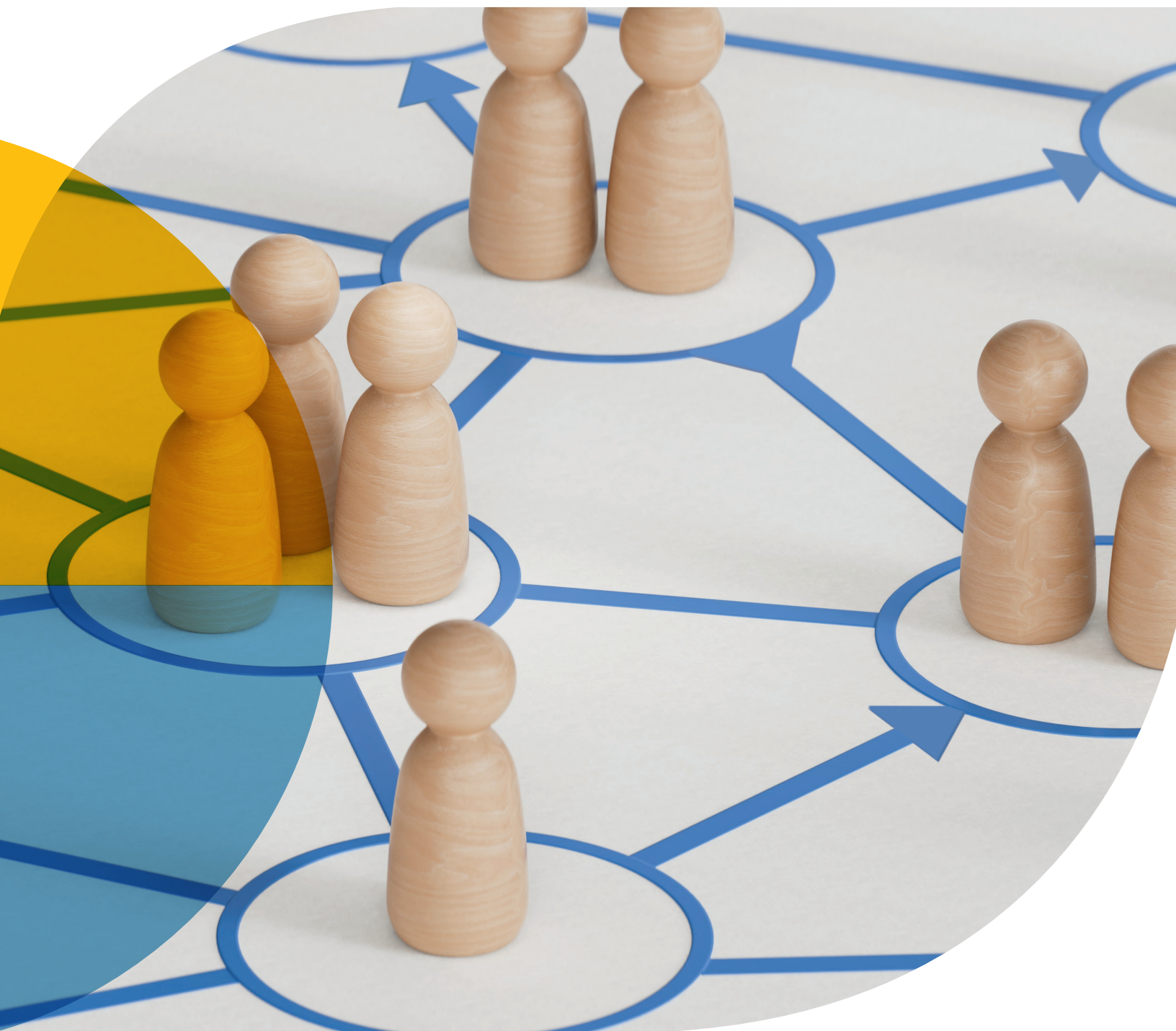
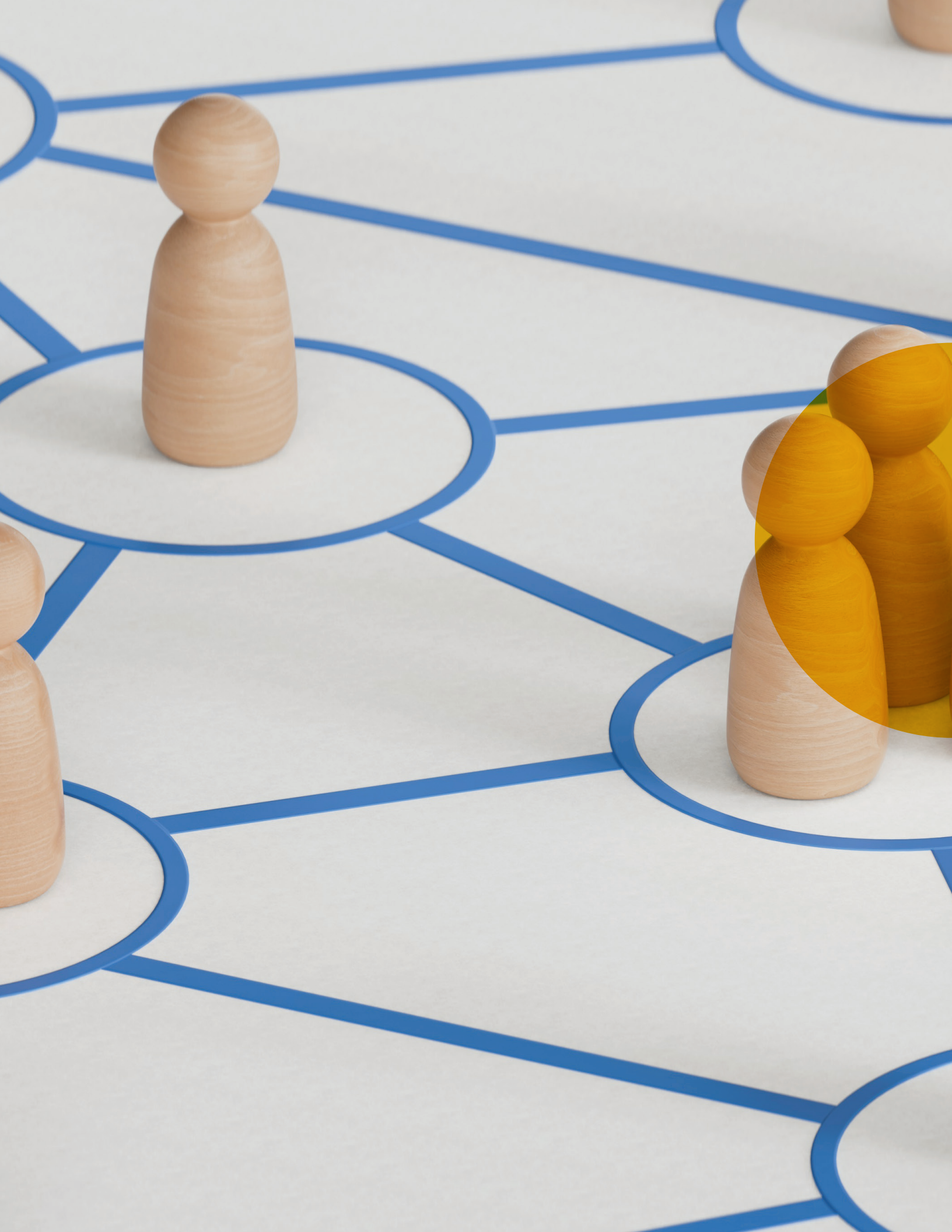


