



KALAMAYA | GOSCHA
A TRIAL TEAM

September 29, 2025

Colorado Supreme Court
2 E. 14th Avenue
Denver, CO 80202

Sent via email to: supremecourtrules@judicial.state.co.us

Re: Comments to Proposed Rule Changes (Rules 207.1, 207.8, 207.14) — Scope of LLP Testimony & Expert Reports

Dear Honorable Justices of the Colorado Supreme Court,

Thank you for the opportunity to comment on the proposed amendments to Rules 207.1, 207.8, and 207.14 governing admission to the practice of law in Colorado.

Background

I am a family law practitioner, Vice-Chair of the Licensed Legal Paraprofessionals (LLP) Committee, and a member of the Family Law Executive Council. My practice experience spans both rural and urban communities, having worked in Eagle County and currently managing offices across the mountains and metro Denver. I offer these comments based on my deep involvement with the LLP program and my commitment to improving access to justice across Colorado.

1. Support for LLPs to Examine Witnesses & Handle Expert Reports

I strongly support allowing LLPs to examine witnesses and handle cases involving expert reports. Limiting LLPs to only cases without expert reports—such as appraisals or vocational evaluations—creates artificial barriers. For example, LLPs should be able to represent a party who owns a small business like a cleaning service, even if that matter involves expert valuation.

LLPs are subject to ethical obligations like attorneys, including the duty of competence. Just as attorneys consult with experts when necessary, LLPs can and should do the same. In practice, LLPs I've spoken with are clear about their limitations and consistently avoid matters beyond their expertise. Denying LLPs the ability to participate in these cases undermines their utility and restricts access to affordable legal services.

2. Concerns About the Term “Inherently Complex”

I share the concern raised by many stakeholders regarding the term “*inherently complex*” in Rule 207.1(2)(f)(xi). This vague language has already been weaponized by some attorneys seeking to disqualify LLPs from cases that, in reality, fall squarely within their capabilities. My understanding is that some judicial officers have also interpreted the rule to disqualify LLPs.

For these reasons, I respectfully recommend that Rule 207.1(2)(f)(xi) be stricken to eliminate confusion and ensure that LLPs can serve the clients who need them most.

3. Clarity Over Restriction

I echo the LLP Subcommittee’s recommendation that any rule revisions should promote clarity, not additional restrictions. The goal should be to reduce unnecessary litigation over scope and ensure consistent interpretation by courts, attorneys, and the public.

Conclusion

The LLP Rule Change Subcommittee invested substantial time and care into developing the current proposals. Their work reflects a thoughtful balance between preserving high professional standards and promoting access to justice. I strongly support the adoption of the proposed rule changes and urge the Court to implement them with any refinements necessary to eliminate ambiguity and prevent misuse.

Thank you for your leadership and for considering these important revisions that will help the LLP program fulfill its promise to serve Colorado families.

Respectfully,



Amy Goscha

Family Law Attorney

Vice-Chair, Licensed Legal Paraprofessionals Committee

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September 27, 2025

Colorado Supreme Court
2 E. 14th Avenue
Denver, CO 80202
Sent via email to: supremecourtrules@judicial.state.co.us

RE: Comments to Proposed Changes to Rules Governing Admission to the Practice of Law in Colorado (Rules 207.1, 207.8, and 207.14 of the Rules Governing Admission to the Practice of Law in Colorado).

Dear Honorable Members of the Colorado Supreme Court:

Thank you for the opportunity to comment on the Proposed Changes to Rules Governing Admission to the Practice of Law in Colorado (Rules 207.1, 207.8, and 207.14 of the Rules Governing Admission to the Practice of Law in Colorado). I write in my capacity as Chair of the Licensed Legal Paraprofessionals (LLP) Committee of the Colorado Supreme Court Advisory Committee on the Practice of Law (Advisory Committee), and as a member and co-drafter of the “LLP Rule Change Subcommittee (Subcommittee).” The Subcommittee urges you to adopt the proposed changes, as written. However, if amendments are necessary, we urge that any amendments further clarify the rules, rather than restrict the ability of LLPs to assist family law litigants.

Background. Our Subcommittee was organized in late October 2024, to address challenges that the first cohort of LLPs were already facing, because of language the Paraprofessionals and Legal Services (PALS II) Subcommittee initially drafted and submitted to be adopted as the LLP rules. The Subcommittee scheduled twelve 90-minute meetings, and included: LLP Laura Landon, attorneys Jessica Yates, Dawn McKnight, Katherine (Katy) Ellis, and David W. Stark, judicial officers Marianne Tims, Michal Lord-Blegen, and Angie Arkin, and staff person Kim Pask.

Our meetings commenced in January 2025, with discussion and implementation of updates to the “Frequently Asked Questions (FAQs),” posted on the Office of Attorney Regulation Counsel

(OARC) LLP page. We agreed that clarifying the existing rules, to the extent possible, would be immediately helpful to the courts and practicing LLPs, while helping us identify which rules actually needed clarifications and modifications. We completed the updates to the FAQs at the end of February 2025.

We then turned to the rules we felt needed to be clarified and/or modified to maximize the access to justice intent of the LLP program.

Discussion. The Subcommittee received feedback from practicing LLPs, family law attorneys practicing with LLPs, post-secondary educators, the Colorado Access to Justice Commission, judicial department staff, and judicial officers who had experience with LLPs in family court proceedings. The practicing professionals, educators, and the courts told the Subcommittee about challenges they had experienced with the existing LLP rules: the rules were not always clear.¹ Many LLP rules, as applied, were interfering with current LLPs' ability to assist their clients in a timely and cost-effective manner, and were puzzling to aspiring LLPs' who were interested in pursuing licensure. The most troubling issues communicated to the Subcommittee are:

1. Many LLPs use JDF forms as a guideline, but LLPs in law firms often use firm templates they have used for many years as paralegals. Some Clerks of Court have rejected LLP filings that were not JDF Forms. The drafters of the rule did not intend that LLPs only use the state forms, so long as the documents submitted by LLPs were consistent with the JDF forms. LLP practitioners requested that the Subcommittee revise Rule 207.1(2)(g)(iii) and (iv), to provide clarity that JDF forms *may be used* but are not required.
2. The term "inherently complex" in Rule 207.1(2)(f)(xi) is being weaponized by some family law attorneys, in order to force LLPs out of cases with simple marital estates. Courts and LLPs have been barraged by attorneys filing demands that LLPs be disqualified from assisting otherwise unrepresented parties in family law cases, claiming the need for residential real estate appraisals, vocational evaluations, valuation of PERA pensions, and valuations of personal property. Attorneys have even demanded disqualification of LLPs in cases with joint financial experts appointed by the court, at

¹ The Subcommittee commends the work of all the original rule drafters, who spent many volunteer hours thoughtfully crafting the proposed rules, to be submitted to the Colorado Supreme Court. All the drafting committee members had rule-drafting experience, but none had experience creating a new legal profession from scratch. The Subcommittee's recommended clarifications come directly from the LLP practitioners' experience in practice, and from the experience of other practitioners, educators, clients, and the courts in working with LLPs.

both parties' request (by stipulation). Additionally, some courts and attorneys have read Rule 207.1(2)(f)(xi) to disqualify LLPs from working with allocation of parental responsibilities experts such as Child and Family Investigator (CFIs) and Parental Responsibility Evaluators (PREs). This litigation of the scope of licensure has been extremely costly to parties who often struggle to find the resources to hire an LLP, and has been an unnecessary burden on the courts.

The Subcommittee notes that licensed Legal Paraprofessionals (LPs) in Arizona are not restricted from assisting litigants in "inherently complex" financial matters. LPs have similar rules of professional conduct to Colorado LLPs, including the requirement to decline matters they are incompetent to handle, while recommending that the client hire an attorney. LPs have been assisting many family law litigants in Arizona since 2021, with no significant complaints.² The Subcommittee strongly recommends that Rule 207.1(2)(f)(xi) be stricken.

3. Judicial officers and LLPs are struggling with the LLPs' inability to ask their clients, the opposing party, and other witnesses questions in court. Most domestic relations hearings are allotted limited time. The requirement that LLPs not examine witnesses is cumbersome and time-consuming for all. Many LLPs are trying to assist their clients by giving them a list of questions to ask (though there is no clear direction on this issue) and then the LLP confers with the client or the court to ask follow-up questions, for each witness, including their client. Judicial officers and LLPs urge that this restriction be stricken.
4. Courts need clarification that family law matters not specifically included in Rule 207.1(2)(a)-(e) are not outside the LLP's scope of practice. There are myriad motions that are regularly filed in legal separation, declaration of invalidity of marriage, dissolution of a marriage, civil union, and allocation of parental responsibility ("APR") cases that cannot all be included in a rule. For example, post-decree motions under C.R.S. §§14-10-122 (modification of maintenance and child support), 129 (modification of parenting time), 131 (modification of decision-making); enforcement of parenting time motions under C.R.S. §14-10-129.5, motions filed under C.R.C.P. Rules 59 (motion to reconsider), 60(a) and (b)(corrections of the ruling); enforcement actions under C.R.C.P.

² See, generally,

https://www.azcourts.gov/Portals/0/26/Assessing%20Arizonas%20Legal%20Paraprofessionals_2024%20Survey%20--%20Narrative%20Summary_1.pdf

Rules 69 and 70, Petitions for Magistrate Review under C.R.M. 7, are all within the LLPs' scope of practice but are not specifically mentioned in Rule 207.1(2)(a)-(e). Judicial officers are questioning whether LLPs can file these motions/actions, and some have decided to strike them because they were filed by an LLP. Many other actions are not specifically included in the rule but are not outside the LLP's scope of practice. The Subcommittee hopes this can be clarified.

5. Educators had concerns about the lack of clarity in the rules about qualifications for licensure of LLP applicants and LLP candidates in the pipeline. The proposed language clarifies the prior rules.
6. OARC had concerns that LLPs be in parity with attorneys regarding application and licensure fees, as the costs for OARC to qualify LLPs for licensure were the same as for attorneys. The proposed language solves this problem.

Recommendation. The result of many weeks of the Subcommittee's informed, collaborative discussion is the rule changes proposal before you now. The Subcommittee's proposal has been drafted, discussed, reviewed, and approved by the LLP Committee and the Advisory Committee. We ask that you adopt this proposal, as written. Our proposal will clarify the existing rules, stop the litigation around scope of licensure, and maximize the opportunity for LLPs to provide access to justice to the 76+% of litigants struggling without legal and representation in their family law cases.

The Subcommittee thanks you for your unwavering support of LLPs and access to justice in Colorado.

Kind regards,

A handwritten signature in black ink, reading "Angela R. Arkin". The signature is fluid and cursive, with the first name "Angela" being the most prominent part.

Angela R. Arkin
District Court Judge (Retired)

**COLORADO SUPREME COURT
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September 29, 2025

Colorado Supreme Court
2 E. 14th Avenue
Denver, CO 80202

RE: Proposed changes to Rules 207.1, 207.8, and 207.14 of the Rules Governing Admission to the Practice of Law in Colorado

As both an architect of the licensed legal paraprofessionals (“LLP”) program and a contributor to the work of the LLP Committee, I am writing to support the proposed changes to C.R.C.P. 207.1, 207.8 and 207.14. At a high level, I observe that:

- By aligning registration-related fees of LLPs with those of attorneys, as proposed in C.R.C.P. 207.14, the Court would ensure LLPs contribute on equal terms with attorneys to the shared responsibilities around registration, including continued support for all parts of the regulatory system and its partner programs.
- By clarifying the education requirements for eligibility to sit for the LLP Exam under C.R.C.P. 207.8, the Court will be responsive to many questions asked by applicants and feedback from the higher education community without substantially ratcheting up or down the basic competency prerequisites for application.
- By expanding the scope of practice of LLPs in a targeted way as proposed in the amendments to C.R.C.P. 207.1, the Court will be responsive to many questions and observations from judicial officers, LLPs, LLPs’ clients, and attorneys, and greatly increase the efficiency and effectiveness of the LLP program without materially diminishing protections to clients or undermining the administration of justice.

