
CONSENT

Bill No: SB 1129
Author: Caballero (D)
Amended: 4/16/26
Vote: 21

SENATE JUDICIARY COMMITTEE: 12-0, 4/14/26
AYES: Umberg, Niello, Allen, Ashby, Caballero, Durazo, McNerney, Reyes,
Stern, Wahab, Weber Pierson, Wiener
NO VOTE RECORDED: Valladares

SUBJECT: State Bar of California: community justice worker models

SOURCE: Legal Aid Association of California

DIGEST: This bill requires the California State Bar (State Bar) to create a working group to examine the results of community justice worker (CJW) models in other states and jurisdictions and the impact of providing services to people who otherwise would not have received legal services, and submit a report with findings and recommendations to the Legislature before January 1, 2029.

ANALYSIS:

Existing law:

- 1) Establishes the State Bar, within the judicial branch of state government, for the purpose of regulating the legal profession; and requires all attorneys who practice law in California to be licensed by the State Bar. (Cal. const., art. VI, § 9; Bus. & Prof. Code §§ 6000 et seq.)
- 2) Establishes that protection of the public, which includes support for greater access to, and inclusion in, the legal system, is the highest priority for the State Bar in exercising their licensing, regulatory, and disciplinary functions. Whenever the protection of the public is inconsistent with other interests sought

to be promoted, the protection of the public is to be paramount. (Bus. & Prof. Code § 6001.1.)

- 3) Makes it a misdemeanor for any person to hold themselves out as practicing or being entitled to practice law or otherwise practicing law when they are not an active licensee of the State Bar or otherwise authorized pursuant to statute or court rule to practice law in this state. (Bus. & Prof. Code § 6126(a).)

This bill:

- 1) Requires the State Bar to create a working group to examine the results of CJW models in other states and jurisdictions.
- 2) Requires the working group to examine the impact of community justice worker models in providing legal services to those who qualify for legal assistance from legal services organizations, to low-income individuals, and to people who otherwise would not have received legal services.
- 3) Requires the State Bar to submit a report to Senate Committee on Judiciary, the Assembly Committee on Judiciary, and the California Supreme Court before January 1, 2029.

Comments

Attorneys who wish to practice law in California generally must be admitted and licensed by the State Bar, and those who offer legal services without a license are guilty of the unauthorized practice of law, which is a misdemeanor. (Cal. Const., art. VI, Sec. 9.; Bus. & Prof. Code § 6126.) What exactly constitutes the practice of law is not easily defined. The California Supreme Court has opined that the meaning of the term practice of law is generally understood as:

[T]he doing or performing services in a court of justice in any matter depending therein, throughout its various stages, and in conformity to the adopted rules of procedure. But in a larger sense it includes legal advice and counsel and the preparation of legal instruments and contracts by which legal rights are secured although such matter may or may not be depending in a court. (*Baron v. City of Los Angeles*, (1970) 2 Cal.3d 535, at 542.)

The author and sponsor note that this means nonlawyers are prohibited from engaging in a large swath of activities, including providing simple legal advice,

explaining a legal document, or drafting or assisting in drafting legal documents, even if it is a form document.

The State Bar’s 2024 California Justice Gap Study suggests that 73 percent of California households faced a civil legal problem in the past year but only 18 percent sought legal help for their problems.¹ These numbers sit in stark contrast to the fact that California is the second largest legal market in the nation, which is valued at \$57.8 billion.² The Justice Gap Study concluded that California, much like the national legal market, has shifted from primarily serving people and individual needs to primarily serving organizational clients.³ This burden is acutely felt by low-income California residents—those earning at or below 200 percent of the federal poverty level—who account for over a quarter of the state’s population.⁴

The State Bar, through the Legal Services Trust Fund Commission (LTSFC), provides grants to civil legal aid services across California. Between 2020 and 2024, the LTSFC provided roughly \$628 million in grants to more than 100 California legal services organizations.⁵ These legal service organizations provide services across 13 area of civil law: conservatorship; consumer/finance; disability rights; domestic violence; education; employment; family law; guardianship; health and long-term care; housing; immigration; income maintenance; and juvenile cases.⁶ California’s legal service organizations face real challenges in recruiting and retaining attorneys. A survey conducted by the Legal Aid Association of California in 2010 revealed that over one-third of legal aid attorneys left within three years of being hired.⁷ By 2019, this issue became more acute with one-third of attorneys leaving within just two years.⁸ Despite this, legal services organizations are working to grow their staff and reach more people but demand continues to outpace capacity. One way legal service organizations are addressing this issue is by hiring non-attorney staff, which has increased by 49 percent since

¹ Cal. State Bar, *2024 California Justice Gap Study*, at pp. 14 & 20, available at <https://publications.calbar.ca.gov/justice-gap-study/>.

² *Id.* at 53.

³ *Id.* at 61.

⁴ Cal. State Bar, *Strengthening Legal Aid: Five Years of Strategic Investment*, available at <https://www.calbar.ca.gov/sites/default/files/portals/0/documents/reports/2020-2024-LSTFC-Impact-Report.pdf>.

⁵ *Id.* at 2.

⁶ *Id.* at 10.

⁷ OneJustice, *Increasing Access to Justice Through Community Justice Workers*, (Dec. 2024) at 6, available at <https://onejustice.org/wp-content/uploads/2025/01/CJW-Proposal-1.2025.pdf>.

⁸ *Ibid.*

2019.⁹ The ratio of legal aid attorneys per indigent Californians was 1 to 5,338 in 2023.¹⁰ Though an increase from 2019, it is still inefficient to meet the demand and need for legal assistance.

