



UNLOCKING LEGAL REGULATION

LESSONS LEARNED AND
RECOMMENDATIONS FOR THE FUTURE

IAALS INSTITUTE *for the* ADVANCEMENT
of the AMERICAN LEGAL SYSTEM

The regulatory innovation movement is at a point where leaders can draw upon their past experiences and share what has worked and should be replicated, as well as what has not and needs further consideration. To build these recommendations, IAALS hosted a convening with leaders from states considering or implementing regulatory innovation. Twelve broad recommendations were developed and are summarized here.

Read the full report at iaals.du.edu/2024regulationreport



Stakeholders

Recommendation 1: Include at least one, but ideally as many as possible, representatives from the state's supreme court on any regulatory innovation task force.

Recommendation 2: Engage community-based organizations and the public from the outset.

Recommendation 3: Include ethics attorneys who are open to considering regulatory innovation in regulatory initiatives.

Recommendation 4: Get input from all stakeholders before, during, and after a program launch, but do not let the goal of buy-in from all stall efforts.



Program Structure & Requirements

Recommendation 5: Elimination of, waivers of, or changes to unauthorized practice of law and ethics rules are generally going to be more successful than pilot projects in the regulatory reform space.

Recommendation 6: Simplify and reduce barriers to entry and program requirements as much as possible.

Recommendation 7: Focus initial efforts on education about the problem and why change is needed.

Recommendation 8: Leaders should pay close attention to messaging and tailor it to the audience or stakeholder group that they are trying to educate and persuade.



Research & Data

Recommendation 9: Regulators should collect more data.



Other

Recommendation 10: Sharing successes, failures, and obstacles of various initiatives is critical to future success.

Recommendation 11: Leaders need to work with the private bar to determine what a lawyer's unique value proposition is and how to message this to the public.

Recommendation 12: Regulators and other leaders should consider how changes to other rules of professional conduct could increase access to affordable legal help.

Resources

Other IAALS resources on legal regulation innovation:

Knowledge Center:

iaals.du.edu/projects/unlocking-legal-regulation#KC

Newsletter:

iaals.du.edu/knowledge-center/newsletter

Allied Legal Professionals:

iaals.du.edu/projects/allied-legal-professionals

People-Centered Legal Regulation:


iaals.du.edu/projects/people-centered-legal-regulation

Connect with us and join the movement.

Contact: Jessica Bednarz

Director of Legal Services and the Profession, IAALS

jessica.bednarz@du.edu | iaals.du.edu



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