# BUILDING BRIDGES:

Guidelines for Creating **Reciprocity**  
between **Allied Legal Professional Programs**



INSTITUTE FOR THE ADVANCEMENT  
OF THE AMERICAN LEGAL SYSTEM







# **BUILDING BRIDGES:**

Guidelines for Creating **Reciprocity**  
between **Allied Legal Professional Programs**



**June 2025**

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INSTITUTE FOR THE ADVANCEMENT  
OF THE AMERICAN LEGAL SYSTEM



UNIVERSITY OF  
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IAALS, the Institute for the Advancement of the American Legal System, is a national, independent research organization that innovates and advances solutions that make our civil justice system more just.

Founded in 2006 at the University of Denver, IAALS believes that justice for all must be a reality for everyone. When innovation is rooted in finding common ground, questioning the status quo, and centering the people, we begin to craft solutions that transform our civil justice system. IAALS' unique approach depends on purposeful research, deep collaboration, and diversity of perspective, followed by evidence-based recommendations that take hold in courts and legal institutions across the country—jumpstarting the groundbreaking and achievable solutions that will clear a path to justice for everyone. Because justice for all will never be a reality if those seeking justice cannot access the system designed to deliver it.

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## ACKNOWLEDGEMENTS

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There is power in numbers. When people collaborate toward a shared goal, we see greater impact than we can achieve from a single point of view. At IAALS, we hold convenings in a cooperative environment where varied perspectives can cocreate justice system innovations. It takes a diversity of perspective to get better justice outcomes for more people.

In this report, the guidelines around the creation of a reciprocity rule for allied legal professional programs stem from the collective dialogue cultivated during IAALS' virtual convening on reciprocity in August 2024. While convening participation does not imply endorsement of all findings or recommendations within this report, we express our gratitude to the following people without whom this report would not be possible:

- ▶ **Hon. Angela R. Arkin**, District Court Judge (Ret.), Judicial Arbiter Group, Inc.;  
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- ▶ **Sarah Mattson Dustin**, Executive Director, New Hampshire Legal Assistance
- ▶ **Aaron Nash**, Clerk of the Court, Arizona Supreme Court
- ▶ **Linda Odermott**, Oregon Certified Paralegal, Oregon State Bar's Committee of  
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- ▶ **Gregory Richard**, Chair, Standing Committee for Legal Paraprofessional Pilot Project
- ▶ **Maren Schroeder**, Director of Advocacy and Public Affairs, Apparatus GBC
- ▶ **David Stark**, Partner (Ret.), Faegre Drinker Biddle & Reath LLP; Chair, Colorado Supreme  
Court Advisory Committee on the Practice of Law
- ▶ **Jonathan Wayas**, NLTP and LPP Administrator, Utah State Bar
- ▶ **Elizabeth Wright**, Executive Director, Utah State Bar



## INTRODUCTION

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Allied legal professionals (ALPs) are a newer category of legal professionals who are authorized to provide specific legal services in particular areas of the law, often independently without attorney supervision. These professionals enhance access to legal services by assisting their clients with legal matters at a lower cost than the market rate for attorneys—bridging the gap between attorney representation and legal aid assistance—and providing an alternative to what most Americans see as their only option: self-representation. Recognizing this need and the significant contributions ALPs can make in the legal profession, IAALS, the Institute for the Advancement of the American Legal System at the University of Denver, has been at the forefront of advocating for these programs.

