



STANDPOINT **FILED**

Attorneys & advocates against domestic & sexual violence

April 25, 2024

**OFFICE OF
APPELLATE COURTS**

April 25, 2024

In Re: Permanent expansion of LPPP Project
Case No.: ADM19-8002

Dear Honorable Justices,

Please accept this letter as input and public comment from Standpoint regarding the permanent expansion of the Legal Paraprofessional Pilot Project, ADM19-8002, into the realm of domestic violence in family court and civil protection orders.

Standpoint (formerly the Battered Women's Legal Advocacy Project) is a private, non-profit organization that serves as a statewide agency providing legal consultation, training, and resources to domestic and sexual violence victims and their advocates, attorneys, and other professionals. Standpoint consults yearly with thousands of domestic and sexual violence victims, their advocates, and their attorneys, many of whom are involved in family court or seeking civil protection orders.

Standpoint has submitted comment in the past on this pilot project, provided public testimony, and engaged with subcommittees. We continue to have concerns regarding the proposed expansion of the LPPP into Order for Protection (OFP) and Harassment Restraining Order (HRO) cases and family law cases involving domestic abuse. Our enumerated concerns are as follows:

- 1) This expansion is not victim/survivor driven nor based in research that involves the opinions or suggestions of victim/survivors or the advocates who work with them.
- 2) There is no research cited at all about whether paraprofessionals (or even attorneys) actually produce better results for domestic violence victims.
- 3) Immigrant communities are particularly vulnerable to exploitation because many will not understand the difference between a licensed attorney and a paraprofessional.
- 2) Lack of training required for the paraprofessional in the dynamics of domestic and sexual violence or protective orders before taking a case.
- 3) Lack of a requirement that the supervising attorney be knowledgeable in the area of law they are supervising the paraprofessional in.
- 4) Evidentiary issues in family law cases that involve domestic violence or in protection order cases are often quite complicated, frequently involving statements of children.



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5) Since financial abuse is quite common in domestic violence, we are concerned that permanently expanding the pilot will only increase the number of abusers who are represented but leave unchanged the number of victim/survivors who are represented.

6) Protective orders were designed to be a *pro se* friendly process. Permanently expanding the LPPP into protection orders will only emphasize the need for representation.

Overall, the dynamics of domestic violence further complicate already challenging cases. If the parties in these cases are not working with competent providers who understand the dynamics of domestic violence, case outcomes can be detrimental and occasionally even fatal to client/victim-survivors. Simply providing a few hours of training by unknown trainers about domestic violence does not resolve our concerns.

The idea that “any representation is better than no representation” disregards the stated goal of the LPPP to provide “meaningful access to justice”. While we recognize that amending the LPPP requirements to elicit a desired competency level demands more from paraprofessionals than currently practicing attorneys, we contend that this is an opportunity to communicate disagreement with the current status quo and raise the proverbial bar.

We welcome an opportunity to elaborate further on these concerns and training recommendations and thank you for considering our comments.

Respectfully,

Rana Alexander, Esq.
Director of Finance and Staff Attorney