

Ministry of Attorney General

Regulated Paralegal Working Group

Draft Recommendations for Public Input

December 2025

Contents

| | |
|--|----|
| 1. Introduction and background..... | 2 |
| 2. Placing the Working Group’s Mandate in Context – What is a Regulated Paralegal?..... | 4 |
| 3. Working Group Process..... | 5 |
| 4. Working Group’s Draft Recommendations..... | 5 |
| I. General Scope | 6 |
| Advocacy and representation in courts and tribunals | 6 |
| The inclusion of family law matters that fall within the jurisdiction of the Provincial Court of BC and Supreme Court of BC..... | 7 |
| Other Services: Wills, Estates, Corporate, Document Services..... | 9 |
| II. Family Law Specialization Scope..... | 9 |
| Exclusions | 10 |
| 5. Public Consultation: What We Are Seeking..... | 11 |
| 6. How to Provide Feedback..... | 11 |
| Appendix A: General References..... | 12 |
| Appendix B: Family Law References | 13 |
| Appendix C: Licensed Paralegal Scope(s) of Practice – Ontario | 14 |
| Appendix D: Limited Licenses under the new Act | 15 |
| Appendix E: Regulated Paralegal Working Group members | 16 |

1. Introduction and background

In 2024, the *Legal Professions Act* (the new Act) was enacted by the Legislature. The main purpose of the new Act is to increase access to legal services for people in British Columbia. One of the ways it does so is by creating a new category of legal service provider called a “Regulated Paralegal” who will be allowed to provide legal services directly to the public, within a defined, common scope or scopes of practice. The new Act enables Cabinet to, by regulation, establish a scope or scopes of practice for Regulated Paralegals.

The new Act also creates another new category of legal service provider called a “limited practice licensee.” This report does not address limited licences in detail, but some relevant information is set out in this report at Appendix D.

Once the new Act is in force, Regulated Paralegals will be regulated alongside lawyers, notaries public and limited licence holders by a single regulatory body created by the new Act. The idea of the Act is that an expansion of legal service providers will result in increased access to legal help for people.

In 2024, the Ministry of Attorney General (the Ministry) established an external working group called the Regulated Paralegal Working Group (the Working Group) and tasked it with making recommendations to the Ministry on possible scopes of practice for Regulated Paralegals.

The Working Group is composed of a diverse group of professionals (including lawyers, paralegals, a notary, and others with a background in access to justice and legal services). Its membership is set out at Appendix E. The Working Group has been meeting on a regular basis since Fall 2024 to consider and develop the draft recommendations set out in this report.

The purpose of this report (and [accompanying public survey](#)) is to get feedback from the public and other justice system interest holders, including paralegals, lawyers, notaries public, and legal service and referral organizations. The Working Group will consider all the input it receives before finalizing its recommendations for the Ministry. The final recommendations will help inform the Ministry’s development of a proposed regulation or regulations under the new Act, in consultation and collaboration with the new regulator’s transitional bodies, the courts, and other important partners.



2. Placing the Working Group's Mandate in Context – What is a Regulated Paralegal?

As noted above, the Working Group's task arises in the context of the enactment of the new Act, which seeks to increase access to legal services in part by creating a new type of legal professional – a Regulated Paralegal – who will be able to provide legal services directly to the public.

A Regulated Paralegal will be something **new**. Although there are many people in BC who are called “paralegals”, the title is used by people with a diversity of educational background, experience, and job duties. Currently in B.C., with limited exceptions, all paralegals must work under the direct supervision of a lawyer. The new Act will not change anything for current paralegals who want to continue in their current roles. **What the new Act will do is create a new kind of regulated legal professional who will have the ability and authority to provide legal services without lawyer supervision.** It is anticipated that many current (unregulated) paralegals, particularly those who currently perform more complex legal duties, may be interested in seeking licensure as Regulated Paralegals. Other current unregulated paralegals may instead choose to seek licensure as a limited licence holder (see Appendix D). Others will not pursue licensure at all and remain as they are today, working under lawyer supervision.