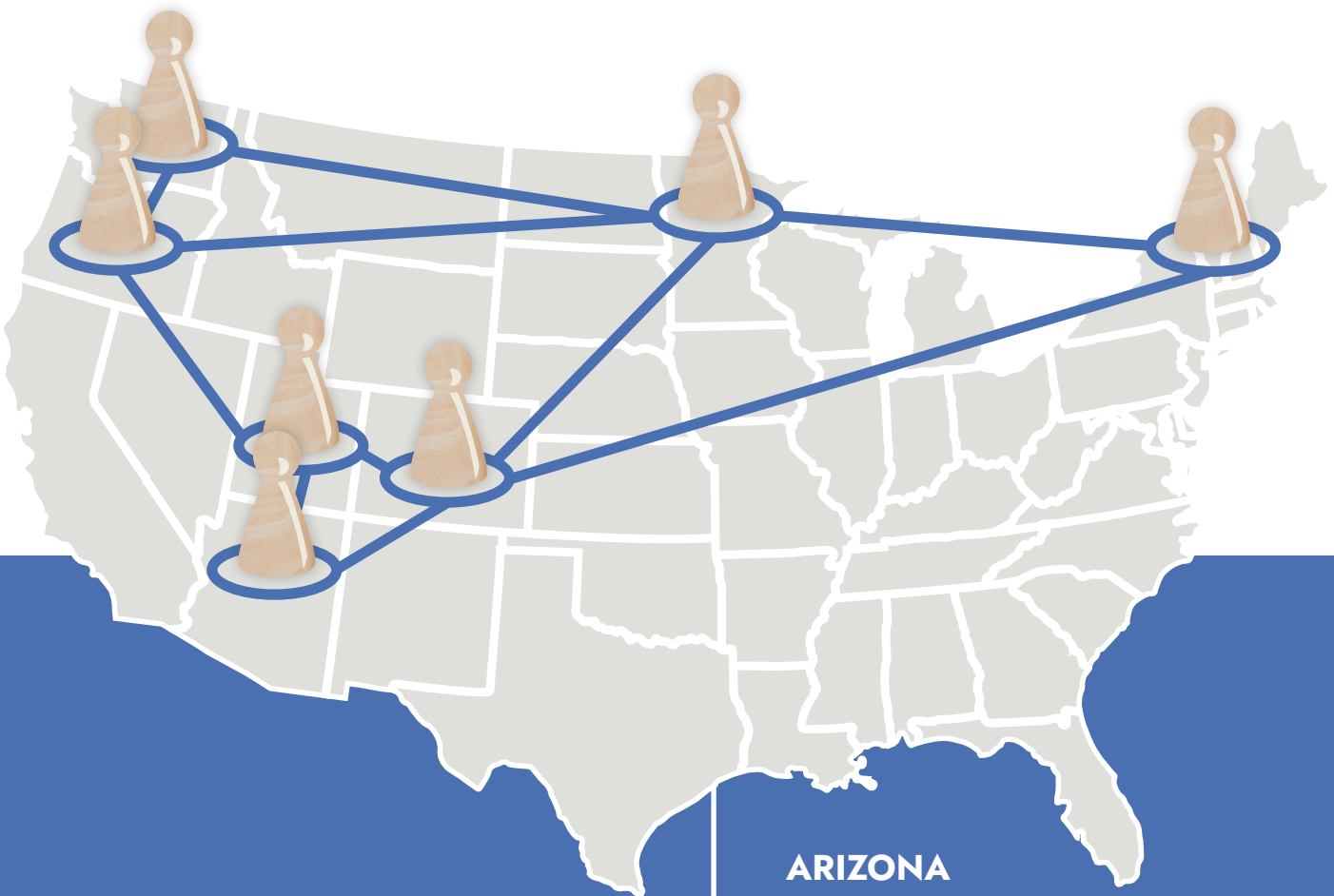
IAALS launched its ALP project in 2021 to support emerging state initiatives. In 2022, we published *The Landscape of Allied Legal Professional Programs in the United States*, a report analyzing the similarities and differences between existing programs. That same year, we hosted a convening centered on best practices, which led to our 2023 report, *Allied Legal Professionals: A National Framework for Program Growth*. The report provides 18 high-level recommendations on the various components of state ALP programs. Since then, we've established a knowledge center, advised state leaders, and engaged with stakeholders to advance the ALP movement.

During this time, ALP programs have experienced notable growth and expansion nationwide. As awareness of these programs has increased, more states have expressed interest in establishing or expanding their own initiatives. Seven states currently have ALP programs,<sup>1</sup> one state is developing a program,<sup>2</sup> and numerous others are in various phases of exploring the establishment of such programs.<sup>3</sup> This surge in interest reflects a growing recognition of the value that ALPs bring to the legal system and the public at large.

While ALP programs across the United States share the common goal of increasing access to legal services through qualified, competent legal professionals, they often exhibit distinct characteristics and structures. Variations exist in terms of program title/naming, scope of practice, supervision, and eligibility requirements. These differences can be attributed to factors such as regional legal traditions, state-specific legal regulations, and the unique needs and priorities of different legal communities.

Despite these variations, IAALS recognizes the necessity for states to come together to foster a united movement that supports the collective growth and effectiveness of this new tier of legal professionals. Reciprocity is one tool that can enhance both the growth and effectiveness of ALP programs as it would allow licensed ALPs to transfer their qualifications across state lines. While most earlier programs did not prioritize reciprocity because it was not yet practical to do so, it is crucial for states currently developing or considering ALP programs to incorporate this consideration from the outset. By learning from the experiences of pioneering states, and having collaborative discussions on reciprocity, we can create a more sustainable and impactful system for ALPs that benefit practitioners and their potential clients.

To help meet this goal, in August 2024, IAALS hosted a half-day virtual convening that brought together program leaders in each of the seven states with ALP programs to discuss reciprocity among programs.<sup>4</sup> This report reflects the insights and outcomes from that convening. We begin with an update on each of the seven programs, followed by discussions of the potential benefits and concerns of implementing ALP reciprocity, and how attorney reciprocity can serve as a model. We then highlight Oregon’s ALP comity rule as it is the only state to develop a rule for ALPs to transfer their license from one state to another. Next, we detail conversations surrounding the three perspectives involved in ALP reciprocity: administration, program growth, and the ALPs themselves. Finally, we synthesize the overarching convening discussions to create a framework for states on what to include in a reciprocity rule, with important considerations that reflect the differences in states’ programs. This report is intended to be used not only by states with a developed ALP program but also states that are just beginning to think through and create a program of their own.



## Current ALP programs

ARIZONA  
COLORADO  
MINNESOTA  
NEW HAMPSHIRE  
OREGON  
UTAH  
WASHINGTON





## STATE-BY-STATE UPDATES: PROGRESS AND CHALLENGES IN ALP PROGRAMS

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# 2

Attendees representing each of the seven states shared updates on their programs, highlighting successes, challenges, and lessons learned. These insights offer a snapshot of how these programs are evolving to address access to justice gaps and the hurdles they face in achieving greater integration and public awareness.

