior Court