The new legal regulator created by the new Act, called Legal Professions British Columbia (LPBC), is responsible for setting competencies and criteria for licensure as a Regulated Paralegal. Once a scope or scopes of practice for Regulated Paralegals is or are established by government regulation, it will be the responsibility of LPBC to establish the requirements a candidate must meet to become licensed as a Regulated Paralegal. This might include, for example, specific educational requirements, practicum requirements, and/or standardized exams. It might also include a process through which some current paralegals may seek licensure through some alternative “grandparenting” process. All these considerations are outside of the scope of the Working Group's mandate and are wholly within the responsibility of LPBC. Importantly, for the purposes of this consultation report, it should be reviewed on the basis that those providing the services contemplated will be appropriately educated, qualified, and insured.

3. Working Group Process

The Working Group met regularly. It considered the access to justice needs of British Columbians, documented gaps in legal services, including the number of self-represented litigants who appear before the courts and administrative tribunals, and the nature of legal assistance sought by many at legal clinics throughout the province. The Working Group also considered the nature and extent of the legal services provided independently to the public by people other than lawyers, for example, as representatives and advocates for clients in Provincial Court small claims matters (provincial offences, summary criminal matters, etc.) and at administrative tribunals (residential tenancy matters, workplace safety and insurance, etc.). Such representation is already permitted by existing legislation.

4. Working Group's Draft Recommendations

As set out below, the Working Group has identified a potential "General" scope of practice for all Regulated Paralegals. The Working Group has also identified the desirability of a separate class of Regulated Paralegals who would specialize in family law matters. This "Family Law Specialization" licence would be in addition to the "General" scope of practice licence.

Pursuant to section 47 of the new Act, Regulated Paralegals will be permitted to practise law to the extent their licence (and scope(s) of practice) permit. The "practice of law" is defined in section 35 of the new Act as follows:

Practice of law

35 (1) For the purposes of this Act, a person practises law if the person, for the benefit of or at the request of another person, performs an activity that

- (a) involves the application of legal principles and legal judgment to the circumstances or objectives of the other person, and
- (b) requires the knowledge and skill of a person trained in the law.

(2) Without limiting subsection (1), the practice of law includes the following activities:

- (a) giving advice with respect to the legal rights or obligations of another person;
- (b) drafting, revising or completing legal documents that affect the legal rights or obligations of another person;
- (c) representing another person in any of the following:
 - (i) a court or administrative tribunal proceeding;
 - (ii) a formal dispute resolution process;
 - (iii) any other proceeding in which legal pleadings are filed or a record is established as the basis for judicial review;
 - (iv) the negotiation of legal rights and obligations.

The Working Group is proposing a **GENERAL Scope** that all Regulated Paralegals will be required to obtain. The Working Group is also proposing a **FAMILY LAW SPECIALIZATION Scope** for Regulated Paralegals interested in specializing in family law. The Working Group's proposal contemplates that a General Scope licence would be a pre-requisite for the Family Law Specialization.

The potential proposed scopes of practice include advocacy and representation in matters that fall within courts and tribunals, family law matters, and wills, estates, real estate and corporate/business matters.

The Working Group seeks input on the following potential scopes of practice.

I. General Scope

The intention of the **General Scope** is to ensure a sufficiently robust and broad scope of practice for all Regulated Paralegals.

Advocacy and representation in courts and tribunals

Existing legislation in British Columbia, and some federal legislation, including the Criminal Code of Canada, already allows people other than lawyers to represent clients in certain courts and tribunals with respect to certain practice areas, including provincial offences, small claims matters, summary criminal offences, and a broad range of administrative matters, such as

workers' compensation and residential tenancy matters. In Ontario, licensed paralegals have been serving clients in these areas since 2007.