### Arizona

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Arizona's legal paraprofessional (LP) program continues to see notable growth, with 75 LPs now licensed and practicing. The transition of many experienced paralegals into LP roles was highlighted, underscoring the strong community that has developed among LPs. The program's primary focus has been on family law, where LPs are actively providing affordable legal services, and the legal community is increasingly supportive of their contributions. Arizona LPs can also be licensed to provide services in limited jurisdiction civil law issues, criminal law with specific limitations, state agency administrative law, and juvenile law; the state is also actively exploring additional practice areas based on access to legal service gaps. Challenges persist in raising program awareness, with the need for ongoing education and outreach to ensure the LP role is fully understood by those within the legal profession and those outside of it. LP program leaders are working with institutions like the University of Arizona, Arizona State University, the State Bar of Arizona, and the Arizona Supreme Court to increase educational opportunities for prospective LPs and to broaden public awareness, understanding, and support of the program.

### Colorado

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In June 2024, Colorado celebrated their initial cohort of 62 licensed legal paraprofessionals (LLPs), all of whom specialize in family law and can practice independently. In January 2025, an additional 29 LLPs were sworn in, increasing the total to 91. These LLPs are forming a supportive professional network and community, and were recently recognized by judges and attorneys at the Family Law Institute conference, a key moment in solidifying LLPs' place within the legal community. Program leaders have collaborated with neighboring states like Arizona, Utah, and Washington, particularly on practicum training sessions for LLPs. This collaboration is helping build a shared understanding of the LLP role across state lines. Colorado is considering expanding LLP services into areas like debt collection and eviction to address broader access to justice needs. However, this expansion is still in the early stages of discussion.

### Minnesota

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At the time of the convening, Minnesota's legal paraprofessional pilot program was nearing the point of becoming permanent after public feedback and reviews of its success. During the pilot stage, legal paraprofessionals (LPs) could

practice solely in the areas of family and landlord-tenant law. The Minnesota Supreme Court has since issued an order making the program a permanent judicial branch initiative. While LPs are still required to practice under attorney supervision, their scope of practice has been significantly expanded. LPs can now provide legal advice and representation for criminal expungements, consumer and student loan debt disputes under \$15,000, and petty misdemeanors under specific requirements. They are also authorized to assist in certain probate and estate administration matters, certain administrative hearings related to professional licensing denial and revocation, and challenges to unemployment or DHS benefit denials. This expansion represents a substantial step forward in enhancing access to justice across the state, allowing LPs to address a broader range of legal needs.

## New Hampshire

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New Hampshire's paraprofessional pilot project was initially limited to three pilot jurisdictions with an end date of December 2024. The pilot has since expanded statewide and has been extended until December 2029. Paraprofessionals can provide legal services—including courtroom representation—in the areas of family and housing law, areas with significant demand in the state. Its supervision model, where paraprofessionals work under licensed

attorneys, was highlighted as a way to ensure trust in paraprofessional services among clients and the broader legal profession.

## Oregon

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Licensed paralegals (LPs) in Oregon can work on family and landlord-tenant cases, areas where their services are in high demand. Oregon is the first state to create a portfolio requirement for licensure where applicants must submit samples of their work to prove competence, limiting the program's reliance on examinations. Oregon is also the first state to create a comity rule for LPs, which enables experienced ALPs from other jurisdictions to practice in Oregon. This rule is particularly advantageous for military spouses and partners who are subject to frequent relocations. However, the need to raise public awareness around LP services was highlighted, and program leaders are exploring strategies to better integrate LPs into the legal system.

## Utah

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Utah's licensed paralegal practitioner (LPP) program has continued to grow since its implementation in 2018. It provides a pathway for experienced paralegals to offer limited legal services independently in specific practice areas. LPPs in



Utah are authorized to assist with family law, debt collection, and landlord-tenant disputes, addressing critical access to justice gaps for people who cannot afford traditional legal representation. While some LPPs have opened solo practices, most are operating within law firms where they still perform many traditional paralegal duties along with practicing under their LPP license. Program leaders continue to explore opportunities to expand public awareness of the program to increase the number of LPPs in the state while also supporting the integration of LPPs into the broader legal community, emphasizing the importance of their role in bridging the justice gap.

## Washington

Washington's limited license legal technician (LLLT) program, launched as the first of its kind in the United States, provides legal professionals—other than attorneys—the ability to deliver limited legal services directly to clients. Focused solely on family

law, LLLTs are authorized to assist with divorce, child custody, and other domestic matters, helping people navigate complex legal issues at a lower cost. Despite its pioneering nature and the recognition it received for addressing the access to justice gap, the Washington Supreme Court sunset the program in 2021 due to sustainability concerns. Notably, at the time of sunset, over 200 students were enrolled in its licensure education component, and two community colleges were preparing to integrate LLLT courses into their curricula. Though no new LLLTs can be licensed in the program's current state, LLLTs licensed prior to the sunset date may continue to operate, and a dedicated group of leaders in Washington are working to reinstate the program. As such, Washington's LLLT program remains a critical case study for states considering similar initiatives, offering valuable lessons on implementing, integrating, and sustaining alternative legal service providers.

These program updates show the significant strides states are making in implementing and expanding ALP programs despite the challenges of raising awareness to the public and fully integrating these professionals into the legal community. The experiences of these states underscore the importance of continued collaboration and shared learning to refine these initiatives and advance access to justice nationwide.

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In every state where they practice, allied legal professionals reach people needing legal advice who might otherwise have gone without any legal help. As more and more states join this movement, we must work together to align the programs to create a strong interstate network and thriving profession.

**JUDGE ANGELA R. ARKIN (RET.)**

Chair, Licensed Legal Paraprofessionals (LLP) Committee,  
Colorado Supreme Court Advisory Committee on the Practice of Law

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## THE ROLE OF RECIPROCITY IN ALP PROGRAMS

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# 3

In the first large group discussion, attendees engaged in a thoughtful and critical exchange about the benefits of implementing ALP reciprocity rules, as well as the potential challenges such rules might present both broadly and within their individual states. There was general agreement that opening up the ALP profession through reciprocity would benefit the legal profession and those who need their services, but conversations focused on the specific hurdles states would face implementing a reciprocity rule.