General Comments on Expanded Scope of Practice

Because the expanded scope of practice is likely to get the most attention from commenters, I focus most of my written comments on that proposal. I start with the practical observation that clients of LLPs generally have very limited resources available for legal fees

and/or are in domestic relations cases that have the potential to reduce those available resources. Anecdotally, we know that attorneys with LLPs in their firms who spot that resource issue during client intake will make a referral to their LLPs. We know that LLPs often take a modest client retainer at the beginning of a representation because that is all the client has to offer. And we're working to get more data about the client resource question, partnering with IAALS for a program evaluation.

With that reality in mind, I offer two lenses in considering scope of practice questions.

First, given that LLP clients generally have decided that they need professional assistance in their domestic relations matter but cannot afford a full-scale representation by an attorney, the LLP's scope of practice should be liberally defined and applied so that the clients can be assisted as much as possible by their LLPs. Most clients are not in a financial position to hire an attorney to supplement the work of the LLP, so clients are attempting to handle out-of-scope work by themselves. And most of the time, the LLP would have been competent to assist in the issue or procedural matter that was viewed as out-of-scope.

Second, rather than relying on the blunt instrument of Rule 207.1 to decide what constitutes competence of an LLP, issues of competence are better addressed through requirements and processes other than narrow restrictions on scope of practice. There are numerous distinct ways competency currently is addressed and/or can be addressed further if needed:

- Eligibility requirements to sit for the LLP Exam, which can include any mandatory course work or experience
- The LLP Exam content and standards
- Specific CLEs that LLPs could be required to complete prior to or within a certain time after admission
- Availability of LLP-specific CLEs that facilitate continued development of skills and knowledge throughout an LLP's career
- Law firm processes for addressing any client complaints (when LLPs are not solo practitioners)
- Evaluation of compliance with Colo. LLP RPCs through complaints directed to OARC
- Legal malpractice claims

Indeed, with respect to attorneys, we rely on a J.D. education and bar passage to set a floor for competency, even though we know that a wall license by itself does not mean one is actually competent to do everything in the practice of law, and competency issues sometimes do arise with attorneys. We trust attorneys to exercise judgment about the type of work they

can competently perform, including whether further preparation or association with others is needed. There is nothing inherent about obtaining a J.D. or passing a two-day bar exam and the two-hour MPRE that creates the complete ethical foundation for an attorney. Mentoring, client and courtroom experience, and professional development over years of practice do that. There is no reason to think that LLPs will develop any differently.

Given those considerations, a scope-of-practice rule could and probably should identify discrete issues that are inappropriate for LLPs to handle due to their *inherent* complexity, i.e., issues that whenever presented require significantly different legal analysis and resulting legal action than occurs in an ordinary domestic relations case. But I strongly advise against a version of the rule that enumerates an exhaustive list of the only activities and tasks within an LLP's authorized practice, or one that precludes an entire client representation merely because a single inherently complex issue is present.

Specific Comments on Expanded Scope of Practice

While the family law community may be best positioned to comment on specific aspects of the proposed changes to Rule 207.1, a few changes warrant further explanation here.

Working with Any Experts

The current rule restricts LLPs from working with an expert when an expert is “necessary” for asset valuation or income determination (see Rule 207.1(f)(xi)). The initial drafters used the word “necessary” to distinguish between situations where an expert is required due to factual and legal complexity (i.e., the proponent of evidence or argument would necessarily fall short without an expert) and those cases in which an expert would be merely beneficial. Unfortunately, the line has been all but clear, and this provision has become a tool to attempt to force an LLP out of a case. Further, many judicial officers have misinterpreted the rule believing that LLPs cannot work with child family investigators or other similar routine experts. There is no indication that the restriction on the type of expert who can be engaged by an LLP is protecting LLPs' clients, and the anecdotal evidence suggests that the restriction simply creates another litigation issue that drives up fees.

Eliminating this false distinction in working with experts would not expose LLP clients to a materially greater risk of incompetency. To state the obvious, experts can provide the expertise to the clients needed on factual issues and mixed questions of fact and law. LLPs, like family law attorneys, do not necessarily need to be the experts themselves on every issue in a case.

Examining Witnesses

The proposal to expand scope of practice to include witness examination likewise is motivated by the realization that precluding testimonial practice in law does not protect clients from theoretical competency issues. Instead, clients are attempting testimonial activities by themselves – narrating their own testimony, eliciting testimony on direct, and cross-examining witnesses in court.

Not only does this trend make hearings less efficient, but unlike LLPs who can receive training on examinations and learn from experienced attorneys, these self-help clients will do far more harm to themselves than an inexperienced LLP will do in witness examination. Further, the rule as currently written precludes testimonial work by an LLP even when the testimony is uncontested, such as in a default hearing, and there is no good reason other than the formality of the rule to preclude the helpful assistance of an LLP.

Comparison with Arizona's Scope of Practice for LPs

While Colorado's original LLP structure was drafted in consideration of Utah's rules governing a similar program, it is helpful to observe that Arizona's Licensed Paraprofessional ("LP") program, which commenced around November 2021 and has 93 LPs, does not have such limitations on scope of practice. LPs can perform the following services without the supervision of an attorney:

- “(1) Prepare and sign legal documents;
- (2) Provide specific advice, opinions, or recommendations about possible legal rights, remedies, defenses, options, or strategies;
- (3) Draft and file documents, including initiating and responding to actions, related motions, discovery, interim and final orders, and modification of orders, and arrange for service of legal documents;
- (4) Appear before a court or tribunal on behalf of a party, including mediation, arbitration, and settlement conferences where not prohibited by the rules and procedures of the forum; and
- (5) Negotiate legal rights or responsibilities for a specific person or entity.”

AZ ST Code of Jud. Admin., § 7-210, Para. F.1.a. That scope of practice applies to all LPs in Arizona, with further restrictions on certain areas of practice. Arizona LPs licensed specifically in domestic relations matters cannot perform the following work, unless they have met additional qualifications:

- “(i) Preparation of a Qualified Domestic Relations Order (QDRO) and supplemental orders dividing retirement assets.
- (ii) Division or conveyance of formal business entities or commercial property.
- (iii) An appeal to the court of appeals or supreme court.”

AZ ST Code of Jud. Admin., § 7-210, Para. F.1.b.(1). Accordingly, LPs in Arizona are engaging with experts and handling testimonial hearings. As of this writing, Arizona LPs have not received public discipline.

Proposed Comment to Address Disqualification

Finally, the new proposed Comment is worthy of discussion, because it arises out of a number of situations and questions that suggest some opposing counsel may be leveraging existing Rule 207.1 as a tactic to reduce the opposing party’s access to the LLP’s services, and some judicial officers are not clear on how to handle a contested issue raised by opposing counsel regarding the LLP’s authority for practice. These questions typically assume that the text of Rule 207.1 sets the outer limits on an LLP’s scope of practice, providing little to no room for an LLP to advise on or perform services consistent with routine client objectives within an ordinary DR matter – such as execution on a judgment under C.R.C.P. 69.

The proposed comment is intended to provide guidance on these questions. As proposed, it states:

An LLP’s activities in the representation of a client that exceed the scope of this rule could violate the Colorado LLP Rules of Professional Conduct, such as Colo. LLP RPC 1.2(c) or Colo. LLP RPC 5.5(a)(1.5). They also could be considered by a trial court in resolving a request to disqualify LLP as counsel for a client. The resolution of a complaint for violation of the Colo. LLP Rules of Professional Conduct or a motion to disqualify is governed by established procedural rules and applicable case law.

While rule comments sometimes are most effective in their brevity and simplicity, an argument could be made for adding to the official Committee proposal to be abundantly clear about the intent of the LLP program as a whole, and the intent behind a limited scope of practice that still provides meaningful assistance to clients and significant efficiencies for the judicial process of handling domestic relations cases.

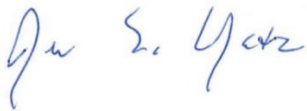
Here is one such proposal:

Descriptions of an LLP’s authorized scope of practice within this rule are not intended to be limitations on that scope, and as such, the rule should be liberally

construed to include all ordinary and reasonable actions within an authorized scope of practice, including procedural steps that are permitted by the Rules of Civil Procedure and are not expressly prohibited under this rule. An LLP's activities in the representation of a client that exceed the scope of this rule could violate the Colorado LLP Rules of Professional Conduct, such as Colo. LLP RPC 1.2(c) or Colo. LLP RPC 5.5(a)(1.5). They also could be considered by a trial court in resolving a request to disqualify LLP as counsel for a client. The resolution of a complaint for violation of the Colo. LLP Rules of Professional Conduct or a motion to disqualify is governed by established procedural rules and applicable case law. However, motions to disqualify an LLP that are based solely on this rule are disfavored. Any such motion to disqualify must be supported by an affidavit and verified by the filing party that the entirety of the matter pending before the court involves disqualifying issues under this rule.

I appreciate the Court's consideration of these rule changes and look forward to answering any questions.

Sincerely,



Jessica E. Yates
Attorney Regulation Counsel

August 19, 2025

Colorado Supreme Court
2 E. 14th Avenue
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supremecourtrules@judicial.state.co.us

Re: Proposed Changes to Rules 207.1, 207.8, 207.14 of the Rules Governing
Admission to the Practice of Law In Colorado

Dear Colorado Supreme Court:

A rule change that would allow LLPs to question witnesses during court hearings would improve access to legal representation for lower-income individuals. Falling into that category myself, I fully support this change.

Sincerely,



Barry Brown



Licensed Legal Paraprofessionals of Denver, LLC
6834 South University Boulevard, #442
Centennial, Colorado 80122

September 29, 2025

Supreme Court of Colorado
2 East 14th Avenue
Denver, Colorado 80202

Via email: supremecourtrules@judicial.state.co.us

Re: Rule 207.1 Proposed Changes

Dear Justices of the Supreme Court of Colorado:

I am writing this letter in support of the proposed changes to C.R.C.P. Rule 207.1 governing the practice of law by Licensed Legal Paraprofessionals ("LLPs"). As a member of the inaugural class of LLPs, this proposed rule change would have a drastic and life-changing effect on my business for a number of reasons.

First, at present, I have to inform any potential client at the onset that I cannot do a number of basic functions in the case. Of greatest negative impact to my practice is my inability to question any witnesses in Court. While it is often my clients' desire to settle their case, it is just not always possible to do so, especially in cases where there aren't enough resources to go around and make everyone stable post-decree. I have been hesitant to take a case where there is a higher than ten-percent change of litigation being necessary. It is simply unfair to people to manage a case in its' entirety, only to have to either hand the case over to an attorney or ask the client to manage witness examinations in open court against their spouse or their spouse's counsel. I am charged with preparing the case fully and completely across all aspects, yet I am not able to bring the case to a finish by conducting examination in court. It would be a great relief for my clients if they didn't have this additional pressure on them during an already difficult time.