The Working Group proposes that a licence to practise law as a Regulated Paralegal within the **general scope** should include permitting a licensee to give advice, negotiate, draft or complete legal documents and represent clients in or before:

- (i) Provincial Court of British Columbia provincial offences and traffic infraction matters;
- (ii) Provincial Court of British Columbia on small claims matters;
- (iii) Provincial Court of British Columbia on certain summary offences under the Criminal Code;
- (iv) an administrative tribunal established under an Act of the Legislature of British Columbia or under an Act of Parliament, subject to any further licensing or qualification requirements for a federal tribunal or regulator;

The inclusion of family law matters that fall within the jurisdiction of the Provincial Court of BC and Supreme Court of BC

Family law is an area that is currently under-served. The unmet needs and gaps in access to justice for the public requiring family law services are well documented, and consistently identified as an area where there is unmet legal need. Permitting all Regulated Paralegals to serve family law clients is intended to reduce barriers for the public by providing more options and increased choice of legal service providers.

The Provincial Court of BC handles family law matters, including parenting arrangements, parental responsibilities, parenting time, contact, guardianship, child support, spousal support, protection orders, companion animals and child protection matters.

The reality is that many people are representing themselves in the Provincial Court without assistance. In 2023/2024, there were 83,091 new criminal, family and civil cases in the Provincial Courtⁱ. The number of new *Family Law Act* cases increased by 10% over the year

prior. This resulted in 23,309 new family law cases in 2023/2024.ⁱⁱ Of the 60,596 appearances made in the Provincial Court of BC by self-represented litigants in criminal, family and small claims cases, 17,787 were in family appearances. Self-represented people are more likely to lack legal help which often results in longer resolution times and poorer legal outcomes.

To address the unmet need and provide the public with more options to access legal assistance in family matters, the Working Group recommends that the common scope for Regulated Paralegals include representing clients on family matters in the Provincial Court of BC (save and except a continuing custody order on a child protection matter which the Working Group recommends be reserved to the Family Law Specialization scope).

Parties dealing with issues of parenting arrangements, parental responsibilities, parenting time, contact, guardianship, child support, spousal support, protection orders, and companion animals may choose whether to start a proceeding in the Provincial Court or the Supreme Court of BC.

Restricting Regulated Paralegals from appearing in or engaging in matters that fall within the Supreme Court would limit their ability to provide services such as uncontested divorces or assistance with property division other than those listed under the Family Law Specialization set out below (item (vii) in Section II below). The Working Group notes that several approved participants in the Law Society of BC's Innovation Sandbox are providing services that fall within the jurisdiction of the Supreme Court, although to date nobody in the Sandbox has been granted permission to appear in Supreme Court matters.

The Working Group proposes that a licence to practise law as a Regulated Paralegal within the **general scope** should include permitting a licensee to give advice, negotiate, draft or complete legal documents and represent clients in or before:

- (i) Provincial Court of British Columbia on certain family matters;
- (ii) Supreme Court of British Columbia on certain family matters subject to the FAMILY LAW SPECIALIZATION scope set out below.
- (iii) Legislature of British Columbia or under an Act of Parliament, subject to any further licensing or qualification requirements for a federal tribunal or regulator;

Other Services: Wills, Estates, Corporate, Document Services

The Working Group also proposes that some or all of the following matters could be included in the GENERAL scope:

- (i) wills (without trusts), powers of attorney, representation agreements; advance directives;
- (ii) corporate filings (to include annual maintenance); change of principals; registering business names; maintenance of corporate records, acting as registered and records office; amalgamations/continuations and dissolutions; preparation of transactional documents (mergers, acquisitions etc.); restoration of dissolved companies and unlimited liability companies;
- (iii) residential real estate, conveyancing;
- (iv) estate probate and administration applications; estate grants and distribution; executor accounting applications;
- (v) swearing affidavitsⁱⁱⁱ, commissioning oaths, declarations.

The matters listed above fall within the services currently provided by approved participants in the Law Society of BC's Innovation Sandbox. Such approval is based on identified public need for such services. They also fall within services that in Saskatchewan, as of January 1, 2026, may be provided by legal professionals known as limited licensees.^{iv}

Note that some of the matters listed above fall within a notary public's scope of practice.^v Notaries are a separate regulated class of legal professionals who provide non-contentious legal services. They have done so in British Columbia for almost 100 years.