A central concern shared by many states is ensuring that ALPs have sufficient knowledge of state-specific substantive law when transitioning between jurisdictions. For instance, while the laws for criminal cases remain similar state to state, the laws for divorce and separation cases can vary significantly. This can complicate the prospect of reciprocity because states will want to ensure ALPs from another jurisdiction understand the laws of their state. However, it was noted that states have liberal reciprocity rules for attorneys—who can practice family law without any specific education or experience in family law—so while state-by-state differences may present hurdles, attendees agreed that ALP reciprocity is achievable with thoughtful program design.

Several strategies were discussed to address these challenges, ranging from subject-matter exams implemented by states, such as Oregon, to supervised practice models like Minnesota and New Hampshire that provide built-in guardrails for interstate licensing. Attendees highlighted the importance of developing

licensing standards that equip ALPs with the skills to adapt to new jurisdictions, regardless of specific legal nuances. These approaches demonstrate how reciprocity could be structured to ensure ALPs are competent and effective while accommodating the unique characteristics of each state's legal landscape.

Attendees also acknowledged the practical barriers posed by the differing oversight requirements across states. For example, ALPs operate independently in some states, while other states require attorney supervision. Reconciling these models may require creative solutions, such as timelines for transitioning out of supervised practice or flexible reciprocity rules that accommodate diverse regulatory frameworks. Notably, this discussion emphasized the need for a unified name for ALPs to simplify public understanding and facilitate broader reciprocity efforts; in 2025, IAALS will begin work in this area.<sup>5</sup>

Finally, while attendees agreed that reciprocity is an essential conversation, they acknowledged that implementation will take time and careful consideration. Many states are focused on more immediate priorities inherent in implementing this new tier of professionals, yet participants recognized the growing demand from ALPs for mobility as more states adopt these programs. Looking ahead, states must balance their programs' individual needs with the increasing demand for reciprocity, ensuring that program growth is happening state-by-state and nationwide.





## ATTORNEY RECIPROCITY AND ITS IMPACT ON THE PROFESSION

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# 4

A key topic that ties directly to ALP reciprocity is reciprocity for attorneys. Reciprocity is not a novel concept in the legal profession; it is essential for various reasons, particularly in today's mobile and global society. Many law firms operate across jurisdictions, necessitating legal teams that can practice in multiple states. Additionally, the needs of military spouses, who often relocate due to service commitments, highlight the importance of portability in legal careers. And with the increased use of virtual tools that allow attorneys to meet clients and attend hearings from anywhere in the world, it is essential that we enable attorneys to practice law across state lines, promoting a more flexible and efficient legal industry.

Each state approaches reciprocity with its own unique needs and circumstances, but they often include common elements. Within the seven states represented at the convening, they share three essential requirements for attorney reciprocity:

- ▶ Juris Doctor (JD) from an ABA-accredited institution
- ▶ Passing score on the Multistate Professional Responsibility Examination (MPRE) (note that the definition of a passing score varies by state)
- ▶ Character and fitness evaluation

Beyond these baseline requirements, other common criteria exist.

### ***Uniform Bar Examination (UBE Considerations)***

All seven states accept the UBE, though they differ in how long a passing score is valid and whether additional experience is necessary. As scores age, experience becomes increasingly significant. For instance, Arizona requires

candidates to have three out of five years of legal experience if their UBE score is over five years old. Similarly, Colorado and New Hampshire mandate two years of active practice if the UBE score is older than three years.

### ***Experience***

Some states have pathways for reciprocity that are based on experience rather than the age or score of the UBE. However, the definition of "experience" varies across jurisdictions. Terms such as "actively practiced" or the inclusion of specific hourly requirements introduce additional complexity to how experience is measured.

### ***Professionalism and State-Specific Training***

Several jurisdictions also mandate a professionalism course or state-specific legal training within a designated timeframe, further emphasizing the need for local knowledge among attorneys practicing in new states.

## **Implications for Future ALP Reciprocity**

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While there are notable distinctions among states, the ongoing discourse surrounding attorney reciprocity offers valuable insights for developing reciprocal arrangements for ALPs. By examining current models and addressing state-specific nuances, we can foster a more adaptable legal workforce that meets the needs of our modern society. When considering attorney reciprocity as a potential model for ALP reciprocity, we can draw on existing frameworks to shape requirements, focusing on education, testing, experience, and state-specific requirements that help ensure a smooth transition.

# OREGON'S COMITY RULE FOR LICENSED PARALEGALS

# 5

Attorney reciprocity is just one model that states can look to when developing their own ALP reciprocity rule. When Oregon developed their Licensed Paralegal program, they pioneered a comity rule for LPs, allowing qualified ALPs from other jurisdictions to practice in their state.<sup>6</sup> This forward-thinking approach—guided in part by being geographically located near other states with ALP programs—was designed to facilitate the mobility of experienced ALPs while maintaining high standards of practice. Oregon representatives at the convening shared insights into the development of their comity rule, including the difference in requirements for initial LP licensure and requirements for comity.

Oregon's requirements for initial LP licensure align with most other states' standards. They offer flexible educational pathways, including an experience waiver for seasoned paralegals;

specific coursework; practical training hours; and examinations in both practice area and ethics. Notably, Oregon's portfolio requirement adds a layer of practical assessment to the licensure process that no other state requires.

The comity rule, however, streamlines the process for out-of-state ALPs. It requires a substantially equivalent license from another jurisdiction; 2,000 hours of experience; and the successful completion of Oregon's practice area exam, which includes questions on the scope of practice. By waiving additional requirements like the portfolio, Oregon recognizes the rigorous standards of other states' ALP programs and prioritizes the seamless integration of experienced professionals. This innovative approach positions Oregon as a leader in ALP reciprocity, fostering a more interconnected profession and enhancing access to justice.