Second, the limitation on business valuation experts has negatively impacted a client of mine already. While I understood Rule 207.1 to limit my ability to advise my client about the contents of a business valuation, my opposing counsel took a different perspective on the language of the Rule, and then occupied over a month of time during the lead up to Permanent Orders attempting to disqualify me from the case completely. My client had to incur legal fees for me to defend against the motion to disqualify me, and it created unnecessary anxiety for her. Ultimately, the court agreed with me and I remain LLP of record for my client; the ability for an opposing party to use the language of the Rule to try to remove

his wife's legal counsel was devastating to the case progress and the ability to focus on the case.

When I committed to the LLP application process in late 2023, I did so with the intention of helping people to get through a very difficult and confusing divorce process. The proposed changes to Rule 207.1 will allow me to do even greater good for the community by allowing me to take cases without hesitation when litigation is a possibility. There are some cases that will not require litigation of any kind, but it is simply not the norm. My hands are currently tied with the limitations that exist. It is my hope that the changes to the Rule will pass and I will have the opportunities to educate myself so that I can advocate strongly and appropriately for my clients from start to finish.

I want to thank the Honorable Justices for their focus and time on this important issue. It is a great honor to me to be able to apply my experience as an LLP and to help my clients through the divorce process with kindness and compassion. I appreciate your time in reading my experience.

Sincerely,

A handwritten signature in black ink, appearing to read "Becki Parry". The signature is fluid and cursive, with the first name "Becki" written in a larger, more prominent script than the last name "Parry".

Becki Parry
LLP Reg. #600053



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September 29, 2025

VIA EMAIL ONLY
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supremecourtrules@judicial.state.co.us

Re: Proposed Changes to Rules Governing Admission to the Practice of Law in Colorado-LLPs
Family Law Section Executive Council - Comment

To Whom it May Concern:

I am the Chair of the Family Law Section of the Colorado Bar Association. I write to you in my official capacity to provide the Family Law Section Executive Council's comments regarding the proposed changes to the Rules Governing Admission to the Practice of Law in Colorado – expanding the scope of practice of Limited Licensed Professionals (LLPs). The members of the Executive Council largely agree to support the vast majority of the proposed changes, and the Executive Council appreciates and understands the need for further clarification of the LLPs' scope of practice. However, there are a few proposed changes where the section respectfully asks the Court to consider and adopt our alternative proposed language.

1) Scope of Authority

As stated in the section bylaws, the purpose of the Family Law Section includes promoting the welfare of Colorado children and families; aiding practitioners in the development of skills and resources for the practice of family law; furthering the field of family law through appropriate legislation, rules and education; fostering a mutually cooperative relationship with courts handling family law matters, and coordinating work with those interest in improvement interested in improving of the administration of justice in family law. The duties of the Executive Council, again as set forth in our bylaws, include among other things, representation of the Section on policy and legislative matters, as well as short- and long-range planning for all areas of concern to the Section.

Given these proposed changes address the admission to practice law as an LLP (whose practice is limited to family law), I believe the section is uniquely situated to comment on these proposed rules.

2) Process

Since receiving notice of the proposed rules, the Executive Council has engaged in significant discussions regarding the proposed changes. The Notice of Public Hearing and Request for Comments was disseminated by email to our entire membership on multiple occasions.

We addressed the proposed changes in two separate special meetings convened solely to review and analyze the proposed rule changes. Additionally, the Executive Council received comments from section members, Executive Council members, and former Executive Council chairs. Although we did not incorporate all feedback into the final redline, we considered all comments we received during this process. We also repeatedly encouraged section members to comment and testify in their individual capacities at the upcoming hearing.

During the process, we created the attached redlines and comments of the proposed changes to the rules which incorporate the section's proposed changes and comments resulting from these meetings. On September 19, 2025, the Family Law Executive Council voted on and approved these redlines. The entire section membership is not required to vote on rule changes and did not vote on the attached redline. Instead, members were encouraged to review the proposed rule changes and, if they do not agree with the proposed changes, provide their own comments separately or sign up to testify at the hearing.

3) Proposed Changes

As mentioned above, the attached redline reflects the official comments approved by the Family Law Section Executive Council. For the most part, the proposed changes are self-explanatory. However, I believe it is important to provide additional context on the following:

- (a) Rule 207.1(f) We are asking that the proposed changed language to Rule 207.1(f) be reworked. We understand that this proposed change is meant to provide clarity to the scope of practice of an LLP. However, our section found the proposed changes caused more confusion than clarity, and many of our members interpreted the rule differently from what we understood to be the intent of the drafters.

Specifically, we interpreted the language limiting an LLP's practice to "resolving" any of the "discrete issues that arise in an otherwise authorization" requires that the Court bifurcate hearings where these discrete issues are unresolved and an LLP has entered the case. It is our understanding after conferring with the drafters, that the drafters believed the language would allow an LLP to participate in hearings where those "discrete issues" were in dispute, but that they would not be able to participate in those parts of the hearing. We believe this interpretation/intent is problematic for several reasons.

First, it is problematic on its face that the Family Law Executive Council interpreted the rules differently from the intent of the drafters. If the proposed change in the rule is to resolve confusion regarding the scope of an LLP's

practice, we believe the proposed change (while well meaning) will not serve that intended purpose.

Second, we do not believe it would be helpful to the litigant or the Court if an LLP were able to represent a party where one of these “discrete issues” has not been resolved. This is because many of these “discrete issues” are inextricably intertwined with other matters in a case. For example, Rule 207.1(f)(vii) provides that an LLP is not authorized to practice in matters where there is a dispute about the value or income associated with a trust in which a party is a beneficiary. In a dissolution of marriage action, the question of the value or income associated with a trust is intertwined with maintenance, and potentially child support. This would cause ongoing confusion as to whether the LLP could participate in various facets of the case, including but not limited to addressing these questions at mediation, participation in discovery and discovery disputes, drafting of trial management certificates, and presentation of evidence.

The Executive Council had many robust discussions on this language and arrived at several alternatives to address the confusion we believe these proposed changes will cause. The section is open to the adoption of any of the following suggestions, to resolve the above-referenced concerns:

- i. Clarification that an LLP may not handle cases where these discrete issues are not resolved, unless the LLP files a motion for good cause as to why their representation in the matter would be appropriate and the LLP receives leave from the Court.
 - ii. Require the LLP to co-counsel with a licensed attorney and the attorney would handle the discrete issues outside the scope of the LLP’s practice.
 - iii. Permit the LLP to enter the case on an “unbundled basis” where their entry of appearance is clear to the opposing party and the Court as to what the portions of the case the LLP is handling, and what portions are outside the scope of the LLP’s license.
- (b) Rule 207.1(f)(v): Due to the inherent complexities of the Indian Child Welfare Act (“ICWA”) we believe if ICWA is implicated in a case, then that matter should be considered a discrete issue where the LLP is not authorized to represent the client.
- (c) Rule 207.1(f)(vii): We believe that the question of whether a trust constitutes property should be included in this section.
- (d) Rule 207.1(f)(xi): We feel strongly that this section should not be stricken, and instead that the rule be expanded to allow LLPs to handle cases in that may

require a residential real estate appraisal, vocational evaluation, or retirement assets that are being divided equally or via the time rule formula.

We recognize that the LLPs and the Courts have struggled to define the stricken language: “matters in which an expert report or testimony is required to value an asset or determine income due to their inherent complexity of the asset or income at issue.” However, striking this provision would result in no limitation on the LLP from handling cases with large businesses, commercial real estate, complex executive compensation, and the like. We believe that carving out residential real estate appraisals, vocational evaluations, and cases where the parties are applying the time rule formula, allows LLPs to continue assisting the litigants they were intended to serve, while also providing the LLPs guidance on their scope of practice.

Additionally, if our section’s proposed change to Rule 207.1(f) where the LLP may ask for leave for the Court to handle a discrete issue outside their scope of practice was adopted, then the LLP could advise the Court that there is a small business (such as a hairdresser) and argue there is good cause for the LLP to handle the case.

- (e) Rule 207.1(g)(xiii): Our section does not oppose the proposed change. However, our section questions how much testing and training the LLPs have on the rules of evidence. And the section encourages the LLP exam to test on the rules of evidence, similar to the Colorado Bar Exam.
- (f) Rule 207.8(3): We believe that the education plus experience path to being an LLP should require 2,500 in hours in substantive law-related practical experience.
- (g) Rule 207.8(3)(a): We do not agree to striking LLBs as a candidate for an LLP. LLBs are qualified attorneys from another country and certainly may be qualified to practice as an LLP, given their level of education.

4) Request to Testify

I would like to request time to testify on behalf of the section at the public hearing regarding these comments as well.

In closing, thank you for the opportunity to participate in this process. The Family Law Section Executive Council believes that our shared goal of improving the practice of family law for Colorado families, practitioners, and judicial officers will be best served if all of the proposals contained in the attachments to this letter are adopted. Please let me know if you have any questions regarding the attached.

Sincerely,

A handwritten signature in dark ink that reads "Hannah Jannicelli Westmont". The signature is written in a cursive, flowing style.

Hannah Jannicelli Westmont, Esq.
Chair, Family Law Section Executive Council

Encl. Attachment 1 – Redline of Proposed Changes to the Rules

RULES GOVERNING ADMISSION TO THE PRACTICE OF LAW IN COLORADO

Rules 207.1, 207.8, and 207.14

Rule 207.1. Licensed Legal Paraprofessionals' Scope of Authority to Practice

(1) [NO CHANGE]

(2) An LLP's scope of licensure is limited as follows:

(a) An LLP may represent a client to perform tasks and services identified under section (2)(g) of this rule in a legal separation, declaration of invalidity of marriage, or dissolution of a marriage, ~~or and~~ dissolution of a civil union, whether pre-decree or post-decree.

(b) An LLP may represent a client to perform tasks and services identified under section (2)(g) of this rule in an initial allocation or a modification of ~~an allocation of parental responsibility ("APR") matter, including parentage determinations~~ including but not limited to, parental responsibilities or parentage cases, including representing parties in a parentage matter that initially had disputes in which more than two parents or alleged parents asserted or denied legal parentage once parentage has been determined by the court.

(c) - (e) [NO CHANGE]

(f) Even if an LLP is authorized to represent a client pursuant to sections (2)(a), (2)(b), (2)(c), (2)(d) and (2)(e), an LLP is not authorized to represent a client in resolving any of the following discrete issues that arise in an otherwise authorized representation:

(i) - (ii) [NO CHANGE]

(iii) ~~matters involving~~ an allegation of common law marriage ~~matters involving an allegation of common law marriage~~ in which either party disputes the existence of a common law marriage or the date when the common law marriage formed;

(iv) ~~matters involving~~ disputed parentage where there are more than two parents or alleged parents asserting or denying legal parentage;

(v) ~~matters in which a non-parent's~~ request for APR decision-making authority or parenting time is contested by at least one parent and the court has determined that the Indian Child Welfare Act applies to the proceeding, except as otherwise provided by law;

(vi) [NO CHANGE]

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Commented [HW1]: We find this language confusing- Can LLPs represent clients in matters on other topics while these discrete issues are at issue? This could lead to multiple hearings on the same matter (bifurcated) instead of one hearing. Many of these issues are inextricably intertwined with other issues the LLP may be working on.

Ideas to address this: 1. Get permission from the Court to work on the matter if these issues are not resolved; 2. Have an attorney oversee it; 3. Offer unbundled

Commented [RK2]: How does this work practically when this is one of several issues?

