



August 19, 2026

Submitted via the State Bar of California Online Public Comment Form

The State Bar of California
San Francisco (Main Office)
180 Howard St.
San Francisco, CA 94105
415-538-2000

Re: Public Comment on Proposed California Rule of Court 9.45.1: Community Justice Worker Program

Dear Members of the State Bar Board of Trustees:

On behalf of Frontline Justice, thank you for the opportunity to submit this public comment on proposed California Rule of Court 9.45.1, which would establish a statewide Community Justice Worker Program. Frontline Justice is pleased to support adoption of the proposed rule.

The proposal is thoughtfully crafted and creates a route for trained Community Justice Workers to provide legal services under the supervision of California legal services organizations. It combines organizational accountability, competency-based training, defined scopes of practice, malpractice coverage, informed client consent, complaint procedures, reporting, and evaluation, with sufficient flexibility for participating organizations to design programs that are responsive to the legal needs of the communities they serve.

Frontline Justice is a national, nonpartisan initiative working to expand access to civil legal help through community justice workers. Our mission is to mobilize, support, and equip trusted community advocates to serve as frontline legal helpers, providing affordable and effective legal assistance for everyday civil matters. We advance this work through policy advocacy, research, public education, and workforce development. We also provide technical assistance around program design, implementation, training, supervision, evaluation, and related infrastructure to jurisdictions and organizations developing, implementing, or expanding community justice worker programs.

Americans experience 150 to 250 million new civil justice problems each year, and at least 120 million go unresolved. Research also shows that people frequently seek assistance with these problems from trusted individuals and institutions outside conventional legal settings.¹

¹ Rebecca L. Sandefur & Matthew Burnett, *Justice Futures: Access to Justice and the Future of Justice Work* 1, 3–4, <https://ssrn.com/abstract=4836747>; Matthew Burnett & Rebecca L. Sandefur, *A People-Centered Approach to Designing and Evaluating Community Justice Worker Programs in the*

Community justice worker programs respond to that reality by training people to provide distinct types of legal assistance within specified scopes of practice and under appropriate supervision.

California’s proposed rule creates a sound foundation for that work. We offer the following recommendations for implementation.

1. Preserve Flexible, Competency-Based Program Design

Proposed Rule Language

Proposed rule 9.45.1(b)(2)(A) requires an applicant to provide:

“A narrative description of the proposed Community Justice Worker Program, including the proposed scope of practice for its Community Justice Workers.”

The application must also include relevant subject-matter and experiential training, a process for assessing competency and practice readiness, and a plan for continuing training and education.

Comment

Frontline Justice supports this approach. California’s communities face different legal problems and have different service-delivery resources. A housing-focused program in an urban community may require a different scope of practice from a program serving people facing public-benefit problems, domestic violence, debt, or other recurring legal issues. The proposed rule appropriately permits an Authorized Legal Services Organization to identify an unmet need, define the legal activities Community Justice Workers will perform, develop training for those activities, and determine whether each worker is competent and ready to practice within that approved scope.

The findings of research conducted around community justice worker programs support focused, competency-based training connected directly to the work a justice worker will perform. Statewide requirements can provide consistency in areas such as ethics, professional responsibility, and client protection. At the same time, substantive training should remain closely linked to the services a justice worker is authorized to provide. Extraneous requirements that are divorced from those services can create unnecessary barriers for participating justice workers and organizations without improving the quality of legal services.²

United States, 51 Fordham Urb. L.J. 1509, 1511–12 (2024), <https://ir.lawnet.fordham.edu/ulj/vol51/iss5/6/>.

² Rebecca L. Sandefur & Matthew Burnett, *Building Successful Justice Worker Programs: Emerging Insights from Research and Practice*, 41 Alaska L. Rev. 23, 32–33 (2024), <https://scholarship.law.duke.edu/alr/vol41/iss1/4/>; Burnett & Sandefur, *A People-Centered Approach*, *supra* note 1, at 1531–33.

We support the proposed rule's requirements for competency, ethical conduct, supervision, client protection, and accountability and the fact that it allows enough flexibility for Authorized Legal Services Organizations to tailor subject-matter training and authorized tasks to the specific legal services their Community Justice Workers will provide.

This structure also gives California room to learn from implementation. Programs can begin with clearly defined legal activities and adjust or expand their scopes as experience demonstrates where Community Justice Workers are effective and where additional training or attorney involvement is appropriate.

