



PimaCommunityCollege

I am making these comments regarding the proposed modifications to Arizona Code of Judicial Administration Section 7-210 on behalf of the Pima Community College Paralegal Program. I serve as Instructional Faculty, Department Head and Program Director for the Paralegal Program. Pima Community College's paralegal program is approved by the ABA. The program offers two degrees: An AAS for those students without a prior degree and a Post Degree Certificate for those students who have a prior degree. The program supports the Legal Paraprofessional licensing program and respectfully makes the following suggested changes to the proposed modifications to further support the Legal Paraprofessional program.

Previous to the recently proposed modifications, an applicant that was pursuing an associate-level degree in paralegal studies or a certificate in paralegal studies (in addition to an associate-level or higher degree) was required to have *both* of the following:

- a minimum of 120 hours of **experiential learning** under the supervision of a lawyer that includes content on **advocacy**.
 - “Experiential learning” means learning through a format such as an internship, externship or clinical experience during which students develop knowledge, skills, and values from direct experiences outside a traditional academic setting. (Current code definition)
 - “Advocacy” means course content or practical experience that demonstrates and develops skills that are associated with conducting court hearings and trials, administrative hearings, mediation and arbitration, and settlement and plea negotiation. (Current code definition)

AND

- one (1) year of substantive law-related experience under the supervision of a lawyer in the area of practice of each endorsement sought. (Current code definition)

The proposed modifications eliminate both of these provisions and instead require a minimum of 1500 hours, completed within a consecutive 12-month period during the last three years, of *substantive law related experience* under the supervision of a lawyer or legal paraprofessional in the area of practice in which licensure is sought.

- “Substantive, law-related experience” is further defined in the proposed modifications “as the provision of legal services as a law clerk, paralegal, or paralegal student including, but not limited to, drafting pleadings, legal documents, or correspondence; completing forms; preparing reports or charts;

legal research; and interviewing clients or witnesses of practice in which the applicant seeks to be licensed.”

The question that we pose is whether or not applicants with an AAS in paralegal studies or a Post Degree Certificate in Paralegal studies *should* have experiential learning including content on advocacy that allows them to develop skills that are associated with conducting court hearings and trials, administrative hearings, mediation and arbitration, and settlement and plea negotiation prior to representing clients. In order to prepare applicants with an associate-level degree in paralegal studies or a certificate in paralegal studies to advocate competently for clients both in and out of court, we believe it is important for those applicants to have training in advocacy skills.

The IAALS has noted in their comment posted on 11/20/23: *As the proposed modifications are currently written, there is an experiential learning requirement for each of the educational pathways except for the bachelor's degree in law track. The associate-level degree requires a minimum of 1,500 hours of substantive law-related experience, the Master of Legal Studies degree requires a minimum of 120 hours of experiential learning, and both the Juris Doctor (JD) and Master of Laws (LLM) degrees require a minimum of 120 hours of experiential learning. While the bachelor's degree in law previously required a minimum of 120 hours of experiential learning, that has been removed and not replaced with any other experiential learning requirement. We recommend that the 120 hours previously required for the bachelor's degree in law track be reinstated.*

The 1500 hours of substantive law-related experience as defined in the proposed modifications does *not* appear to include experiential learning that includes content on advocacy. We agree with the IAALS recommendation to add the 120 hours of experiential learning back to the bachelor's degree in law track and further, we propose that the 120 hours also be added back to requirements for the AAS in paralegal studies and the Post Degree Certificate in Paralegal studies.

The proposed modifications require an additional 1500 hours or (37.5 weeks of full time work) as a law clerk, paralegal, or paralegal student for an applicant with an associate-level degree in paralegal studies and for an applicant with a certificate in paralegal studies. First, this requirement does not apply to an applicant pursuing a bachelor's in law degree or to any of the other degrees that may qualify for the license. Second, it is not apparent what skills and experience only an applicant with an associate-level degree in paralegal studies or an applicant with a certificate in paralegal studies would gain by such a requirement. We propose that the 1,500 hours of substantive law-related experience be removed from the requirements for applicants with an associate-level degree in paralegal studies or a certificate in paralegal studies.

If the 1500 hours provision was to remain, then it is recommended that the 1500 hours (or 37.5 weeks of full time work) as a paralegal *student* be further defined. An example needing further clarification; if a student attends classes full time for two-16 week semesters and summer school, would that satisfy the 1500 hours requirement in full or in part?

The last suggestion is that the method required to document the 1500 hours requirement for applicants with an associate-level degree in paralegal studies or a certificate in paralegal studies (if it remains as a requirement) be delineated in the proposed modifications. Perhaps the method used to document the 1500 hours for the non-educational route to the LP license can be utilized.