Commented [RK3]: We suggest that if the Indian Child Welfare Act applies to the case, this should also be a discrete issue that the LLP is not authorized to represent a client

(vii) ~~matters in which a party is a beneficiary of a trust and information a dispute about the value of or income associated with a trust in which a party is a beneficiary, as well as whether the trust is property~~ will be relevant to resolution of the matter;

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(viii) ~~matters in which a dispute about party intends to contest a jurisdictional issue~~ jurisdiction of the court over any issue in the matter;

(ix) ~~[Reserved] the preparation by the LLP of a qualified domestic relations order ("QDRO") or other document allocating retirement assets that are not liquid at the time of the matter;~~

(x) the preparation by the LLP of documents, other than an agreement addressing underlying property division, needed to effectuate the sale or distribution of assets of a business entity or commercial property;

~~(xi) [Reserved] matters in which an expert report or testimony is required to value an asset or determine income due to the inherent complexity of the asset or income at issue matters in which an expert report or testimony is required to value an asset or determine income due to the inherent complexity of the asset or income at issue, except for residential real estate appraisals, vocational evaluations, and retirement assets that are being divided equally or via the time-rule formula; or~~

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Commented [HW4]: There is a concern with respect to complex financial issues and how to define that. We propose spelling-out specific types of experts that would be appropriate

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(xii) issues collateral to, but directly affecting, a matter which falls within the LLP's scope of practice when such issues require analysis and advice outside that scope of practice, such as immigration, criminal, and bankruptcy issues or the preparation of a qualified domestic relations order ("QDRO") or other similar document implementing the division of retirement assets that could directly affect the resolution of the matter.

(g) Within the types of matters and authorizations to practice law identified in section (2)(a), (2)(b), (2)(c), (2)(d) and (2)(e) of this rule, an LLP who is in good standing may represent the interests of a client by:

(i) - (ii) [NO CHANGE]

(iii) informing, counseling, advising, and assisting the client in determining which form or template (among those approved by the Judicial Department or the Supreme Court, or generally accepted by Colorado courts having jurisdiction over the matter) to use as the basis for a document in a matter, and advising the client on how to complete a form or provide information for a document;

(iv) preparing and completing documents using forms or templates approved by the Judicial Department or the Supreme Court or generally accepted by Colorado courts having jurisdiction over the matter, including proposed parenting plans, separation agreements, motions or stipulations for establishing or modifying child support, child support worksheets, proposed orders, nonappearance affidavits, discovery requests and answers to discovery requests, trial management certificates, pretrial submissions, and exhibit and witness lists;

(v) - (viii) [NO CHANGE]

(ix) ~~filling in, preparation of signing, filing,~~ and completing filing and service of a written settlement agreement in conformity with the negotiated agreement;

(x) [NO CHANGE]

(xi) communicating with the client regarding the matter and related issues, including -retaining experts -and fully preparing the client for a testimonial hearing or deposition;

(xii) [NO CHANGE]

(xiii) standing or sitting at counsel table with the client during a court proceeding ~~to provide emotional support,~~ communicating with the client during the proceeding, making statements, making offers of proof, examining any witness as permitted by this Rule, and making arguments and objections in court ~~other than examining a witness,~~ answering questions posed by the court, addressing the court ~~upon the court's request,~~ taking notes, and assisting the client in understanding the proceeding and relevant orders;

(xiv) [NO CHANGE]

(xv) advising clients regarding the need for a lawyer to review complex issues that may arise in a matter, consistent with the LLP's duty set forth in Colo. LLP RPC 1.1.

(h) [Reserved] ~~An LLP is not authorized to conduct an examination of a witness. The LLP may only address the court pursuant to section (2)(g)(xiii) of this rule.~~

(i) [NO CHANGE]

COMMENT

An LLP's activities in the representation of a client that exceed the scope of this rule could violate the Colorado LLP Rules of Professional Conduct, such as Colo. LLP RPC 1.2(c) or Colo. LLP RPC 5.5(a)(1.5). They also could be considered by a trial court in resolving a request to disqualify LLP as counsel for a client. The resolution of a complaint for violation of the Colo. LLP Rules of Professional Conduct or a motion to disqualify is governed by established procedural rules and applicable case law.

Commented [RK5]: What sort of training are LLPs getting about evidence?

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Rule 207.8. Applications for Colorado LLP Admission

(1) ~~All~~ Each LLP applicant must, as a condition of admission, take and pass a comprehensive the Colorado LLP eExaminations, which includes testing on family law and professional conduct rules, and any other topics designated by the Supreme Court.

(2) By the time of taking the LLP Examination, each Colorado LLP applications for the LLP Examination must be received or postmarked on or before the deadlines designated by the Supreme Court and published by the Office of Attorney Admissions; applicant must satisfy all requirements for an education plus experience path described in Section (3), or all requirements for an experience-only path described in Section (4).

(3) Education Plus Experience Path. ~~By the time of taking the family law examination;~~ Colorado LLP ~~examination~~ applicants applying under this path must:
either meet the experience requirements set forth in section (4) or must have received:
(i) demonstrate that the applicant has worked 24,500 hours in employment constituting substantive law-related practical experience, which must include 500 hours of experience in Colorado family law, within the three years immediately preceding the date of filing the LLP application; and (ii) have received one of the following academic degrees or certificates:

(a) a J.D. ~~or LL.B.~~ LLB degree from a law school approved by the Council of the Section of Legal Education and Admissions to the Bar of the American Bar Association or a state-accredited law school;

(b) an associate's degree in legal or paralegal studies, including at least 30 credit hours in law, including legal research and writing, from an accredited school;

(c) a bachelor's degree in legal or paralegal studies, including at least 30 credit hours in law, including legal research and writing, from an accredited school;

(d) a bachelor's degree in any subject from an accredited school ~~that includes;~~ plus a paralegal certificate, which may be obtained from the same or different accredited school, which includes at least 30 credit hours in law, including legal research and writing;

(i) ~~a paralegal certificate; or~~

(ii) ~~15 hours of paralegal studies from an accredited school or~~

(e) a first professional law degree from a law school in a country other than the United States with an LL.M. qualifying such applicant to sit for the Colorado bar examination under C.R.C.P. 204.3; ~~or-~~

(f) a master's degree in legal studies from an accredited school.

(4) ~~An applicant is not required to meet the educational qualifications set forth in section (3) if the applicant demonstrates that the applicant has worked the equivalent of three full-time years in employment constituting substantive law-related practical experience, which must include the~~

Commented [HW6]: Our section wonders if these hours need to be increased to 2,500 hours

Commented [RK7]: This must be a mistake because LLBs are qualified attorneys in another country

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equivalent of one full-time year focused on Colorado family law, during the five years immediately preceding the date of filing the application. **Experience-Only Path.** A Colorado LLP applicant applying under the experience-only path must demonstrate that the applicant:

(a) has worked 4,500 hours in employment constituting substantive law-related practical experience within the five years immediately preceding the date of filing the LLP application; and

(b) within the hours described in paragraph (a), has worked 1,500 hours of experience in Colorado family law the three years immediately preceding the date of filing the LLP application.

(5) By the time of taking the ~~professional conduct examination~~ LLP Examination, each -all Colorado LLP applicants must have successfully completed, ~~from an accredited school,~~ an ethics class/course (also known as a professional responsibility course)~~specific to LLPs or lawyers from an accredited school,~~ that teaches the rules of professional conduct applicable to LLPs or lawyers and addresses compliance as a condition of licensure.

(6) All Colorado LLP applicants ~~must also pass an LLP professional conduct exam prior to admission~~ bear the burden of proving they have the character and fitness to practice law as an LLP, and must comply with all character and fitness requirements established by the Supreme Court through C.R.C.P. 208.1. All Colorado LLP applicants are subject to the procedures set forth in C.R.C.P. 208.1 through C.R.C.P. 210.2 concerning review of character and fitness.

(7) ~~All Colorado LLP applicants must also demonstrate completion of 1,500 hours of substantive law-related practical experience, including 500 hours of experience in Colorado family law, within the three years immediately preceding the date of submitting the LLP application. This requirement may be met by demonstrating eligibility under section (4) of this rule.~~ applications for the LLP Examination must be received or postmarked on or before the deadlines designated by the Supreme Court and published by the Office of LLP Admissions. Each Colorado LLP applicant must pay the required application fee and any applicable late fee.

(8) All ~~successful~~ Colorado LLP applicants bear the burden of proving they have the character and fitness to practice law as an LLP, and must comply with all character and fitness requirements established by the Supreme Court through C.R.C.P. 208.1. All Colorado LLP applicants are subject to the procedures set forth in C.R.C.P. 208.1 through C.R.C.P. 210.2 concerning review of character and fitness. examination applicants must complete the course on professionalism, as described in C.R.C.P. 203.1(8), prior to and as a condition of admission. Credit for completion of the professionalism course will be valid for eighteen months following completion of the course.

(9) All Colorado LLP applicants must pay the required application fee. ~~Any unsuccessful applicant may, upon request, obtain a copy of the applicant's answers to the essay portions of the examination. Such request shall be made on a form furnished by the Office of LLP Admissions.~~

This rule does not permit applicants to obtain any materials other than the applicant's written essay answers.

~~(10) **Professionalism Course.** All successful Colorado LLP examination applicants must complete the course on professionalism, as described in C.R.C.P. 203.1(8), prior to and as a condition of admission. Credit for completion of the professionalism course will be valid for eighteen months following completion of the course.~~

~~(11) Any unsuccessful applicant may, upon request, obtain a copy of the applicant's answers to the essay portions of the examination. Such request shall be made on a form furnished by the Office of Attorney Admissions. This rule does not permit applicants to obtain any materials other than the applicant's written essay answers.~~

Rule 207.14. Registration Fee

A. Registration Fee of Licensed Legal Paraprofessionals

(1) General Provisions.

(a) Fees. On or before February 28 of each year, every licensed legal paraprofessional (LLP) admitted to practice in Colorado must annually file a registration statement and pay a fee as set by the Colorado Supreme Court. ~~As of 2024,~~ The fees set by the court are as follows: the fee for active LLPs is ~~\$392~~5.00; the fee of any LLP whose first admission to practice is within the preceding three years is \$190.00; the fee for LLPs on inactive status is ~~\$163~~0.00. All persons first becoming subject to this rule must file a statement required by this rule at the time of admission, but no annual fee shall be payable until the first day of January following such admission. The Supreme Court will authorize periodic increases to the annual fee for every Colorado LLP as necessary.

(b) - (c) [NO CHANGE]

(2) Statement. [NO CHANGE]

(3) Compliance.

(a) Late Fee. Any LLP who pays the annual fee or files the annual registration statement after February 28 but on or before March 31 must pay a late fee of ~~\$105~~0.00 in addition to the registration fee. Any LLP who pays the annual fee or files the annual registration statement after March 31 must pay a late fee of ~~\$300~~150.00 for each such year, in addition to the registration fee.

(b) [NO CHANGE]

(4) Suspension. [NO CHANGE]

(5) Reinstatement.

(a) Application--Reinstatement Fee. Any LLP suspended under the provisions of section (4)(a) above will not be reinstated until application for reinstatement is made in writing and the Clerk acts favorably on the application. Each application for reinstatement shall be accompanied by a reinstatement fee of ~~\$24~~00.00 and payment of all arrearages and late fees to the date of the request for reinstatement.