2. Expressly Permit Community-Based Partnerships Under Legal Services Organization Supervision

Proposed Rule Language

Under Business and Professions Code section 6213, the proposed rule limits authorization to organizations that qualify as a “qualified legal services project” or “qualified support center”. It also requires each Community Justice Worker to practice exclusively under the supervision of the Authorized Legal Services Organization that certified the justice worker.

Comment

Frontline Justice supports placing authorization, supervision, professional responsibility, malpractice coverage, and accountability with the Authorized Legal Services Organization.

We recommend that the approved rule expressly confirm that an Authorized Legal Services Organization may operate its Community Justice Worker Program through partnerships with community-based organizations and may supervise Community Justice Workers who are employed by, volunteer with, or are otherwise situated within those partner organizations. The rule discusses “volunteer or employment requirements” for community justice workers and does not impose a requirement that a justice worker be directly employed by the legal services organization. However, explicit guidance concerning these types of partnerships might provide clarity to participating organizations and community partners as they design their programs.

The legal services organization would be responsible for certification, training, supervision, malpractice coverage, scope of practice, professional responsibility, and escalation of issues requiring attorney involvement. However, community partnerships serve a different purpose. People experiencing problems with housing, family responsibilities, public benefits, healthcare, debt, safety, and other everyday matters often seek assistance from people and organizations they already know before contacting a lawyer or the court.³ A Community Justice Worker may be more effective when situated in a health clinic, social service organization, school, shelter, reentry program, faith-based organization, library, or another trusted community setting while receiving legal supervision from an Authorized Legal Services Organization.

³ Burnett & Sandefur, *A People-Centered Approach*, *supra* note 1, at 1512; Sandefur & Burnett, *Justice Futures*, *supra* note 1, at 3.

3. Maintain Reporting That Is Both Useful and Easy to Manage Administratively

Proposed Rule Language

Proposed rule 9.45.1(d)(1)(F) requires Authorized Legal Services Organizations to report twice yearly to the State Bar on:

- the number of clients served by Community Justice Workers;
- total hours worked by Community Justice Workers;
- resolutions of cases involving Community Justice Workers;
- client complaints and their disposition; and
- the costs of implementing and maintaining the program.

Comment

Frontline Justice supports reasonable data collection as part of Community Justice Worker programs. New programs provide an important opportunity to learn which forms of assistance effectively resolve legal problems, how people use community-based legal services, which training and supervision structures work well, and what resources organizations require to operate programs over time. Comparable information enables courts, legal services organizations, researchers, and policymakers to assess program performance and improve implementation.

California's proposed rule provides useful reporting criteria. We urge the State Bar to couple those requirements with standardized definitions and easy-to-use reporting tools that permit comparison across programs.

To the extent practicable, reporting on "resolutions of cases" should capture whether the client's underlying legal problem was resolved or materially advanced. At the same time, additional reporting requirements should remain proportionate to the size and capacity of participating organizations. Excessive administrative requirements can divert staff time and resources from client services and discourage participation by organizations with limited capacity.

The State Bar should also coordinate the reporting requirements with the program evaluation process so participating organizations understand from the beginning which information will be used to assess program operation and outcomes.

4. Ensure Sustainable Funding for Program Administration

Frontline Justice encourages California to establish a sustainable funding structure for administration of the Community Justice Worker Program. The State Bar estimates that administration will require approximately two full-time-equivalent staff and \$650,000 to \$750,000 annually, including application development and review, technical assistance,

rulemaking, program monitoring, and evaluation. The State Bar also notes that no dedicated funding source currently exists and that these estimates do not include potential additional costs for discipline, technology, or other State Bar functions.⁴

Legal assistance of this kind should be understood as a public service investment. Unresolved legal problems do not remain confined to the legal system. Problems involving housing, public benefits, debt, family stability, healthcare, and employment can lead to eviction, homelessness, lost income, food insecurity, worsening health, and increased reliance on public systems. Research on civil justice problems shows that these consequences frequently cascade across multiple areas of a person's life and impose costs ultimately borne by families, communities, service providers, and government.⁵

Early evidence from Alaska illustrates the all-around public and economic value of Community Justice Worker programs. An American Bar Foundation analysis found that Alaska Community Justice Workers helped eligible households recover \$23.6 million in federally funded SNAP benefits and generated an estimated \$14.5 million in additional economic benefits for the communities where those households lived. The same study estimated that, under a federally funded disaster legal assistance initiative, the program produced approximately \$25 in public benefit for every \$1 invested.⁶ Effective legal assistance can help eligible households secure federal resources to which they are entitled, bring those dollars into California communities, and generate additional local economic activity. These figures demonstrate the substantial public value that can result from relatively modest investments in Community Justice Worker services.

