

FILED

December 9, 2021

**OFFICE OF
APPELLATE COURTS**

STATE OF MINNESOTA

IN SUPREME COURT

ADM19-8002

**ORDER AMENDING RULES GOVERNING
LEGAL PARAPROFESSIONAL PILOT PROJECT**

In an order filed September 29, 2020, we established a pilot project to evaluate the delivery of legal services by legal paraprofessionals who are supervised by a licensed Minnesota attorney, in certain areas of unmet civil legal needs. We also promulgated Rule 12 of the Supervised Practice Rules, to govern the work of the participants in that project. The Standing Committee appointed to administer the pilot project has recommended amendments to Rule 12.01, to clarify the scope of services that can be provided in the project. We have reviewed the recommendation and the proposed amendments to Rule 12.01, and agree that as amended, the rule will clarify the scope of services for the pilot project participants.

Based upon all the files, records, and proceedings herein,

IT IS HEREBY ORDERED that Rule 12.01 of the Supervised Practice Rules is amended as shown below. The rule as amended is effective as of January 1, 2022, and applies to cases pending on, and filed on or after, the effective date.

Dated: December 9, 2021

BY THE COURT:



Lorie S. Gildea
Chief Justice

SUPERVISED PRACTICE RULES

[Note: in the following amendments, deletions are indicated by a line drawn through the words, and additions are indicated by a line drawn under the words.]

Rule 12. Authorized Practice by Legal Paraprofessionals in Pilot Project

Rule 12.01 Scope of Work

An eligible legal paraprofessional may, under the supervision of a member of the bar, provide the following services:

* * *

~~(b) Provide advice to and a~~Appear in court on behalf of clients in family law cases, ~~but such services shall be limited to advice and~~ at default hearings, pretrial hearings, and informal family court proceedings, and hearings related to child-support modifications, parenting-time disputes, and paternity matters. ~~With the approval of the supervising attorney, legal paraprofessionals may also appear in court in family law cases for the following purposes: (1) default hearings, (2) pretrial hearings, and (3) informal family court proceedings.~~

(c) Provide advice to clients in family law cases related to child-support modifications, parenting-time disputes, paternity matters, and stipulated dissolution and custody/parenting time agreements, including the drafting of stipulated dissolution and custody/parenting time agreements.

~~(d) Legal paraprofessionals may also a~~Appear with a client in family law mediations where, in the judgment of the supervising lawyer, the issues are limited to less complex matters, which may include simple property divisions, parenting-time matters, and spousal-support determinations.

(e) Under no circumstances shall a legal paraprofessional provide advice or appear in court or at a mediation under this paragraph if the family law case involves allegations of domestic abuse or child abuse.

~~(e)(f)~~(f) With authorization from the supervising attorney, prepare and file a limited set of documents identified in Appendix I to these rules ~~without the supervising attorney's final review.~~

Communications between the client and the eligible legal paraprofessional shall be privileged under the same rules that govern the attorney-client privilege and work product doctrine.

For each case where a legal paraprofessional will appear in court on behalf of the client, the certificate of representation for the matter must identify both the supervising attorney and the legal paraprofessional. The legal paraprofessional may sign the certificate of representation, but must include with the filed certificate of representation a statement signed by the supervising

attorney that authorizes the legal paraprofessional to appear in court. The signed authorization must identify the types of proceedings for which the legal paraprofessional is authorized to provide services and the starting and ending dates during which the paralegal is authorized to appear in court.

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Appendix 1 to Rule 12 of the Supervised Practice Rules

General Filing Documents

- Notice of Appearance
- Certificate of Representation
- Application to Serve by Alternate Means
- Affidavit of Default
- Affidavit of Service
- Substitution of Counsel
- Notice of Withdrawal
- Notice of Filing
- Affidavit for Proceeding In Forma Pauperis
- Proposed In Forma Pauperis Order
- Settlement Agreement
- Request for Continuance
- Motion to Request Correction of Clerical Mistakes

Landlord-Tenant Specific

- Affidavit of Compliance and Proposed
- Order for Expungement
- Notice of Motion and Motion for Expungement of Eviction Record
- Petition for Emergency Relief Under Tenant Remedies Act
- Rent Escrow Affidavit
- Eviction Answer
- Eviction Action Proposed Findings of Fact, Conclusions of Law, Order and Judgment
- Answer and Motion for Dismissal or Summary Judgment (Eviction)
- Notice of Motion and Motion to Quash Writ of Recovery
- Petition for Possession of Property After Unlawful Lockout

Family Law Specific

- Confidential Information Form 11.1
- Confidential Information Form 11.2
- Felon name change notice
- Notice to Public Authority
- Notice of Default and Nonmilitary Status Affidavit of Non-Military Status
- Default Scheduling Request
- Notice of Intent to Proceed to Judgment
- Proposed Default Findings
- Initial Case Management Conference Data Sheet
- Scheduling Statement
- Parenting/Financial Disclosure Statement
- Discovery (Interrogatories, Request for Production of Documents, Request for Admissions)
- Summary Real Estate Disposition
- Judgment
- Certificate of Dissolution and Stipulated Dissolution
- Delegation of Parental Authority
- Revocation of Delegation of Parental Authority
- Application for Minor Name Change
- Parenting/Financial Disclosure Statement
- Certificate of Settlement Efforts
- Notice of Motion and Motion to Modify Parenting Time
- Stipulation of the Parties, including for custody/parenting time agreements
- Notice of Motion and Motion to Modify Child Support/Medical Support
- Notice of Motion and Motion (examples: Stop COLA, Reinstate Driver's License)
- Request for County to Serve Papers