II. Family Law Specialization Scope

Given the identified unmet needs of the public in family law matters, the Working Group also recommends a **FAMILY LAW SPECIALIZATION scope**. It would allow for a sufficient scope of practice for Regulated Paralegals to specialize in family law and provide the public with an additional option for legal help. To obtain the FAMILY LAW SPECIALIZATION licence, a precondition would be a GENERAL licence.

The working group proposes that a licence to practise law as a Regulated Paralegal under a **FAMILY LAW SPECIALIZATION** licence would permit a licensee to, in addition to providing the services allowed by a general licence, give advice, negotiate, draft or complete legal documents and represent clients with respect to:

- (i) adoptions;
- (ii) continuing custody order in child protection matters;
- (iii) matters relating to the division of pensions other than benefits under the Canada Pension Plan;
- (iv) matters where allegations of alienation of affection are raised;
- (v) excluded property matters involving tracing of excluded property;
- (vi) trust claims;
- (vii) property division relating to a share or an interest in a corporation or an interest in a partnership, an association, an organization, a business or a venture

The Working Group contemplates that a Regulated Paralegal with a GENERAL Scope licence would not be authorized to perform the activities that fall within the FAMILY LAW SPECIALIZATION scope unless they become licensed to practise within that scope as well.

Exclusions

The following family law matters would be excluded entirely from both the General and Family Law Specialization scopes of practice:

- (i) surrogacy and fertility matters;
- (ii) matters where the involvement of third parties outside the spousal relationship is expected to raise claims within the proceedings;
- (iii) all matters relating to the Hague Convention.

5. Public Consultation: What We Are Seeking

The Working Group is seeking your views on its draft proposals. When formulating your feedback, it is important to keep in mind that the objective is to improve access to legal services for the public. It is also critical to understand that Cabinet will need to approve the scope(s) of practice, and the new legal regulator (LPBC) will construct education, skills training, and licensing requirements consistent with the scope(s) of practice.

Keep in mind that the scope(s) of practice in this proposed framework has/have been prepared for the purpose of the consultation, not as a final recommendation.

B.C.'s Regulated Paralegals will need to meet educational, competence, and other requirements in order to be licensed. Similarly, lawyers and notaries public must meet educational, competence, and other licensing requirements. Without limiting the content of your input, we would particularly be interested in your views on the following:

- Is the framework likely to achieve the desired outcome of increasing the public's access to legal help?
- Does the framework miss any types of legal services that you think should be included?
- Does the framework include any legal services you think should be excluded?
- Are there other specific legal issues or barriers that the proposed scopes for Regulated Paralegals could address?

Your input on this consultation process is important and will be appreciated. The most useful feedback will explain why you think something contained in this consultation paper will or will not work and provide practical suggestions for how to improve the initiative to achieve the objective of facilitating better access to legal services for the public.

6. How to Provide Feedback

To provide feedback, please [complete the survey available online](#).

Appendix A: General References

Law Society of British Columbia & Ipsos, Legal Services in BC 2020 Survey – Final Report (1 May 2020):

<https://www.lawsociety.bc.ca/Website/media/Shared/docs/initiatives/Alternate/IPSOSReid2020-LegalServicesSurvey.pdf>

Law Society of British Columbia, Report of the Legal Services Regulatory Framework Task Force (5 December 2014):

<https://www.lawsociety.bc.ca/Website/media/Shared/docs/publications/reports/legalservicesregulatoryframeworktf.pdf>.

Law Society of BC, *Family Law Legal Service Providers: Consultation Paper*, Alternative Legal Service Provider Working Group (September 2018):

<https://www.lawsociety.bc.ca/Website/media/Shared/docs/initiatives/2018AltLegalServiceProviders-Consultation.pdf>.

The current legal services landscape in British Columbia is not reserved for lawyers only. Existing statutes allow a person to be represented by someone other than a lawyer in provincial courts and administrative tribunals, for example, in small claims matters, provincial offences, summary criminal offences, and in workers' compensation matters at the Workers Compensation Appeals Tribunal.