California should view the administrative costs of this program in the context of the overall public value that effective legal problem-solving can generate. Relevant questions include what the program costs to administer and what unresolved legal problems cost California when they are allowed to escalate, including the downstream consequences that can occur when eligible residents cannot effectively enforce their rights. A well-administered Community Justice Worker Program has the potential to help people remain housed and employed, secure federally funded benefits and other resources to which they are entitled, avoid escalation of legal problems, and reduce pressure on courts and other publicly supported systems.

Adequate administrative resources will be necessary for timely review of applications, guidance to participating organizations, complaint resolution, reporting, program evaluation, and public education. Notwithstanding, the costs of administering the program should not introduce financial barriers that deter legal services organizations from participating or reduce resources available for direct legal services.

⁴ State Bar of California, *Proposed California Rules of Court, Rule 9.45.1, to Establish a California Community Justice Worker Program*, Fiscal/Personnel Impact, <https://www.calbar.ca.gov/public-comment/proposed-california-rules-court-rule-9451-establish-california-community-justice-worker-program> (last visited Aug. 11, 2026).

⁵ Sandefur & Burnett, *Justice Futures*, *supra* note 1, at 3.

⁶ Matthew Burnett, Rebecca L. Sandefur & James Teufel, *Research Brief: Analysis of the Social and Economic Impact of the Alaska Community Justice Worker Program (2021–2025)* 2–3 (Am. Bar Found. Access to Just. Rsch. Initiative 2025), <https://www.americanbarfoundation.org/wp-content/uploads/2025/11/ABF-Alaska-Community-Justice-Brief-FIN.pdf>.

Consequently, we recommend that California avoid relying on per-worker certification fees or other fees assessed to participating organizations to finance the program. The State Bar has indicated that, if the Legal Services Trust Fund Commission is designated as the Authorizing Body, IOLTA administrative funds will support program administration during the pilot period.⁷ For long-term implementation, California should pursue a dedicated, sustainable funding source sufficient to administer the program without shifting substantial costs onto participating legal services organizations or Community Justice Workers.

5. Treat the Two-Year Evaluation as an Initial Implementation Review

Proposed Rule Language

Proposed rule 9.45.1(c)(4) states:

“The Authorizing Body shall develop a procedure to evaluate the Community Justice Worker Program as a whole. The evaluation shall take place within two years of the first authorization of a Community Justice Worker Program.”

Comment

Frontline Justice supports early evaluation and recommends that the evaluation required within two years function as an initial implementation review, followed by continued evaluation after programs have had sufficient time to mature. This approach is consistent with the Legal Services Trust Fund Commission’s earlier recommendation for a staged evaluation at years two and five.⁸

A two-year review can provide useful information concerning recruitment, training completion, supervision, program participation, complaints, early client outcomes, administrative costs, and implementation challenges. Other questions require a longer observation period, including worker retention, development of community partnerships, program sustainability, changes in service capacity, and the long-term performance of different program models.

As California gains additional insights through the implementation process, future evaluations could also examine opportunities to make organizational eligibility more inclusive by creating additional pathways for community-based organizations, beyond legal aid, that can demonstrate acceptable safeguards, supervision, accountability, and institutional capacity to operate a Community Justice Worker program directly.

Research on Community Justice Worker program evaluation emphasizes the importance of examining effectiveness, the ability to serve more people over time, and the programs' capacity

⁷ State Bar of California, *supra* note 4.

⁸ Legal Servs. Tr. Fund Comm’n, State Bar of Cal., *Approval of Recommendation Regarding Letter to the Community Justice Workers Proposal Authors* (Nov. 2025), <https://www.calbar.ca.gov/sites/default/files/2026-07/LSTFC-November-2025-Approval-of-Recommendation-Regarding-Letter-to-the-Community-Justice-Workers-Proposal-Authors.pdf>.

to continue operating with available workers and resources. Those questions cannot all be answered during the earliest stage of implementation.⁹

Accordingly, we recommend that the two-year evaluation serve as an opportunity to identify lessons and make adjustments while the program continues. A subsequent evaluation after additional years of operation would allow California to assess longer-term results.