## OREGON LP REQUIREMENTS

### First ALP License:<sup>7</sup>

#### Education:

- ☐ AA or higher in paralegal studies;
- ☐ BA/BS or higher in any course of study; or
- ☐ JD or LLB
- ☐ Education waiver (multiple pathways)

#### LP Specific Coursework:

- ☐ 20 hours of professional education courses
- ☐ Course on rules of professional conduct (or ethics exam)

#### Experience:

- ☐ 1,500 hours (500 family/250 landlord-tenant)

#### Examinations:

- ☐ Ethics exam (or completion of rules of professional conduct course)
- ☐ Practice area exam

#### Portfolio:

- ☐ Review of a significant body work in the area of law seeking licensure

### Comity Rule:<sup>8</sup>

#### ALP License:

- ☐ Substantially equivalent licensure (title irrelevant) and in good standing with licensing authority

#### Experience:

- ☐ 1,000 hours of experience per year in 2 of the past 3 years

#### Examinations:

- ☐ Practice area exam

#### Exempt from the Following:

- ☐ Education requirement
- ☐ Work experience requirement
- ☐ Portfolio requirement
- ☐ Professional conduct course requirement



## ADMINISTRATION, GROWTH, AND ALP PERSPECTIVES

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# 6

Oregon's presentation of their ALP comity rule gave insight into why they created it, what the creation process was like, and how they landed on specific requirements. With this knowledge, convening attendees were then split into three groups to explore Oregon's rule from different perspectives: administration, program growth, and ALPs themselves. From these perspectives, attendees discussed the practical implications—including the potential benefits and challenges—of applying Oregon's comity rule in other states.

### Administrative Perspective

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This group was tasked with looking at Oregon's comity rule from the perspective of those who administer ALP programs. The first requirement they looked at was a substantially equivalent license. During Oregon's presentation, they mentioned that the term "substantially equivalent license" is intentionally broad, allowing programs with diverse requirements to meet it. This group found no issue with the requirement, including its breadth. This was in large part due to a general respect for each other's programs and a consensus that each program has rigorous standards for entry.

However, there was more debate around the exam and experience requirements. There was a discussion on whether an examination would suffice or if experience should be a necessary component to a reciprocity rule. On the one hand, some expressed concerns about relying solely on an examination—no matter how rigorous—arguing that experience is a necessary component for administrators to determine competency. On the other hand, there was discussion around whether an examination should even be included as a reciprocity requirement. One reason for this is that some ALP programs do not use examinations for initial licensure, so those states would automatically omit this requirement from their rule. Another reason

is that some of these states do not require an exam for attorney reciprocity if attorneys have sufficient experience in another jurisdiction, and there is a desire among some states to not create stricter licensure requirements for ALPs than they have for attorneys. When it comes to ethics, however, it was mentioned that some states require attorneys to take a professionalism course or exam as part of their reciprocity requirements, so it would be sensible for program administrators to add this requirement in an ALP reciprocity rule.

### Program Growth Perspective

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This group was tasked with looking at Oregon's comity rule from the perspective of growing ALP programs. Participants discussed the concept of "substantial equivalence," acknowledging that state ALP programs vary in their specific requirements. Some states may opt to prioritize reciprocity with programs that closely align with their own standards, while others may be more open to recognizing licenses from a broader range of jurisdictions. Depending on how states apply this requirement, programs can either grow or be suppressed.

Regarding the experience requirement, the group generally agreed that Oregon's approach seemed reasonable and would allow for many ALPs to achieve reciprocity. However, the issue of an examination requirement sparked debate.

Similar to the conversation from the administrative perspective group, this group noted that some states do not require an exam for attorney reciprocity, and including this requirement on incoming ALPs could affect growth.

The group concluded that reciprocity could be a valuable tool for accelerating program growth, particularly for newer programs. By welcoming ALPs from established programs, states can quickly expand their pool of qualified practitioners. However, it was also recognized that—for at least one state—implementing a reciprocity rule could actually create greater limitations on who can practice as an ALP. In New Hampshire, for example, prospective ALPs need only a bachelor's degree in any field or an associate's degree in a law-related field, plus two years of law-related experience. These requirements are significantly less than most other states because these ALPs are supervised by attorneys. Since other ALP programs have more rigorous requirements, in part due to permitting ALPs to practice on their own, ALPs from those states already qualify to become an ALP in New Hampshire without a formalized reciprocity rule. The creation of a reciprocity rule would likely produce additional requirements, making it more difficult for ALPs from other states to work in New Hampshire.

## **ALP Perspective**

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This group was tasked with looking at Oregon's comity rule from the perspective of ALPs themselves.<sup>9</sup> Similar to the second group, participants discussed the ambiguity of the "substantially equivalent" licensure standard. They

acknowledged that this flexibility could allow states to interpret the standard in their own way, potentially opening the door for more ALPs from other states. They raised concerns, however, about this flexibility creating inconsistencies within individual states as to who qualifies and who does not. This not only creates more work for the licensing body, but it also creates ambiguity for ALPs who are looking to obtain licensure through reciprocity. Participants debated whether a more specific or standardized approach to evaluating licensure equivalency would be beneficial for ALPs seeking reciprocity.

In looking at the experience requirement, the group found the hourly requirement to be reasonable but considered whether experience needed to be specific to the practice area sought or if general experience with the ALP license would suffice. The experience requirement for attorney reciprocity is not practice area-specific, so this requirement may be creating an unnecessary burden on ALPs. The group also raised the idea of standardizing practice area exams across states—akin to the Uniform Bar Exam that 41 states have adopted—so that ALPs would not be required to take an exam for reciprocity, particularly if the scope of practice is already aligned. Lastly, on the exam requirement, the group discussed the potential barriers of in-person exams for reciprocity. Online exams were considered a more accessible option, but security concerns were raised. Ultimately, the group emphasized the importance of reciprocity for ALPs, highlighting its potential to increase opportunities for both professionals and consumers, especially in the context of remote legal services.