Administrative Tribunals Act, SBC 2004, c 45, s. 32: representation by agent;

Workers' Compensation Act, RSBC 2019, c 1: s. 350(2)(a): Worker and Employer Advisers; s. 354: lay advocates.

Residential Tenancy Act, SBC 2002, c 78: s 74(4): a party to a dispute resolution proceeding may be represented by an agent or lawyer.

Coroners Act, SBC 2007, c 15: s. 31(3): a participant may be represented by counsel or, with the approval of the coroner, by an agent.

Small Claims Rules, Rule 17(20): How parties may be represented (*Court Rules Act and Small Claims Act*, B.C. Reg. 261/93, as amended).

Provincial Court of British Columbia, PRACTICE DIRECTION NON-LAWYERS APPEARING FOR CLIENTS (Effective date: 24 October 2025) <https://provincialcourt.bc.ca/system/files/GEN-05.pdf>.

Appendix B: Family Law References

The Law Society of British Columbia's Alternative Legal Service Provider Working Group, in 2018 recommended the establishment of a new class of legal professional: Family Law Legal Service Providers to alleviate the public's unmet needs in family law matters (Law Society of BC, *Family Law Legal Service Providers: Consultation Paper*, Alternative Legal Service Provider Working Group (September 2018) [LSBC FLSP 2018]. See, for example, Ontario's Family Legal Service Provider paralegal licence: <https://lso.ca/paralegals/about-your-licence/family-legal-services-provider>.

A recent report by Rise Women's Legal Centre, *Inclusive and Accessible Family Justice – Practice Approaches to Innovate Family Law Systems in BC's Rural and Remote Communities* (authors Vicky Law and Stephanie Melnyk, 29 October 2024) <https://static1.squarespace.com/static/64220f300321233050a209ec/t/671fb579ddd0717922c3cdd2/1730131331191/Building+inclusive+and+accessible+family+justice+report.pdf> identified the many challenges that clients face and recommended a more accessible family law system, including the accessibility of legal representation.

A report by Laura Track, et. al, "Putting Justice Back on the Map – The Route to Equal and Accessible Family Justice" (West Coast Leaf, February 2014) <https://westcoastleaf.org/wp-content/uploads/2023/07/2014-REPORT-Putting-Justice-Back-on-the-Map.pdf> identified family law as the most significant unmet legal need in the province (at p 5).

Appendix C: Licensed Paralegal Scope(s) of Practice Ontario

In Ontario, a regulatory scheme for licensed paralegals, who provide legal services directly to the public, was implemented in 2007. There is a general (“P1”) scope of practice licence, and more recently, also a Family Legal Service Provider (“FLSP”) specialized licence.

<https://lso.ca/about-lso/legislation-rules/by-laws/by-law-4>

Paralegal scope of practice under a general or P1 licence:

Law Society Act, RSO 1990, c. L.8, By-law 4, s 6:

- (2) Subject to any terms, conditions, limitations or restrictions imposed on the class of licence or on the licensee and subject to any order made under the Act, a licensee who holds a Class P1 licence is authorized to do any of the following:
 - 1) Give a party advice on his, her or its legal interests, rights or responsibilities with respect to a proceeding or the subject matter of a proceeding.
 - 2) Represent a party before,
 - i. in the case of a proceeding in the Small Claims Court, before the Small Claims Court,
 - ii. in the case of a proceeding under the Provincial Offences Act, before the Ontario Court of Justice,
 - iii. in the case of a proceeding under the Criminal Code, before a summary conviction court,
 - iv. in the case of a proceeding before a tribunal established under an Act of the Legislature of Ontario or under an Act of Parliament, before the tribunal, and
 - v. in the case of a proceeding before a person dealing with a claim or a matter related to a claim, before the person.
 - 3) Anything mentioned in subsection 1 (7) of the Act, provided the activity is required by the rules of procedure governing a proceeding.
 - 4) Select, draft, complete or revise, or assist in the selection, drafting, completion or revision of, a document for use in a proceeding.
 - 5) Negotiate a party’s legal interests, rights or responsibilities with respect to a proceeding or the subject matter of a proceeding.
 - 6) Select, draft, complete or revise, or assist in the selection, drafting, completion or revision of, a document that affects a party’s legal interests, rights or responsibilities with respect to a proceeding or the subject matter of a proceeding.