(6) Inactive Status. [NO CHANGE]

(7) Transfer to Active Status. [NO CHANGE]

(8) Resignation. [NO CHANGE]

COMMENT [NO CHANGE]

Rule 207.1. Licensed Legal Paraprofessionals' Scope of Authority to Practice

(1) [NO CHANGE]

(2) An LLP's scope of licensure is limited as follows:

(a) An LLP may represent a client to perform tasks and services identified under section (2)(g) of this rule in a legal separation, declaration of invalidity of marriage, or dissolution of a marriage, and dissolution of a civil union, whether pre-decree or post-decree.

(b) An LLP may represent a client to perform tasks and services identified under section (2)(g) of this rule in an initial allocation or modification of parental responsibilities or parentage cases, including representing parties in a parentage matter that initially had disputes in which more than two parents or alleged parents asserted or denied legal parentage once parentage has been determined by the court.

(c) - (e) [NO CHANGE]

(f) Even if an LLP is authorized to represent a client pursuant to sections (2)(a), (2)(b), (2)(c), (2)(d) and (2)(e), an LLP is not authorized to represent a client in resolving any of the following discrete issues that arise in an otherwise authorized representation:

(i) - (ii) [NO CHANGE]

(iii) an allegation of common law marriage in which either party disputes the existence of a common law marriage or the date when the common law marriage formed;

(iv) disputed parentage where there are more than two parents or alleged parents asserting or denying legal parentage;

(v) a non-parent's request for decision-making authority or parenting time is contested by at least one parent and the court has determined that the Indian Child Welfare Act applies to the proceeding, except as otherwise provided by law;

(vi) [NO CHANGE]

(vii) a dispute about the value of or income associated with a trust in which a party is a beneficiary;

(viii) a dispute about a jurisdictional issue;

(ix) [Reserved];

(x) the preparation by the LLP of documents, other than an agreement addressing underlying property division, needed to effectuate the sale or distribution of assets of a business entity or commercial property;

(xi) [Reserved]; or

(xii) issues collateral to, but directly affecting, a matter which falls within the LLP's scope of practice when such issues require analysis and advice outside that scope of practice, such as immigration, criminal, and bankruptcy issues or the preparation of a qualified domestic relations order ("QDRO") or other similar document implementing the division of retirement assets that could directly affect the resolution of the matter.

(g) Within the types of matters and authorizations to practice law identified in section (2)(a), (2)(b), (2)(c), (2)(d) and (2)(e) of this rule, an LLP who is in good standing may represent the interests of a client by:

(i) - (ii) [NO CHANGE]

(iii) informing, counseling, advising, and assisting the client in determining which form or template (among those approved by the Judicial Department or the Supreme Court, or generally accepted by Colorado courts having jurisdiction over the matter) to use as the basis for a document in a matter, and advising the client on how to complete a form or provide information for a document;

(iv) preparing and completing documents using forms or templates approved by the Judicial Department or the Supreme Court or generally accepted by Colorado courts having jurisdiction over the matter, including proposed parenting plans, separation agreements, motions or stipulations for establishing or modifying child support, child support worksheets, proposed orders, nonappearance affidavits, discovery requests and answers to discovery requests, trial management certificates, pretrial submissions, and exhibit and witness lists;

(v) - (viii) [NO CHANGE]

(ix) preparation of and completing filing and service of a written settlement agreement in conformity with the negotiated agreement;

(x) [NO CHANGE]

(xi) communicating with the client regarding the matter and related issues, including retaining experts and fully preparing the client for a testimonial hearing or deposition;

(xii) [NO CHANGE]

(xiii) standing or sitting at counsel table with the client during a court proceeding, communicating with the client during the proceeding, making statements, making offers of proof, examining any witness, making arguments and objections in court, answering questions posed by the court, addressing the court, taking notes, and assisting the client in understanding the proceeding and relevant orders;

(xiv) [NO CHANGE]

(xv) advising clients regarding the need for a lawyer to review complex issues that may arise in a matter, consistent with the LLP's duty set forth in Colo. LLP RPC 1.1.

(h) [Reserved]

(i) [NO CHANGE]

COMMENT

An LLP's activities in the representation of a client that exceed the scope of this rule could violate the Colorado LLP Rules of Professional Conduct, such as Colo. LLP RPC 1.2(c) or Colo. LLP RPC 5.5(a)(1.5). They also could be considered by a trial court in resolving a request to disqualify LLP as counsel for a client. The resolution of a complaint for violation of the Colo. LLP Rules of Professional Conduct or a motion to disqualify is governed by established procedural rules and applicable case law.

Rule 207.8. Applications for Colorado LLP Admission

(1) Each LLP applicant must, as a condition of admission, take and pass a comprehensive Colorado LLP Examination, which includes testing on family law and professional conduct rules, and any other topics designated by the Supreme Court.

(2) By the time of taking the LLP Examination, each Colorado LLP applicant must satisfy all requirements for an education plus experience path described in Section (3), or all requirements for an experience-only path described in Section (4).

(3) Education Plus Experience Path. Colorado LLP applicants applying under this path must:

(i) demonstrate that the applicant has worked 1,500 hours in employment constituting substantive law-related practical experience, which must include 500 hours of experience in Colorado family law, within the three years immediately preceding the date of filing the LLP application; and (ii) have received one of the following academic degrees or certificates:

(a) a J.D. degree from a law school approved by the Council of the Section of Legal Education and Admissions to the Bar of the American Bar Association or a state-accredited law school;

(b) an associate's degree in legal or paralegal studies, including at least 30 credit hours in law, including legal research and writing, from an accredited school;

(c) a bachelor's degree in legal or paralegal studies, including at least 30 credit hours in law, including legal research and writing, from an accredited school;

(d) a bachelor's degree in any subject from an accredited school plus a paralegal certificate, which may be obtained from the same or different accredited school, which includes at least 30 credit hours in law, including legal research and writing;

(e) a first professional law degree from a law school in a country other than the United States with an LL.M. qualifying such applicant to sit for the Colorado bar examination under C.R.C.P. 204.3; or

(f) a master's degree in legal studies from an accredited school.

(4) Experience-Only Path. A Colorado LLP applicant applying under the experience-only path must demonstrate that the applicant:

(a) has worked 4,500 hours in employment constituting substantive law-related practical experience within the five years immediately preceding the date of filing the LLP application; and

(b) within the hours described in paragraph (a), has worked 1,500 hours of experience in Colorado family law the three years immediately preceding the date of filing the LLP application.

(5) By the time of taking the LLP Examination, each Colorado LLP applicant must have successfully completed, from an accredited school, an ethics course (also known as a

professional responsibility course) that teaches the rules of professional conduct applicable to LLPs or lawyers and addresses compliance as a condition of licensure.

(6) All Colorado LLP applicants bear the burden of proving they have the character and fitness to practice law as an LLP, and must comply with all character and fitness requirements established by the Supreme Court through C.R.C.P. 208.1. All Colorado LLP applicants are subject to the procedures set forth in C.R.C.P. 208.1 through C.R.C.P. 210.2 concerning review of character and fitness.

(7) Colorado LLP applications for the LLP Examination must be received or postmarked on or before the deadlines designated by the Supreme Court and published by the Office of LLP Admissions. Each Colorado LLP applicant must pay the required application fee and any applicable late fee.

(8) All successful Colorado LLP examination applicants must complete the course on professionalism, as described in C.R.C.P. 203.1(8), prior to and as a condition of admission. Credit for completion of the professionalism course will be valid for eighteen months following completion of the course.

(9) Any unsuccessful applicant may, upon request, obtain a copy of the applicant's answers to the essay portions of the examination. Such request shall be made on a form furnished by the Office of LLP Admissions. This rule does not permit applicants to obtain any materials other than the applicant's written essay answers.

Rule 207.14. Registration Fee

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(1) General Provisions.

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(b) - (c) [NO CHANGE]

(2) Statement. [NO CHANGE]

(3) Compliance.

(a) Late Fee. Any LLP who pays the annual fee or files the annual registration statement after February 28 but on or before March 31 must pay a late fee of \$100.00 in addition to the registration fee. Any LLP who pays the annual fee or files the annual registration statement after March 31 must pay a late fee of \$300.00 for each such year, in addition to the registration fee.

(b) [NO CHANGE]

(4) Suspension. [NO CHANGE]

(5) Reinstatement.

(a) Application--Reinstatement Fee. Any LLP suspended under the provisions of section (4)(a) above will not be reinstated until application for reinstatement is made in writing and the Clerk acts favorably on the application. Each application for reinstatement shall be accompanied by a reinstatement fee of \$200.00 and payment of all arrearages and late fees to the date of the request for reinstatement.

(6) Inactive Status. [NO CHANGE]

(7) Transfer to Active Status. [NO CHANGE]

(8) Resignation. [NO CHANGE]

COMMENT [NO CHANGE]

Erica Pierce

Submitted via Email

ericabrookepierce@gmail.com

09/23/2025

Colorado Supreme Court

2 E. 14th Avenue

Denver, CO 80202

**Re: Public Comment on Proposed Amendments to Rules 207.1, 207.8, and 207.14
(Licensed Legal Paraprofessionals)**

Dear Justices of the Colorado Supreme Court,

I am writing as a party currently represented by a Licensed Legal Paraprofessional (LLP), Becki Parry, in an ongoing dissolution of marriage case. I strongly support the proposed rule changes that would remove barriers on certain financial matters and courtroom participation, particularly those that would allow Ms. Parry to assist with valuations and conduct direct examination of witnesses at trial.

Although I began this case with a licensed attorney, I soon encountered issues, including a pattern of delayed responses and a retainer that seemed to deplete faster than expected, with little sense of meaningful progress.

I already knew Ms. Parry through her divorce coaching work, and when I reached out to her with concerns about my case, she informed me that she had recently become licensed as an LLP. Learning that she could now represent me directly was a turning point. The difference was immediate. She quickly became the driving force behind my case, not only bringing legal clarity but also helping me feel supported and empowered every step of the way. Her responsiveness, steady guidance, and deep understanding of family law, grounded in many years of experience as a family law paralegal, have been invaluable.

Still, the current regulatory boundaries created friction at a critical point in my case. A significant complication arose after an expert was retained to provide a business valuation. Because of existing restrictions on LLPs' ability to engage with valuation matters, the Respondent filed a motion to remove Ms. Parry from my case, even though she remained fully in the scope of her license and maintained high standards throughout. This motion delayed progress, increased my legal costs, and caused considerable stress. These rules, while well-intentioned, had real and harmful consequences. The proposed rule changes would help eliminate those kinds of procedural challenges and ensure smoother, more efficient resolution for families like mine.

Ms. Parry is also currently restricted from conducting direct examination of witnesses in court. Under the current rules, I will either have to represent myself or bring in a separate attorney solely for courtroom appearances. That means paying additional legal fees to get someone else up to speed, and the need for two professionals to prepare for and attend trial.

The proposed changes would correct this imbalance. Allowing LLPs to examine witnesses would give people like me continuity, confidence, and meaningful access to justice without forcing unnecessary duplication of cost and effort. My experience working with Ms. Parry has been one of the most consistent and constructive parts of this legal process. It only makes sense that she be allowed to carry her representation through trial proceedings without this limitation.

I strongly urge the Court to adopt these proposed rule changes. My case, and the positive experience I've had with Ms. Parry, is exactly the kind of success story this program was designed to enable.

Thank you for considering this comment and for your work in shaping a more accessible and equitable legal system for all Coloradans.

Sincerely,

Erica Pierce

Petitioner in a dissolution of marriage action

Evolved Law

Collaborative by nature.
Strategic by design.



