

LEGAL PROFESSIONALISM COMMITTEE UPDATE

January 29, 2016

Matt Sawchak, Committee Reporter

OUR COMMITTEE'S MISSION STATEMENT (EXCERPT)

- Democratic societies are founded on a shared belief in the rule of law and the integrity of the judiciary.
- Any change that the committee considers must take into account the core values of our system of justice, including the exercise of independent judgment on behalf of clients, the absence of conflicts, and confidentiality of client communications.

OUR COMMITTEE'S MISSION STATEMENT (EXCERPT)

- The role of the Legal Professionalism Committee is to consider and evaluate possible changes in our system of delivery of legal services. The committee will explore ways to address structural challenges that affect access to justice, including:
 - the barriers that create a lack of affordable legal services for large segments of our population,
 - the costs and debt associated with a legal education,
 - and the challenges of developing and sustaining a legal career.

SPEAKERS SO FAR

OCTOBER 6, 2015, SPEAKERS

- Professor William Henderson, Indiana University Maurer School of Law (videotaped)
- Alice Mine, North Carolina State Bar
- Peter Bolac, North Carolina State Bar

NOVEMBER 3, 2015, SPEAKERS

- Dan Lear, Director of Industry Relations, Avvo
- Chas Rampenthal, General Counsel, LegalZoom

DECEMBER 1, 2015, SPEAKERS

- Dean Andrew Perlman, Suffolk University School of Law
- Jaye Meyer, Chair, North Carolina Board of Law Examiners
- Lee Vlahos, North Carolina Board of Law Examiners

PLANNED SPEAKERS FOR FEBRUARY 2, 2016

- Jim Leipold, Executive Director, National Association for Law Placement
- Paul Carr, President, Axiom
- Kelly Zitzmann, General Counsel, Axiom
- Panel of the law school deans on our committee

POTENTIAL TOPICS FOR OUR COMMITTEE'S STUDY (SUBJECT TO FURTHER COMMITTEE DISCUSSION)

POTENTIAL TOPIC 1: WHAT MEASURES SHOULD NORTH CAROLINA USE TO *ENSURE A ROBUST SUPPLY* OF LEGAL RESOURCES, INCLUDING PEOPLE WHO CAN REPRESENT OTHERS COMPETENTLY AND EFFICIENTLY?

- Are there ways to increase the business models for the supply of legal services in a way that protects the public interest?
- What standards should North Carolina use to decide which providers outside North Carolina (and whose personnel lack North Carolina bar licenses) may supply legal services to North Carolina-based clients?
- How can North Carolina better work with the public and private sectors to deploy unemployed and underemployed lawyers, now and in the future, to serve underserved clients?
- What issues arise from online-only modes of legal advice? How can North Carolina best regulate those modes of advice?

POTENTIAL TOPIC 2: WHAT MEASURES SHOULD NORTH CAROLINA USE TO ENSURE THAT THOSE WHO ADVISE OR REPRESENT OTHERS IN LAW-RELATED MATTERS DO SO *COMPETENTLY*?

- The potential types (levels) of providers of law-related services in North Carolina, the definition of the services that each type is competent to supply, and the professional obligations and privileges of each type of provider.
- What are the proper qualifying criteria for each type (level) of provider?
- What is the best way to regulate each type of provider to ensure competent service that is consistent with integrity of our legal system?
- What governing body can best implement each measure proposed?

POTENTIAL TOPIC 3: WHAT SPECIFIC MEASURES CAN NORTH CAROLINA USE TO *IMPROVE ACCESS* TO LEGAL SERVICES AND RELATED INFORMATION?

- How can North Carolina use technology to make free or inexpensive law-related help available?
- How can North Carolina make relatively simple law-related matters flow through (or away from) the courts efficiently and at minimal cost?
- What new consumer education methods (via AOC and others) would be most effective?
- How can these efforts be financed?

QUESTIONS

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