

09/17/2024

Bowen Greenwood  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA  
Case Number: AF 06-0163

# Montana Legal Services Association

*Provide, protect and enhance access to justice.*



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September 6, 2024

Hon. Mike McGrath, Chief Justice  
Hon. James Jeremiah Shea  
Hon. Laurie McKinnon  
Hon. Beth Baker  
Hon. Dirk Sandefur  
Hon. James A. Rice  
Hon. Ingrid Gustafson  
Montana Supreme Court  
P.O. Box 203001  
Helena, MT 59620-3001

Re: *Proposed amendments to Rule 8, Rules for Continuing Legal Education*  
In re the Rules of Continuing Legal Education  
No. AF 06-0163

Dear Chief Justice McGrath and Justices:

Montana Legal Services Association (MLSA) supports the Court's proposed revision to Rule 8, Montana Rules for Continuing Legal Education. Access to justice is a challenge for many Montanans. A gap exists between the civil legal needs of low-income Montanans and the resources available to meet those needs. Allowing consideration for CLE approval of training activities for paralegals under supervision of lawyers, and other professionals involved in the administration of justice is an important step toward bridging this justice gap.

The proposed revision to Rule 8 will benefit existing institutions in which non-attorneys are involved in court systems. All seven tribal courts located in Montana allow non-attorney lay

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**Websites:**

[www.MontanaLawHelp.org](http://www.MontanaLawHelp.org)  
[www.mtlsa.org](http://www.mtlsa.org)

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advocates to represent clients in substantive matters in court. These tribal advocates must be admitted to practice by the court in which they appear. MLSA's Tribal Advocacy Incubator Project provides training and support for tribal members who seek to become licensed as tribal court advocates. Permitting CLE approval for teaching and preparing written materials will bolster the tribal advocate community.

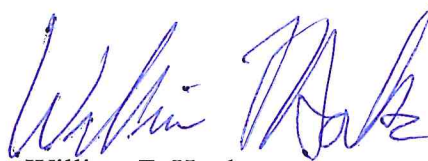
The proposed revision also will align the CLE rules with innovative new projects designed to address unmet legal needs. Simply stated, there aren't enough attorneys in Montana to go around. This problem is acute in the state's rural areas. Lay advocates and other legal professionals under the supervision of a lawyer can connect appropriate legal services with legal needs. For example, MLSA is developing a project in which a lay advocate, working with and under the supervision of an attorney, provides assistance to eligible clients in matters relating to public benefits. The project is made possible by a grant from the Legal Services Corporation. Approval of CLE activities designed to increase the professional competence of lay advocates and community justice workers will benefit both the advocates and the people they serve.

Paralegals, tribal advocates, lay advocates and other professionals involved in the administration of the justice system can play an essential role in meeting the legal needs of Montanans. The Court's adoption of the proposed revision to MCLE Rule 8 will enhance the quality of the services they provide.

Sincerely,



Alison L. Paul  
Executive Director  
Montana Legal Services Association



William F. Hooks  
Director of Advocacy  
Montana Legal Services Association