

CHAPTER 194
HB 1343 - FINAL VERSION

04/21/2022 1570s
04/21/2022 1685s

2022 SESSION

22-2588
11/08

HOUSE BILL ***1343***

AN ACT allowing limited legal services to be provided by certain paraprofessionals.

SPONSORS: Rep. Gordon, Graf. 9; Rep. Rice, Hills. 37; Rep. M. Smith, Straf. 6; Rep. Wuelper, Straf. 3; Sen. French, Dist 7; Sen. Whitley, Dist 15

COMMITTEE: Judiciary

ANALYSIS

This bill allows certain legal paraprofessionals to provide limited legal services.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears ~~[in brackets and struckthrough.]~~
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Two

AN ACT allowing limited legal services to be provided by certain paraprofessionals.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 194:1 New Section; Legal Services Provided by Paraprofessionals; Pilot Program. Amend RSA 311
2 by inserting after section 2 the following new section:

3 311:2-a Legal Services by Paraprofessionals.

4 I. Notwithstanding any other provision of law to the contrary, a paraprofessional may represent
5 another person in matters pursuant to RSA 173-B, RSA 458, RSA 458-A, RSA 458-B, RSA 458-C, RSA
6 458-D, RSA 458-E, RSA 459, RSA 461-A, RSA 540, RSA 540-A, and RSA 633:3-a, III-a through III-d
7 provided that:

8 (a) The paraprofessional is employed or retained by and acting under the supervision of an
9 attorney admitted to practice under RSA 311:2, which attorney shall carry professional liability insurance
10 with reasonable coverage limits;

11 (b) The paraprofessional has either a bachelor's degree in any field or an associate's degree
12 in a law-related field; and at least 2 years of work experience in a law-related setting with attorney
13 supervision;

14 (c) The person represented receives written notice that the paraprofessional is a non-
15 attorney acting under the supervision of an attorney admitted to practice under RSA 311:2, including the
16 attorney's name, prior to the commencement of the representation;

17 (d) In any pleading filed with any court, the paraprofessional discloses that the
18 paraprofessional is a non-attorney acting under the supervision of an attorney admitted to practice under
19 RSA 311:2, including the attorney's name; and

20 (e) The person represented has household income no greater than 300 percent of the federal
21 poverty guidelines at the commencement of representation.

22 II. Paraprofessional representation provided pursuant to paragraph I may be provided only in the
23 9th Circuit Court - District Division - Manchester, the 9th Circuit - Family Division - Manchester, the 1st
24 Circuit - District Division - Berlin, the 6th Circuit Court - District Division - Franklin, the 6th Circuit Court -
25 Family Division - Franklin, and the 1st Circuit - Family Division - Berlin.

26 III. Each attorney supervising a paraprofessional providing representation pursuant to this section
27 shall make reasonable efforts to ensure that the paraprofessional's conduct is compatible with the
28 professional obligations of the attorney, including the New Hampshire Rules of Professional Conduct,
29 particularly Rule 5.3 pertaining to responsibilities regarding nonlawyer assistance.

30 IV. The supreme court may promulgate such rules as may be necessary to regulate the conduct
31 of paraprofessionals.

32 194:2 Repeal. RSA 311:2-a, relative to legal services provided by paraprofessionals, is repealed.

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1 194:3 Report; Supreme Court. The supreme court shall provide a report regarding the efficacy of the
2 pilot program in this act to the senate president, the speaker of the house of representatives, the house
3 minority leader, and the senate minority leader no later than January 1, 2025.

4 194:4 Effective Date.

5 I. Section 2 of this act shall take effect January 1, 2025.

II. The remainder of this act shall take effect January 1, 2023.

Approved: June 17, 2022

Effective Date:

I. Section 2 effective January 1, 2025

II. Remainder effective January 1, 2023