September 29, 2025

Colorado Supreme Court
2 E. 14th Avenue
Denver, CO 80202

via email: supremecourtrules@judicial.state.co.us

RE: *Proposed Rule changes to Rules 207.1, 207.8, and 207.14 Governing Admission to the Practice of Law*

Dear Justices of the Colorado Supreme Court,

We write in strong support of the proposed changes to Rules 207.1, 207.8, and 207.14 Governing Admission to the Practice of Law in Colorado.

Licensed Legal Paraprofessional (LLP) representation provides an essential service and fills a significant gap for individuals navigating divorce in Colorado. However, the current restrictions, which prevent LLP's from meaningfully representing clients in court, undermine that very purpose. As 207.1 stands, LLPs can assist clients through preparation for trial, only to leave them essentially unsupported and unrepresented at trial, the most critical stage of litigation. This leaves clients at a distinct disadvantage compared to those with attorney representation, who benefit from continuous advocacy from start to finish.

Further, our office has already witnessed how this limitation is being strategically exploited by attorneys against LLPs. On multiple occasions, Attorneys have used the threat of going to trial against LLPs and their clients to discourage them from pursuing fair outcomes, knowing that LLPs cannot provide courtroom representation, and that the client would therefore be forced to either find additional representation from an attorney specifically for trial, or essentially represent themselves *pro se* during the trial. The current iteration of Rule 207.1(2)(g)(xiii) is at best a serious disadvantage and at worst potentially catastrophic for a client's case. This weaponization of the rules undermines justice and leaves vulnerable clients, many of which are often facing hostile or abusive ex-spouses, without meaningful access to the legal system. It is also unfair to the LLPs who have done the work to get licensed, and who are continuing to do the work to support their clients every day, only to be bullied into settlement by attorneys who know they cannot sufficiently or effectively support their clients in the event the case goes to trial under the current iteration of the rules.

Evolved Law supports all efforts and the currently proposed changes to make LLP licensure consistent with the requirements for lawyers. Lawyers themselves are discouraged from representing their own interests in trial; it follows that a client seeking the counsel of an LLP should not be left to do so either. Yet under the current framework, LLP clients are forced into precisely that position. Preparing for trial without the ability



to be represented through it deprives them of a fair opportunity to present their case clearly, reasonably, and effectively to the court.

For LLP representation to truly serve its purpose, LLPs must be allowed to fully represent their clients including effectively representing clients at trial. Anything less creates inequity, fosters manipulation of the rules, and ultimately harms the very individuals the LLP program is intended to help.

We respectfully urge the Court to adopt the proposed rule changes and ensure that LLPs are both held to the same standard as attorneys while empowered to provide full and fair representation to their clients, including at trial.

Respectfully submitted,

Tia Zavaras, Esq. #35482
Cerridwyn Nordstrom, Esq. #58040
Tricia Cunningham, LLP #600078
EVOLVED LAW FIRM
10853 US 285, Ste. 1018,
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August 19, 2025

Colorado Supreme Court
2 E. 14th Avenue
Denver, CO 80202

supremecourtrules@judicial.state.co.us

Re: Proposed Changes to Rules 207.1, 207.8, 207.14 of the Rules Governing
Admission to the Practice of Law In Colorado

Dear Colorado Supreme Court:

I support the rules changes based on conversations with an LLP. After reading through the proposed changes, LLPs clearly must be highly qualified to receive that certification.

Having LLP certification in Colorado helps people who could otherwise not afford representation in family legal matters. They should be allowed to question witnesses during court hearings in order to best serve their clients.

The proposed changes will allow LLPs to act in a way that protects people who are vulnerable, unfamiliar with the process, and in an intimidating environment.

Sincerely,

Gretchen Wieshuber

Submitted electronically to the Colorado Supreme Court

Re: Comments in Support of the Proposed Changes to Rules Governing Licensed Legal Paraprofessionals (“LLPs”)

Dear Justices of the Colorado Supreme Court,

On behalf of IAALS, the Institute for the Advancement of the American Legal System at the University of Denver, we appreciate the opportunity to provide comments on the proposed amendments to Rules 207.1, 207.8, and 207.14 regarding the Licensed Legal Paraprofessional (LLP) program.

IAALS is a national, independent research organization at the University of Denver that innovates and advances solutions that make our civil justice system more just. IAALS identifies and researches issues in the legal system; convenes experts, stakeholders, and users of the system to develop and propose concrete solutions; and then goes one step further to empower and facilitate the implementation of those solutions to achieve impact. We are a nonpartisan organization that champions people-first reforms to the legal system and the legal profession.

We commend the Colorado Supreme Court for its thoughtful leadership in establishing the LLP program and for its continued attention to refining the rules so that the program can succeed.

Rule 207.1 – Scope of Authority to Practice

We are encouraged that the proposed revisions to Rule 207.1 strike an important balance between expanding LLP authority and maintaining appropriate safeguards.

We appreciate that many of the revisions to Rule 207.1(2)(f) appropriately narrow the carve-outs that previously excluded LLPs from assisting clients. These changes—for example, permitting LLPs to work on contested cases where a non-parent requests decision-making authority or parenting time, so long as the Indian Child Welfare Act does not apply—expand the ability of LLPs to provide meaningful representation in cases that do not necessarily require the expertise of an attorney. We encourage the Court to continue refining these carveouts to ensure the limitations are no broader than necessary, so that LLPs can serve families in as many cases as possible.

We strongly support the expansion of LLP authority in Rule 207.1(2)(g)(xiii) to include examining witnesses, making offers of proof, and addressing the court directly. These changes bring Colorado’s program in line with evidence from other states demonstrating that these professionals are capable courtroom advocates. In Minnesota, judicial officers have noted that Legal Paraprofessionals (Minnesota’s version of an LLP program) “displayed appropriate decorum in the courtroom and knew the applicable court rules.”¹ In Arizona, Legal Paraprofessionals (Arizona’s version of an LLP program) spend 27% of their work representing clients in court.² From a 2024 survey, a large majority of judges agreed that legal paraprofessionals are aware of applicable court rules and display appropriate courtroom decorum.³ From that same study, 58% of judges and 59% of attorneys agreed that “hearings with a legal paraprofessional take less time

¹ STANDING COMM. FOR LEGAL PARAPROFESSIONAL PILOT PROJECT, INTERIM REPORT AND RECOMMENDATIONS TO THE MINNESOTA SUPREME COURT 6 (2021), <https://www.mncourts.gov/mncourtsgov/media/Appellate/Supreme%20Court/Administrative-Interim-Report-and-Recommendations-from-the-Standing-Committee-for-LPPP.pdf>.

² ARIZONA SUPREME COURT, ADMINISTRATIVE OFFICE OF THE COURTS, ASSESSING ARIZONA’S LEGAL PARAPROFESSIONALS: 2024 PROGRAM SURVEY, NARRATIVE SUMMARY 11 (Jan. 2025), https://www.azcourts.gov/Portals/0/26/Assessing%20Arizonas%20Legal%20Paraprofessionals_2024%20Survey%20-%20Narrative%20Summary_1.pdf.

³ *Id.* at 19.

than hearings with self-represented litigants,” demonstrating both efficiency for courts and better outcomes for parties.⁴

By granting LLPs this expanded authority, Colorado ensures that litigants are not left alone during the most intimidating and consequential parts of their case, and that courts have the benefit of receiving all relevant information to reach just outcomes. Allowing LLPs to play a fuller role in hearings will better serve clients and the courts. This approach reflects one of the recommendations from IAALS’ 2023 report, *Allied Legal Professionals: A National Framework for Program Growth* (National Framework Report).⁵ Recommendation 5 states that, rather than restricting the role of these professionals, states should focus on education and testing requirements that ensure competence to handle a case from start to finish, including full in-court representation.⁶

To ensure these expansions work effectively in practice, it is also important that judges understand the role of LLPs in the courtroom. As IAALS has recommended nationally, judicial education is a critical component of success.⁷ Training and resources for judges can help ensure that LLPs are integrated into proceedings smoothly, that their authority is respected, and that courts are able to realize the efficiency benefits demonstrated in other states.

Rule 207.8 – Applications for LLP Admission

We applaud the Court for refining the admissions requirements in ways that broaden educational pathways while also maintaining rigor and clarity.

⁴ *Id.* at 14.

⁵ MICHAEL HOULBERG & NATALIE ANNE KNOWLTON, INST. FOR THE ADVANCEMENT OF THE AM. LEGAL SYS., *ALLIED LEGAL PROFESSIONALS: A NATIONAL FRAMEWORK FOR PROGRAM GROWTH* 3 (June 2023), https://iaals.du.edu/sites/default/files/documents/publications/alp_national_framework.pdf.

⁶ *Id.* at 3.

⁷ *Id.* at 4.

The dual pathways—education plus experience and experience-only—create flexibility for candidates, and we encourage the Court as it preserves this structure to ensure the requirements remain rigorous but not unduly burdensome. This structure aligns with best practices identified in IAALS’ National Framework Report.⁸ The Court should remain attentive to whether these requirements unnecessarily limit participation from otherwise capable candidates, especially those from diverse and non-traditional backgrounds. One way to balance rigor with accessibility is to ensure that clinics and in-class assignments can count toward the required training hours. As IAALS has recommended nationally, these experiences provide valuable, practical training opportunities without creating overly burdensome post-education requirements.⁹

In addition, we commend the Court for expanding the education-plus-experience pathway in Rule 207.8(3) to include degrees in legal studies. This change recognizes the growing number of high-quality legal studies programs nationwide and will help attract a wider pool of capable candidates. We are also supportive of the addition of a master’s degree in legal studies as a qualifying option. By acknowledging both undergraduate and graduate-level legal studies degrees, Colorado is ensuring that the LLP program remains rigorous while also accessible to a diverse set of applicants who bring varied educational backgrounds to the profession.

Rule 207.14 – Registration Fee

We recognize the importance of setting fees that sustain the LLP program; however, it is vital that these costs do not pose barriers to participation. We encourage the Court to ensure that annual fees and late fees do not create unnecessary barriers to entry or retention for LLPs. Because LLPs are intended to expand access to justice, particularly for those who cannot afford an attorney, it is critical that the cost of maintaining licensure is not so high that it deters qualified professionals from entering or staying in the field.

⁸ *Id.*

⁹ *Id.*

Conclusion

IAALS applauds the Colorado Supreme Court for its continued leadership in addressing the access to justice crisis through the LLP program. These amendments represent important refinements, and with further consideration of scope, entry pathways, and affordability, Colorado can strengthen this program's ability to succeed even more. We continue to encourage the Court to look to evidence from other states, which shows that the role of LLPs can expand even more, both inside and outside the courtroom, and in multiple areas of the law.

We thank the Court for considering our feedback, and we stand ready to serve as a resource in the continued development and refinement of Colorado's LLP program. These changes will contribute to the growing body of evidence nationwide that these professionals are a sustainable, effective solution to the justice gap.

Sincerely,

Michael Houlberg

Director of Special Projects

Courtney Petersen-Rhead

Program Associate

KATHERINE O. ELLIS

Attorney and Counselor at Law

Colorado Supreme Court
2 E. 14th Avenue
Denver CO 80202

29 September, 2025

Re: Proposed Changes to the Rules Governing Licensed Legal Paraprofessionals

Dear Honorable Members of the Colorado Supreme Court,

I have been a family law practitioner since I entered private practice in 2008 and am currently a partner at The Harris Law Firm, PLLP. I have also been honored to serve on the Licensed Legal Paraprofessionals Committee. I submit these comments in my individual capacity and not as a representative of either the Oversight Committee or The Harris Law Firm, PLLP.