## BUILDING CONSENSUS: CRAFTING A RECIPROCITY FRAMEWORK ACROSS STATES

7

The development of a robust framework for ALP reciprocity presents a unique opportunity to enhance access to justice and promote professional mobility for ALPs. However, establishing a framework for ALP reciprocity also presents a complex challenge, requiring careful consideration of various factors. Key issues include the definition of “substantially equivalent” licensure, the role of experience requirements, the necessity of examinations, and the implementation of ethical standards. While there is general agreement on the importance of these factors, convening participants differed on the specific details and implementation of the factors.

“

Each state has meticulously developed standards that ensure their allied legal professionals are competent stewards of the law. Reciprocity rules recognize the important requirements built into each program, while also facilitating the mobility of experienced ALPs and maintaining high standards of practice.

”

**MICHAEL HOULBERG**  
Director of Special Projects, IAALS

## Substantially equivalent license and in good standing

There was a consensus that an ALP reciprocity rule includes—in some form—the requirement that ALPs have a substantially equivalent license and be in good standing with the relevant jurisdictional body. Within this requirement, though, some hesitations and questions remain. For example, only some attendees seemed comfortable with the vagueness of the term “substantially equivalent,” while others expressed a desire to have it spelled out more concretely.

There was also a question about how—or whether—this requirement could be applied between states that license their ALPs and states that replace licensure with attorney supervision. States that require attorney supervision often have less stringent requirements for entry, so states with ALP licensure might not consider a supervised ALP as meeting the “substantially equivalent” standard. Additionally, reciprocity states would lack visibility into the quality and extent of training provided by supervising attorneys. On the other hand, the argument was made that attorney supervision for a certain number of years could be seen as equivalent to many states’ existing experience-based pathways.

Lastly, the requirement of being in “good standing” would necessitate a regulatory structure capable of collecting and addressing complaints against ALPs. This structure is already in place in all seven states that have an ALP program, and it should be an essential component of any ALP program not yet created.

## RECOMMENDATION 1

**States should define “substantially equivalent” concretely instead of relying on a vague interpretation. This could include establishing clear minimum standards for education, training, and testing, whether ALPs are licensed or practice under attorney supervision. This will benefit both program administrators and ALPs. Program administrators will have an easier time assessing whether out-of-state ALPs satisfy the criteria for entry, and ALPs will have a clearer idea of when to apply for reciprocity. This will save time and money for everyone involved in the process.**

**To overcome the lack of visibility into the quality and extent of training provided to ALPs by their supervising attorneys, states should require these ALPs to submit a letter of recommendation from their supervising attorney that details the scope of work and level of supervision provided over the course of the time laid out in the experience requirement below.**

**States should also maintain the “good standing” requirement to ensure they are accepting competent ALPs. This necessitates jurisdictions installing a disciplinary process where they can receive, investigate, and adjudicate any complaints against ALPs. This will also require states to openly share disciplinary data with other states.**

## **Experience: 1,000 hours per year for 2 of the last 3 years**

There was also a consensus that Oregon's experiential requirement for comity—1,000 hours per year for two of the past three years—strikes a balance between ensuring a certain level of competence and not imposing undue burdens on ALPs. This moderate number of hours, coupled with licensure, was seen as a practical approach. This is especially true for the many ALPs who work part-time as an ALP and part-time as a paralegal.

However, debate arose regarding the specificity of the experience. Some argued for a broad, general experience requirement, emphasizing the importance of practical legal skills like in-court representation over specific practice areas. This approach would broaden the pool of potential applicants and align with the lack of practice

area-specific experience requirements for attorney licensure and reciprocity. Others countered that states with ALP licensure often require practice area-specific experience, and that ALPs should have experience in family law because it is very different from all other areas of the law. One proposal to address these concerns is to consider the specific experience requirements of the state of licensure. For instance, if a state like Colorado requires 1,500 hours of general experience and 500 hours of family law experience for ALP licensure, then an ALP from another state could be required to meet these specific benchmarks within the 2,000-hour total.

Ultimately, the ideal experience requirement will balance accessibility with the need to ensure competency. A flexible approach that considers both general legal experience and potential practice-area specific requirements may be the most effective solution.

## **RECOMMENDATION 2**

**States should adopt a threshold for general legal experience similar to Oregon's 1,000 hours per year for two of the past three years. This amounts to over one year of full-time work experience, allowing ALPs time to showcase their competence without creating an overly burdensome requirement.**

**As part of these hours, states should require ALPs seeking reciprocity to fulfill a set number of practice area-specific hours comparable to the requirements of the licensing state. For example, if a state requires its ALPs to fulfill 500 hours of family law experience prior to licensure, it should also require ALPs seeking reciprocity to fulfill 500 hours of family law experience.**

## Examination

There was less consensus when it came to an examination requirement for ALP reciprocity. Developing and administering exams is costly and time-consuming, and while states have invested significant resources in creating ALP exams, there is some skepticism about their effectiveness in truly assessing competency. The bar exam, often used as a benchmark for attorney competency, has been proven to be an inadequate measure for attorneys in its current form and in need of critical review and evidence-based innovation.<sup>10</sup> And since many ALP exams have been modeled—at least in part—off the bar exam, they may suffer from similar weaknesses.

Instead of focusing on examinations, some argue for a more holistic approach that prioritizes education and experience. Oregon's portfolio model, which promotes practical work product, is one such alternative. This approach allows for a more nuanced evaluation of an ALP's skills and knowledge.

Another possible avenue that was raised is the implementation of initial attorney supervision. This model eliminates the need for a formal exam and provides a structured environment for ALPs to gain practical experience under the guidance of experienced attorneys.<sup>11</sup> The supervision period can be set for a specific number of years or hours, depending on the state. This approach allows for a gradual transition to independent practice after gaining sufficient experience under attorney supervision, and it can help foster skill development and ensure public protection.