Appendix D: Limited Licenses under the new Act

In addition to creating a new category of legal service providers called Regulated Paralegals, the new Act also enables the new legal regulator (LPBC) to issue customized licences on an individual basis. An individual licensee may be granted to someone who is not a lawyer, notary, or Regulated Paralegal, and it may also be granted to a notary or a Regulated Paralegal who wishes to provide specific services that are outside their common scope of practice.

The limited practice licence model is intended to build on the work the Law Society has done in recent years through its innovation sandbox.¹ The Law Society established the innovation sandbox to pilot the provision of legal advice and assistance by individuals, businesses and organizations that are not lawyers or law firms. The goal of the Innovation Sandbox is to develop effective legal service providers to address the legal needs of those BC citizens who do not get legal help or get it from someone other than a lawyer. There are currently over 50 approved participants who provide legal services.²

It is important to keep in mind that anyone, including a currently unregulated paralegal, who wanted to provide legal services that do not fall within any future established scope or scopes for Regulated Paralegal scope(s), would have the ability to apply for a Limited Practice Licence to provide legal services pursuant to that individual licence.

¹ <https://www.lawsociety.bc.ca/about-us/priorities/innovation-sandbox/about-the-innovation-sandbox/>

² <https://www.lawsociety.bc.ca/about-us/priorities/innovation-sandbox/approved-participants/>

Appendix E: Regulated Paralegal Working Group members

| Name | Position/Organization | Location |
|-----------------------|--|-------------|
| Lisa Trabucco (Chair) | Assistant Professor (retired), Faculty of Law, University of Windsor | Windsor, ON |
| Adnan Habib | Lawyer, Baker Newby | Abbotsford |
| Douglas King | Lawyer, Executive Director of Together Against Poverty Society | Victoria |
| Jenny Gu | Lawyer, Amici Curiae Friendship Society board member | Vancouver |
| Jonathan Wong | Notary, SNPBC board member | Vancouver |
| Lesley Small | Senior Director, Law Society of BC | Vancouver |
| MaryAnn Reinhardt | Paralegal educator, practising paralegal | Maple Ridge |
| Michèle Ross | Law Society benchler, paralegal, Innovation Sandbox participant | Vancouver |
| Nicky Dunlop | Executive Director, PovNet Society | Coldstream |
| Rhaea Bailey | Lawyer | Vancouver |
| Rosina Jagore | Paralegal, BC Paralegal Association (BCPA) Vice President and board member | Vancouver |
| Sara El Rayess | Paralegal educator | Gibsons |
| Stephanie Ringham | Paralegal, staff with BC First Nations Justice Council | Kelowna |
| Stephanie Melnyk | Community Engagement Co-ordinator, Rise Women's Legal Centre | Revelstoke |
| Terry Becker | Practising paralegal, paralegal educator at Okanagan College, Innovation Sandbox participant | Kelowna |

ⁱ Provincial Court of British Columbia Annual Report 2023/24, <https://provinciacourt.bc.ca/system/files/AnnualReport2023-2024.pdf>

ⁱⁱ Provincial Court of British Columbia Annual Report 2023/24, <https://provinciacourt.bc.ca/system/files/AnnualReport2023-2024.pdf>

ⁱⁱⁱ Note that pursuant to section 259 of the new Act, a consequential amendment will be made to section 60 of the *Evidence Act* whereby practising Regulated Paralegals will be commissioners by virtue of their office, like practising lawyers and notaries.

^{iv} Law Society of Saskatchewan: <https://www.lawsociety.sk.ca/regulation/limited-licensing/>

^v For any matters included within general scope of practice that also fall within a notary public's scope of practice, it is proposed that the breadth of the scope would be no broader for a Regulated Paralegal. See new Act, s. 46 for notaries' scope of practice: <https://www.bclaws.gov.bc.ca/civix/document/id/bills/billsprevious/5th42nd:gov21-1#section46>