The impetus for the Licensed Legal Paraprofessional licensure was statistics from the Colorado Judicial Branch reflecting that 75 percent of litigants in family law cases were not represented by counsel. As a long-time family law practitioner, I am personally aware of the struggles our judicial system faces, including the tremendous volume of family law cases and the judicial resources required to shepherd those cases through their conclusion. For many of the people going through a family law case, this is the only real interaction they have with the legal system. Navigating it alone is terrifying and overwhelming, particularly as many litigants begin the process with misinformation regarding their rights and responsibilities.

As I worked with the LLP Committee to develop the proposed rule changes that you are currently considering, the thought I held in my mind throughout the process was whether the changes we were proposing would improve judicial efficiency, further access to justice, and assist litigants with navigating the legal process, and I hope that the Supreme Court will consider those same questions when evaluating the proposed rule changes.

Another driving force behind the proposed rule changes is to provide clarity and predictability. Litigants who retain counsel to represent them should know from the outset what their counsel is and is not allowed to do for them. Because this program is still in its infancy, I have witnessed confusion by litigants, attorneys, judicial officers, and LLPs themselves regarding the scope of practice. Hopefully, these proposed rule changes will eliminate that confusion.

In that spirit, several of the proposed changes are designed to clarify that an LLP should still be able to represent a party in a case involving matters that might be complicated if they are in dispute but that are not complicated if the parties have stipulated or otherwise agreed about them.

One proposed change that I anticipate generating controversy is the change allowing LLPs to examine witnesses. My personal practice resides almost exclusively in family law cases. One thing that distinguishes family law cases from other civil litigation and certainly from criminal law is that most of our hearings are clock trials. We are almost always in a situation where we struggle to get all the information a judicial officer needs to issue well-informed orders within a limited time. Our temporary orders hearing, for example, are often scheduled for 30 minutes or less, which results in each side having approximately 10 or 12 minutes to put on all their evidence regarding temporary use of property, temporary financial support, parenting time, and decision-making responsibility for children. A significant portion of my practice is comprised of appellate law, and one of the most frequent complaints I hear from pro se litigants who approach me about a possible appeal is that they did not have enough time to get their evidence to the court at trial. Allowing LLPs to examine witnesses will help streamline the process and allow judicial officers to get the most relevant information from the parties.

Another proposed change that will likely generate opposition is the one allowing LLPs to assist with retention of expert witnesses and preparation of testimony regarding experts. The challenge with this particular rule is that it is difficult to draw a line as to which types of expert reports are inherently too challenging for an LLP to handle. As is often the case in legal situations, the answer to whether an LLP can handle a particular type of expert depends on the situation. Just like attorneys, LLPs have “an independent ethical obligation to provide competent representation to a client as to matters within an LLP’s scope of authority to practice.” LLP RPC 1.1, Comment 1. The Preamble and Scope that precede the Colorado Licensed Legal Paraprofessional Rules of Professional Conduct include many notes regarding the fact that the legal profession is largely self-governing, and they stress the responsibility each LLP has for upholding the core values of the profession. With that in mind, each LLP has the same responsibility each attorney has to assess whether they are competent and capable of handling each case and legal issue before them. Many of the existing LLPs have education and job-related skills that qualify them to work with certain expert witnesses, and I believe that the responsibility to determine whether they are sufficiently competent should rest with the individual LLP.

I understand that a question has arisen as to procedure when an issue that falls outside the scope of an LLP’s practice arises in a case in which the LLP has already been engaged. In that circumstance, the individual client would have to decide whether to proceed as to that singular issue in a *pro se* capacity, to retain an attorney to advise them as to that singular issue while retaining the LLP as their counsel on the other issues, or to ask the LLP to withdraw from the case altogether. The LLP already has an obligation to notify client that they cannot represent the client as to that issue and to determine whether the injection of that issue into the proceedings precludes the LLP from being able to offer meaningful representation for that client on the other issues. Procedurally, bifurcation of the issues would be an extreme and largely

unnecessary step, though it would be within the court's discretion to determine that bifurcation was necessary. If, for example, a business valuation were necessary and the LLP were precluded from representing the client as to the business valuation, the LLP could still advise the client as to all other matters related to division of property and parental responsibilities. At trial, the litigant represented by an LLP could testify in their own capacity as to any disputed issues regarding the business valuation, and the LLP could still advise the client as to the other matters at issue. If the Rules do not allow an LLP to remain as counsel on the issues within the scope of their license to practice, it will incentivize litigants to retain expert witnesses or raise issues beyond the LLP's scope of practice as a tactic to force the LLP to withdraw. Such a result would frustrate the entire purpose of creating a license for LLPs by increasing litigation and decreasing settlement in these family law cases.

On a personal note, I was incredibly proud that three of my coworkers were admitted among the first Licensed Legal Paraprofessionals, and I have been even more proud and impressed to watch them enter the profession and use their new licensure to represent clients. This program has tremendous potential to assist with access to justice and to improve the legal process for litigants. I believe the proposed rule changes will further those objectives and therefore urge the Supreme Court to adopt the changes.

Sincerely,

A handwritten signature in black ink, appearing to read "Kath E Ellis", written in a cursive style.

Katherine O. Ellis

Attorney Registration #39356



Cox Baker Page & Bailey, LLC
Attorneys at Law

Laura Landon
Licensed Legal Paraprofessional

September 24, 2025

VIA EMAIL ONLY - supremecourtrules@judicial.state.co.us
Chief Justice and Associate Justices of the Colorado Supreme Court
Colorado Supreme Court
2 E. 14th Avenue
Denver, CO 80202

Re: 2025 Proposed Rule Changes Affecting LLP Scope of Practice (207.1)

Dear Justices:

I write in support of the proposed changes to the Licensed Legal Paraprofessional rules. As a member of the LLP Oversight Committee and associated rule-change sub-committee, I am honored to have been one of the drafters of the proposed changes¹. Many hours of thoughtful conversation and countless iterations are represented by the proposal, and I encourage its approval.

Introduction

While the LLP program may still feel very new, the first year of practice for LLPs has been quite informative: it is clear now that this program is a successful tool to assist a diverse and grateful public experiencing family law cases. I am certain we have only scratched the surface of how helpful it will prove to be. In the past 15 months, LLPs have also become aware of the challenges we would face. Some of the greatest hurdles we've encountered have come from misinterpretations of the Rules governing our scope of practice. The rule changes proposed for your consideration help to alleviate some of those challenges that stand in the way of our ability to make the greatest impact. Further, the rules governing this new profession should be built to *grow* with the body of LLPs as they gain experience and public familiarity. The proposals take into consideration that as years pass, restrictions based on a fear of limited knowledge and experience would be inapplicable. LLPs practice in only one area of law and seek only to be as effectual as possible within that field.

¹ This letter is tendered not on behalf of any committee, but in my individual capacity.

Questioning Witnesses

While most LLP cases are successfully settled via informal methods, there are instances where a court appearance cannot be avoided in the course of full representation. Indeed, one of the types of cases LLPs are authorized and encourage to take are protection order matters, which inherently include court appearances and the presentation of evidence. The most impactful change to the rules, if adopted, would be in eliminating the restriction on LLPs questioning witnesses. This change assists both the clients that hire LLPs and the Courts greatly. Clients who hire an LLP are no less terrified of their experience in the Courtroom than clients who hire an attorney. Most LLP clients are neither trained to litigate nor comfortable doing so. As presently drafted, the rules result in the LLP spending considerable time *teaching* a party how to present their evidence – laying a foundation, moving to admit exhibits and cross-examining the opposing party (an especially uncomfortable situation for victims of domestic violence). Further, valuable courtroom time is often spent on these efforts to guide the party through the proceeding. There can be no doubt that a party who hires an LLP is greatly benefited by the opportunity to allow their LLP – who may have many years of experience in family law - to attend to the process of presenting the case with efficiency and knowledge of the law.

Judicial officers will see the most aid from the LLP profession when LLPs are permitted to question witnesses. LLPs are presently required to walk a delicate line - whispering critical instructions to our clients through every phase of the hearing. The “telephone game” may be an entertaining party game – but it is an ineffective and time consuming way to present a case. Judicial officers have indicated frustration, and, in some instances, it has resulted in the LLPs being *ordered* to cease providing the very services they were hired to provide. I urge the Court to adopt the changes proposed and allow LLPs to assist both the clients and the Courts in the rare instances where a hearing is necessary.

To the extent there is argument that LLPs may not be trained or ready for courtroom appearances, I respectfully note that the first few years of associate attorney appearances are also – and to put it euphemistically -- opportunities for growth. Just as attorneys hone their craft as they gain experience, LLPs will likewise improve with time and experience. LLPs are eagerly seeking out CLEs and other educational opportunities to learn about trial skills. And for those who have no desire to appear in court, they have options such as (1) providing unbundled services where they do not enter an appearance and (2) co-counseling with an attorney who can assist at trial.

“Complex Issues”

The modification or removal of Paragraph 201.1(2)(f)(xi) has been a topic of discussion since almost as soon as LLPs began practicing. It became abundantly clear that the restriction was overbroad and led to gamesmanship by opposing attorneys seeking to “force out” an LLP. Indeed, many LLPs were told by opposing counsel that an expert would be needed – even when they were not – in order to cause the LLP to feel obligated to bring in an attorney – a cost most clients needed to avoid from the start. Further, the language led to absurd interpretations. By way of example, and there are many to choose from, some firms were afraid to let their LLPs order or advise on a simple home appraisal -- a task the LLP would have regularly assumed as a paralegal before obtaining licensure to practice family law.

It is also important to remember that any rule that assumes an LLP has limited ability to handle complex issues is a rule that does not *grow* with the LLP profession. “Complexity” is subjective. LLPs, just like attorneys, will come from all types of prior education and experience. Some may have an MBA and have great familiarity with business valuations. Others may have reviewed numerous vocational evaluations and appraisals in their years as a paralegal and will do so with even more frequency as an LLP. Forcing a party that hired an LLP to also hire an attorney simply due to the need for additional relevant data and opinion defeats the purpose of the program.

The LLPs remain guided by LLP R.P.C. 1.1 regarding competency. At all times an LLP should not take cases beyond their own competency. That is a duty that should fall exclusively to the LLP, just as it does for an attorney. Removal of a restriction does not remove the duty to act with professional diligence and competence.

To the extent the Court decides to include restrictive language as to complexity, I encourage the following to be deemed non-complex and within the LLP’s approved scope of practice and advise: obtaining and advising regarding real estate appraisals, vocational evaluations, business valuation for businesses grossing under \$1M per year in revenue and the use of an expert to value a PERA or FERS. However, I urge caution as it is often very difficult to ascertain the full scope of a marital estate from the initial consultation.

There has been a suggestion that LLPs should obtain Court approval prior to proceeding in cases where a “complex issue” may be involved. I cannot stress enough how disastrous it would be for LLP clients to be forced to pre-litigate whether their LLP would even be *permitted* to help them. In most cases the client’s retainer would be consumed by this process. Further, it would undoubtedly result in litigation abuse by opposing parties and their attorneys.

Additional suggestions

The change proposed in 207.1(2)(g)(iii) and (iv) are a step in the right direction regarding the tasks LLPs are authorized to take. I encourage a change that includes the use of forms, templates and original drafts. LLPs often draft motions from scratch and other pleadings that are commonly used in family law. If the use of “forms or templates” is again construed in a very restrictive way by courts and opposing counsel, this would be disastrous for the clients who hire us as their trusted representative. The Colorado Supreme Court saw fit to allow very experienced family law paralegals to seek licensure to practice family law. Once we have achieved this licensure we should be permitted to act in that capacity.