We suggest that the two-year evaluation inform continued implementation and refinement and not operate as a sunset provision or require programs to demonstrate their full long-term impact within their first two years.

6. Consider Clarifying Two Provisions Before Implementation

A. Clarify Continued Authorization Under Subdivision (c)(2)

Subdivision (a)(1) defines a Legal Services Organization by reference to current qualification under Business and Professions Code section 6213, while subdivision (c)(2) permits an Authorized Legal Services Organization that loses that qualification to seek approval to continue operating its Community Justice Worker Program.¹⁰ We suggest clarifying that an organization approved to continue under subdivision (c)(2) remains an Authorized Legal Services Organization *for purposes of rule 9.45.1* for the period and subject to the conditions established by the Authorizing Body.

B. Clarify Which Rules of Professional Conduct Apply to Community Justice Workers

Proposed subdivisions (d)(1)(E)(iv) and (e)(8) contemplate direct compliance by Community Justice Workers with the California Rules of Professional Conduct, although many of those rules are written specifically for lawyers. Because a violation may result in reporting and revocation of a worker's certification, we recommend clarifying that Community Justice Workers must comply with those Rules of Professional Conduct applicable to their authorized activities, together with other applicable statutes, Rules of Court, and program requirements. California Rule of Professional Conduct 5.3 already establishes the supervisory responsibilities of lawyers working with nonlawyer assistants.¹¹

Conclusion

Frontline Justice is quite thrilled about the possibility of Rule 9.45.1 being adopted. The proposed rule offers a useful framework for extending access to trained legal help through specified scopes of practice, competency assessment, supervision, professional responsibility, client protections, reporting, and oversight.

⁹ Burnett & Sandefur, *A People-Centered Approach*, *supra* note 1, at 1529, 1541–49; Sandefur & Burnett, *Building Successful Justice Worker Programs*, *supra* note 2, at 30–31.

¹⁰ Cal. Bus. & Prof. Code § 6213(a)–(b).

¹¹ Cal. R. Prof. Conduct 5.3.

We believe the suggestions set forth above would improve the implementation process, while maintaining the basic structure of the plan. We urge the State Bar to recommend approval of proposed Rule 9.45.1 with those suggestions in mind.

Respectfully submitted,

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ABOUT FRONTLINE JUSTICE

Frontline Justice Builds the Infrastructure for Community-based Legal Assistance.

Frontline Justice helps courts, funders, nonprofits, and local leaders design accountable community justice worker models that resolve common civil legal problems before they escalate. Through its National Task Force, Frontline Justice brings courts, legal experts, philanthropy, education, healthcare, business, and local service organizations together to define training, credentialing pathways, program standards, and responsible implementation practices. Our work includes:

- ★ **Policy guidance:** translating evidence into policy recommendations for courts, regulatory agencies, funders, and partners considering justice worker reforms
- ★ **Training:** preparing community justice workers to provide legal help in areas such as public benefits, healthcare access, housing, domestic violence, consumer debt, and other areas of high need
- ★ **Standards:** defining scope, competencies, quality measures, credential pathways, training hosts, platform needs, coordination roles, and result-tracking practices
- ★ **Technical assistance:** supporting nonprofits, courts, funders, and community groups on program design, implementation, and evaluation
- ★ **Field learning and convening:** bringing courts, funders, local organizations, and justice workers together to compare models, solve implementation problems, and incorporate learnings into tools and practices that others can use

Frontline Justice is an initiative of the Office of American Possibilities Fund, a sponsored project of Rockefeller Philanthropy Advisors, Inc.

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Visit www.frontlinejustice.org to learn more.

- ★ Read our briefing report about the Task Force [here](#).
- ★ View the complete list of Task Force members [here](#).
- ★ Read inspiring stories from community justice workers [here](#).
- ★ Read *the* profile “The Justice Worker” in *The American Scholar*, tracing Rebecca Sandefur, Ph.D., and Frontline Justice’s role in the national movement [here](#).
- ★ Learn more about Groundwork, our justice worker online community [here](#).
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