The issue of access to justice is not unique to California and some states have been exploring various ways to address the issue, including authorizing CJW programs. CJWs are non-attorneys who receive specialized training to provide limited legal services under the supervision of a legal services organization. In order to not run afoul of the prohibition on the unlicensed practice of law, CJWs must receive a waiver or authority from either a statute or court rule to provide these limited legal services. Several other states have already authorized CJW programs or are in the process of establishing such programs, including Alaska, Arizona, Delaware, Hawaii, South Carolina, Texas, and Utah.¹¹ The Court of Appeals in Washington D.C. recently authorized a CJW program, which will take effect in April 2026.¹²

In December of 2025, three legal aid organizations in California, Legal Aid Association of California (the sponsor of this bill), OneJustice, and Legal Link, filed a petition in the Supreme Court of California to authorize the establishment of a CJW program in California.¹³ It is unclear when the California Supreme Court will issue a response to the petition or whether they will authorize the establishment of a CJW program in California. In light of this uncertainty, this bill seeks to require the State Bar to create a working group to examine the results of CJW models in other states and jurisdictions and the impact of providing services to people who otherwise would not have received legal services.

FISCAL EFFECT: Appropriation: No Fiscal Com.: No Local: No

SUPPORT: (Verified 2/20/26)

Legal Aid Association of California (source)
Asian Law Alliance
Bet Tzedek
California Rural Legal Assistance

⁹ Cal. State Bar, *2024 California Justice Gap Study*, at pp. 99-100, available at <https://publications.calbar.ca.gov/justice-gap-study/>.

¹⁰ *Id.* at 98.

¹¹ *Id.* at 38-42.

¹² Ct. of Appeals, D.C. No. M293-26 (filed Feb. 5, 2026), available at https://iaals.du.edu/sites/default/files/documents/2026-02/dc_order_clrtf_0226.pdf.

¹³ Pet. for the Cal. Supreme Court to Review and Approve Proposed Cal. Rule of Court 9.45.1 to Establish a Cal. Community Justice Worker Program, Case No. S294332, available at <https://tf3.truefiling.com/openfiling/81e25e55-6adf-4d5d-4c54-08de38777cd4/recipient/2238b01a-c217-44e0-eb69-08de38777d5f/download>.

Center for Access to QDROs
Center for Gender & Refugee Studies - California
Central California Legal Services
Coalition of California Welfare Rights Organizations
Community Legal Aid SoCal
Contra Costa Senior Legal Services
Disability Rights California
Immigrant Legal Resource Center
Inland Counties Legal Services
Legal Aid Foundation of Los Angeles
Law Foundation of Silicon Valley
Legal Aid at Work
Legal Aid Society of San Bernardino
Legal Aid Society of San Diego
Legal Link
Legal Services for Prisoners with Children
Neighborhood Legal Services of LA County
Oasis Legal Services
OneJustice
The Wage Justice Center
Youth Law Center

OPPOSITION: (Verified 4/20/2026)

None received

ARGUMENTS IN SUPPORT: The author writes:

California faces a persistent and well-documented access-to-justice crisis. Millions of Californians experience civil legal problems each year involving housing instability, consumer debt, domestic violence, public benefits, and employment. Yet, the vast majority have no access to legal assistance. This is particularly true for individuals in rural areas who lack access to attorneys, and people who cannot afford to pay attorney's fees or take time off work to attend court appearances. This power imbalance forces individuals & families into a system of inequality that favors the wealthy and powerful.

Other states have attempted to address the issue of inequitable access to justice through a Community Justice Worker Model. Community Justice Workers (CJWs) are legal aid assistants who may, under the supervision of a legal services organization, provide limited and free legal services. Services

provided by CJWs include legal advice regarding unlawful detainer complaints, consumer debt collection, and wage and hour employment claims. Several states have adopted similar models, including Alaska, Arizona, Utah and Delaware, which have expanded access to legal assistance to meet the needs of their courts and residents. To explore the solution of a Community Justice Worker Model as one answer to California's access to justice gap, SB 1129 would require the State Bar to establish a workgroup to study the model, and report to the Legislature on the viability of implementing such a program in California.

A coalition of legal aid organizations, including the Legal Aid Association of California, which is the sponsor of the bill, write in support stating:

[...] By allowing trained nonlawyers to provide limited legal assistance under the supervision of licensed attorneys, this approach expands the reach of legal help without compromising quality or ethical standards. States like Alaska have demonstrated that with the right training, oversight, and structure, community-based advocates can effectively help people navigate complex legal issues, from housing to family law, in ways that are culturally competent and accessible. Additionally, we hope a model in California will limit participation to only those community justice workers who partner directly with a legal aid organization, ensuring that there is an additional public protection and that no individual will be charged for these services.

At a time when the gap between legal needs and available services continues to widen, this model offers a thoughtful and scalable solution. Many individuals facing critical legal problems never receive any legal assistance at all. Many individuals are afraid to go to an attorney, do not know that their problem has a legal solution, or simply do not think they can access help for free. Community justice workers can meet people where they are, often within trusted community-based nonprofits, and provide legal help that may prevent crises from escalating. Importantly, legal aid attorney supervision ensures that these services rely on current law and best practices.

Adopting a community justice worker model is not about replacing lawyers, but about strengthening the impact of legal aid. It recognizes that meaningful access to justice requires a range of approaches and providers working

together. By embracing this model, jurisdictions can take a significant step toward a more equitable legal system, especially in rural regions of California, where access to a legal aid attorney is more difficult. [...]

Prepared by: Amanda Mattson / JUD. / (916) 651-4113
4/20/26 11:17:36

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