Finally, I ask the Court to consider adding a brief instruction within 207.1(2)(a) encouraging liberal interpretation of the rules. LLPs need to be able to address every stage of a domestic case, including potential post-trial motions such as Rule 59 and CRM 7 motions and must be allowed to pursue enforcement and collection for their client as is standard in a domestic case. The current rules do not preclude these actions, however, confusion over our scope has resulted in some LLPs being prohibited from fully representing clients in these matters. If access to justice is indeed the goal, allowing an LLP to practice fully within their knowledge and experience and for the benefit of the clients is essential. The substance of the added language should indicate that *within the areas of family law which an LLP is permitted to practice, if the action is not specifically prohibited, it is permitted.*

Thank you for your support of this program and for believing in us to help close the access to justice gap. I know that I speak for most LLPs when I say that we are grateful for your faith in us. We treasure our licensure and the opportunities it creates. Thank you for taking the time to consider the proposed changes to our rules.

Kind regards,

COX BAKER PAGE & BAILEY, LLC

A handwritten signature in black ink, appearing to read 'Laura Landon', with a long horizontal flourish extending to the right.

Laura Landon
Licensed Legal Paraprofessional



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*in collaboration with the Adams/Broomfield, Arapahoe,
Douglas/Elbert, and First Judicial District Bar Associations*

1905 SHERMAN ST., STE. 400

DENVER, CO 80203

303-830-8210 

DENBAR.ORG/MVL

Date: September 25, 2025

To: Colorado Supreme Court

2 E. 14th Avenue

Denver, CO 80202

Subject: Public Comment in Support of Proposed Rule Changes for Licensed Legal Paraprofessionals (LLPs)

Dear Justices of the Colorado Supreme Court,

My name is Meghan Dill Meinzer, and it is my great pleasure to write to you to express my support of the proposed amendments to Colorado Rules of Civil Procedure 207.1, 207.8, and 207.14 concerning Licensed Legal Paraprofessionals (LLPs).

First, I would like to recognize the Supreme Court's previous efforts with regard to implementing practical steps forward that will strengthen Colorado's justice system. The efforts and support of many in the legal sphere have allowed for LLPs to assist those who would otherwise not have access to legal representation.

It is my great pleasure to serve our community as an LLP and as the Legal Services Coordinator for Metro Volunteer Lawyers. In my present position at Metro Volunteer Lawyers, I see on a daily basis how the lack of legal support impacts families and children. Increased access to legal resources, including LLPs, provides greater outcomes in terms of stability and dignity and helps to provide a solid foundation from which clients can engage the world and build a life.

These proposed changes will allow LLPs to better zealously advocate for clients from start to finish in their domestic relations cases. Specifically, allowing for LLPs to take on additional responsibilities such as eliciting testimony and working with experts in court will ease the burden on self-represented litigants and will improve and streamline the efficiency of the courts, ultimately leading to fairer outcomes. These rule changes are an important and necessary step in addressing the access-to-justice gap in Colorado.

I respectfully urge the Court to adopt these amendments and continue to support innovative solutions that expand access to justice for all Coloradans.

Thank you for your consideration.

Sincerely,

Meghan Dill-Meinzer

Metro Volunteer Lawyers

Denver Bar Association

1905 Sherman St., Ste. 400

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mdill-meinzer@denbar.org

stevens, cheryl

From: Reagyn Germer <reagyn@gcgpc.com>
Sent: Wednesday, July 23, 2025 11:21 AM
To: supremecourtrules
Subject: [EXTERNAL] Comment on Proposed Changes to Rules Governing Licensed Legal Paraprofessionals ("LLPs")

EXTERNAL EMAIL: This email originated from outside of the Judicial Department. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To Whom It May Concern,

I'd like to comment on the following section.

Section 207.1(2)(f)(xii): Even if an LLP is authorized to represent a client pursuant to sections (2)(a), (2)(b), (2)(c), (2)(d) and (2)(e), an LLP is not authorized to represent a client in [resolving](#) any of the following [discrete issues that arise in an otherwise authorized representation](#): issues collateral to, but directly affecting, a matter which falls within the LLP's scope of practice when such issues require analysis and advice outside that scope of practice, such as immigration, criminal, and bankruptcy issues [or the preparation of a qualified domestic relations order \("QDRO"\) or other similar document implementing the division of retirement assets](#) that could directly affect the resolution of the matter.

I prepare a great deal of QDROs in Colorado (and other states) and have concerns about LLPs being involved in the QDRO process. I believe the following revision is a good step to address the scope of the LLPs involvement, but is unclear about the scope of their involvement in resolving retirement division issues and in being able to prepare QDROs or similar documents.

The Rule should address whether LLPs should or should not be able to give advice or resolve any issues regarding retirement, in general during the divorce, not just the issues that may arise in the preparation of a QDRO or other similar document. In addition, LLPs should not be authorized to prepare the QDROs or similar retirements.

Note that attorneys should address the nuances of dividing retirement issues, especially pensions, in the divorce process, not just during the QDRO process. Oftentimes if they didn't anticipate requirements from a retirement plan, the parties have to go back to Court to resolve them if they can't resolve them otherwise. Attorneys often hire our office during the divorce process to ensure they are addressing all of the requirements to divide the retirement plan, especially pension retirements.

Let me know if you have any questions or would like more information.

Thank you,

Reagyn

Reagyn A. Germer, Esq.* (she/her)
PATRICIA GERMER-COOLIDGE, P.C.
10 East Costilla Street, Colorado Springs, Colorado 80903
719.578.9912 | 719.631.0229 (fax)| reagyn@gcgpc.com

*Licensed in Colorado, Washington, Montana, New Mexico, Arizona (Inactive), Confederated Salish & Kootenai Tribes, Southern Ute Indian Tribe, Wind River Tribal Court, Navajo Nation (Inactive), and Hopi Tribe (Inactive)

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Please consider the environment before printing.

Samantha C. Blackburn

Licensed Legal Paraprofessional (Colorado)
Colorado Springs, CO 80904

August 25, 2025

Colorado Supreme Court
2 E. 14th Avenue
Denver, CO 80202

Via Email: supremecourtrules@judicial.state.co.us

Re: Public Comment on Proposed Amendments to Rules Governing Licensed Legal Paraprofessionals (Rules 207.1, 207.8, 207.14)

To the Honorable Justices of the Colorado Supreme Court:

I write in support of the proposed amendments to the Rules Governing Licensed Legal Paraprofessionals. I appreciate the Court's ongoing leadership in expanding access to justice through the LLP program.

Support for Expanded Authority

I strongly support the amendment to Rule 207.1 permitting LLPs to examine witnesses directly in authorized family law proceedings. This change will allow LLPs to provide more complete and effective representation in contested hearings, which will better serve clients who might otherwise be unable to afford counsel. LLPs are already required to demonstrate competency in the Colorado Rules of Evidence, trial procedure, and ethics under the updated core competencies, and the ability to question witnesses is a natural and necessary extension of those requirements.

Support for Clear Boundaries

I also support the rule's clear delineation of matters outside the LLP scope of practice, such as disputed common law marriages, complex trust valuation, QDROs, and ICWA-contested APR cases. These exclusions provide important safeguards for the public while allowing LLPs to focus on the areas where we can most effectively contribute.

Implementation and Training Suggestions

As LLPs begin exercising expanded courtroom authority, I respectfully suggest that the Court or Office of Attorney Regulation Counsel consider offering supplemental training or CLE-style programs focused on courtroom advocacy skills. This would ensure consistency in practice, reinforce public confidence in the LLP program, and support new licensees transitioning from paralegal roles into courtroom practice.

Fees and Accessibility

Finally, I recognize the fee structure set out in Rule 207.14 is generally consistent with attorney registration fees and appreciate that it is set at a manageable level for new licensees. I encourage

the Court to continue monitoring fees to ensure they do not become a barrier to entry for LLPs, particularly those starting solo practices or dedicating time to pro bono service.

Conclusion

In closing, I commend the Court for its thoughtful work in refining the LLP program. The proposed amendments strike an appropriate balance between expanding LLP authority to better serve clients and ensuring public protection. I am grateful for the opportunity to comment and strongly support adoption of these rules.

Respectfully submitted,

/s/ Samantha C. Blackburn

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September 24, 2025

Colorado Supreme Court
2 E. 14th Avenue
Denver, CO 80202

RE: Comment on Proposed LLP Rule Changes

Dear Justices of the Colorado Supreme Court,

I am one of the first cohort of LLPs admitted to the limited practice of law in family law case in Colorado on June 20, 2024. Since then, I have worked as an LLP in a law firm with my own caseload. I have loved the opportunity and assisting my Clients. I love this opportunity and the ability to assist my Clients. While the focus is always on settlement whenever possible, some cases inevitably proceed to contested hearings.

The greatest challenge I face is the current prohibition on conducting direct and cross-examination or admitting exhibits at hearings. These limitations hinder my ability to provide the full scope of representation my Clients need.

To illustrate, I received the following unsolicited email from a Client last week who felt compelled to substitute counsel because of these restrictions.

Thank you beyond words for all that you have done for me in my case! You were there with me through the hardest time in my life and I am so incredibly grateful that you set us up with [expert redacted]. You were so wonderful and invested for me Stephanie, thank you! If you could testify for me in court I wouldn't behave felt the need to switch. I will give you a very high review and I just can't thank you enough for how invested you were with me! I do have to admit that I will miss talking with you!

When she said, "If you could testify for me in court I wouldn't [have] felt the need to switch", I believe she meant doing direct and cross-examination on her behalf.

Another example is that at my very first Temporary Orders Hearing, the judicial officer looked to me to start the examination. I stood and started telling him about the things I can do in

hearings, intending to advise of my limitation regarding testimony after, but he interrupted me asking “You cannot interrogate witnesses?” I said, “No, your Honor.” He responded “Sit down”, which I did of course.

How I have been handling the restrictions with my Clients when a hearing is approaching, I remind them of my limitations. If they are confident and well-spoken, I offer to attend the hearing for support, helping them prepare bullet points for their testimony and questions for cross-examination. If I believe they will struggle, I recommend bringing in an attorney from the firm to conduct the hearing. However, this option is more expensive—not only because of the attorney’s higher hourly rate but also because the attorney must spend additional time becoming familiar with the case. No matter how diligent, an attorney brought in late can never fully match the depth of knowledge I have developed by working with the Client from the outset.

These restrictions undermine the very purpose of the LLP program, which was designed to increase access to competent, lower-cost legal services. They also create significant hardships for Clients. Imagine, for example, a domestic abuse victim forced to cross-examine their abuser.

Family law Clients are already navigating one of the most emotional, expensive, and high-stakes situations of their lives. They need counsel who can take the lead in court by examining witnesses, admitting exhibits, and making offers of proof, just as we do when presenting legal arguments.

I have confidently and successfully made legal arguments in court and respectfully request that the Rules be amended to allow LLPs to conduct direct and cross-examination and to admit exhibits, including tendering offers of proof, during hearings.

Thank you for considering my comment. I welcome and am available for any follow-up questions or requests for additional information.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read 'Stephanie L. Bourn', with a stylized, flowing script.

Stephanie L. Bourn, LLP #600018
Licensed Legal Paraprofessional