



STANDPOINT **FILED**

Attorneys & advocates against domestic & sexual violence

April 26, 2022

**OFFICE OF
APPELLATE COURTS**

April 26, 2022

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

Dear Honorable Justices,

Please accept this joint request to allow representatives of Standpoint and the Minnesota Coalition Against Sexual Assault (MNCASA) to speak at the May 17, 2022 public hearing regarding the Legal Paraprofessional Pilot Program (LPPP, ADM19-8002). We anticipate sending four representatives, with one acting as the primary speaker and the others available to assist with answering questions.

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.

MNCASA is a statewide coalition driving transformative culture change to address sexual violence through advocacy, harm prevention, racial justice, and systems change. We are a collective voice of organizations and individuals committed to ending sexual violence, including rape crisis centers, victim advocacy programs, community groups, non-profit organizations, healthcare providers, and law enforcement agencies. MNCASA advocates publicly for the needs and perspectives of victims/survivors in Minnesota and works to raise community awareness around sexual violence. As the state coalition to end sexual violence, we serve as a point of connection for our members in Minnesota and we work to increase their capacity through networking opportunities, technical assistance, and other resources. MNCASA's Sexual Violence Justice Institute is a state and national technical assistance provider focused on systems change and strengthening community response to sexual violence. SVJI provides resources and training to advocates, law enforcement officers, prosecutors, medical providers, and corrections professionals across the United States.

As stated in the letter that we submitted during the public feedback stage of this process, we 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 were as follows:

- 1) Immigrant communities are particularly vulnerable to exploitation with this possible expansion because many will not understand the difference between a licensed attorney and a paraprofessional.

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

Overall, the dynamics of domestic violence further complicate already challenging cases. If the parties in these cases are not represented by competent providers who understand the dynamics of domestic violence, case outcomes can be detrimental and occasionally even fatal to client/victim-survivors. Studies have shown that representation by trained and competent attorneys can lead to more successful case resolutions for client/victim-survivors and their children. While simply providing training about domestic violence does not resolve most of our concerns, Standpoint and MNCASA recognize that if the Court does allow paraprofessionals to represent domestic violence victims in family and OFP court, success is dependent upon seizing the current opportunity to establish training requirements which ensure that client/victim-survivors receive competent, trauma-informed representation. In other words, 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 at the upcoming public hearing and thank you for considering our request to appear.

Respectfully,

Rana Alexander
Executive Director

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