## RECOMMENDATION 3

**Given the concerns about the effectiveness and cost of traditional examinations, states should adopt a more holistic and practical approach to assessing ALP competency. States should emphasize a combination of education, experience, and practical skills demonstration. This could include a requirement to produce work samples in addition to evaluations from the ALP's mentor or supervisor.**

**If states feel it necessary to implement an initial period of attorney supervision as an alternative option to an examination, these states should develop and provide ALPs seeking reciprocity with a registrar of attorneys that are willing and available to supervise an ALP. This will benefit both incoming ALPs and attorneys by simplifying the process of connecting with each other.**



## Ethics

The establishment of an ethics requirement for reciprocity among ALP programs is a complex issue with various considerations. One point raised was the potential for states with closely mirrored ALP ethics rules to accept each other's ALPs without additional ethics requirements. This suggests a possible framework where states with similar ethical standards could form reciprocal agreements, streamlining the process for ALP participants.

However, it is important to acknowledge that ethical landscapes can vary across jurisdictions, even subtly. Differences in specific rules, interpretations, and cultural norms could necessitate additional safeguards to ensure consistent ethical conduct. A potential solution could involve a standardized ethics training module or examination that all ALP participants, regardless of their home state, would be required to complete.<sup>12</sup> This would establish a common ethical foundation and address any potential gaps in understanding.

Ultimately, the decision on an ethics requirement for ALP reciprocity should be made carefully, considering factors such as the degree of alignment between state ethics rules, the potential risks involved, and the need to maintain public trust in the legal profession.

## RECOMMENDATION 4

**States should work together to create—and require ALP completion of—a standardized ethics training module that is specifically tailored to the unique ethical considerations for ALPs. This module could include the following topics:**

- ▶ **Fundamental principles of professional responsibility (e.g., confidentiality and conflicts of interest)**
- ▶ **Key variations in ethical rules across jurisdictions**
- ▶ **Case studies that illustrate ethical dilemmas ALPs may encounter in different practice settings**
- ▶ **Ethical issues unique to ALPs such as the scope of their permitted activities**

**Prior to the creation of this module, states should require documentation from ALPs showing their completion of the ethics examination/training required by their home state. This will ensure that ALPs have a foundational understanding of ethical principles and rules, even if those rules vary slightly between jurisdictions. To ensure consistent ethical standards, states should require ALPs from states without ethics training requirements to complete their own ethics training program.**



## CONCLUSION

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This convening on ALP reciprocity highlighted the growing momentum and potential for increased collaboration among states with ALP programs. While there are variations in program structures and regulations, the shared goal of expanding access to justice through qualified, competent legal professionals unites these programs.

Reciprocity presents a significant opportunity to enhance professional mobility for ALPs, allowing them to transfer their skills and experience across state lines. This, in turn, would benefit both ALPs and their clients by increasing the availability of affordable legal services. However, since there are variations among each state's program, the implementation of ALP reciprocity requires careful consideration of several key factors, including the definition of "substantially equivalent" licensure, experience requirements, examination standards, and ethical considerations. The recommendations above provide a model for how all states—those with existing ALP programs and those developing a program—should formulate a reciprocity rule, irrespective of each other's differences. The more that states can adopt a reciprocity rule that mirrors other states' approaches, the smoother and more effective interstate legal practice will become.

With over a decade of experience and seven states having implemented ALP programs, the time is ripe for a concerted effort on reciprocity. As more states actively pursue ALP initiatives, careful consideration of reciprocity from the outset is crucial. States should strive to create programs with compatible eligibility requirements and scopes of practice to facilitate seamless licensure transfer. This collaborative approach will foster a robust and interconnected network of ALP programs, driving nationwide adoption and growth. By promoting professional development, encouraging innovation, and enhancing the mobility of qualified legal professionals, this network will ultimately expand access to justice for all.

## ENDNOTES

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- 1 Arizona, Colorado, Minnesota, New Hampshire, Oregon, Utah, and Washington.
- 2 Michigan.
- 3 Connecticut, Georgia, Indiana, Iowa, Maryland, New Mexico, New York, North Carolina, North Dakota, South Carolina, Texas, Vermont, Virginia, and Washington D.C.
- 4 The convening centered on reciprocity in family law, given that it is the sole practice area in which all seven states authorize ALPs to offer legal services.
- 5 IAALS is facilitating community focus groups in each of the seven states with an ALP program to learn which titles provide confidence and clarity over distrust and confusion. IAALS is also creating surveys specifically for ALPs to learn how their titles have affected their practice for better or worse. We will take that data and conduct a virtual workshop with program leaders to discuss the transition to a unified title.
- 6 Supreme Court of the State of Oregon, Rules for Licensing Paralegals, Rule 4.9, August 1, 2023, [https://www.osbar.org/\\_docs/rulesregs/RulesforLicensingParalegals.pdf](https://www.osbar.org/_docs/rulesregs/RulesforLicensingParalegals.pdf) (accessed February 20, 2025).
- 7 This is a general description of the requirements for LP licensure. Some of these requirements vary depending on the education and experience of the applicant.
- 8 This does not include every requirement that applicants must fulfill, including the passage of a character and fitness investigation.”
- 9 While IAALS convenings are designed to include a wide variety of diverse stakeholders and perspectives in order to obtain all relevant and necessary voices, this convening focused on the experiences and expertise of state program leaders. As such, no ALPs took part in this particular convening, so attendees in this group tried to put themselves in the shoes of ALPs.
- 10 DEBORAH JONES MERRITT & LOGAN CORNETT, INST. FOR THE ADVANCEMENT OF THE AM. LEGAL SYS., BUILDING A BETTER BAR: THE TWELVE BUILDING BLOCKS OF MINIMUM COMPETENCE 3 (2020), [https://iaals.du.edu/sites/default/files/documents/publications/building\\_a\\_better\\_bar.pdf](https://iaals.du.edu/sites/default/files/documents/publications/building_a_better_bar.pdf).
- 11 Both Minnesota and New Hampshire require attorney supervision and do not require the passage of an examination.
- 12 Akin to the Multistate Professional Responsibility Examination for attorneys.



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