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DIVISION 3. PROFESSIONS AND VOCATIONS GENERALLY [5000 - 9998.11] (*Heading of Division 3 added by Stats. 1939, Ch. 30.*)

CHAPTER 5.5. Legal Document Assistants and Unlawful Detainer Assistants [6400 - 6415] (*Chapter 5.5 repealed and added by Stats. 2002, Ch. 1018, Sec. 2.*)

ARTICLE 1. General Provisions [6400 - 6401.7] (*Article 1 added by Stats. 2002, Ch. 1018, Sec. 2.*)

6400. (a) "Unlawful detainer assistant" means any individual who for compensation renders assistance or advice in the prosecution or defense of an unlawful detainer claim or action, including any bankruptcy petition that may affect the unlawful detainer claim or action.

(b) "Unlawful detainer claim" means a proceeding, filing, or action affecting rights or liabilities of any person that arises under Chapter 4 (commencing with Section 1159) of Title 3 of Part 3 of the Code of Civil Procedure and that contemplates an adjudication by a court.

(c) "Legal document assistant" means:

(1) Any person who is not exempted under Section 6401 and who provides, or assists in providing, or offers to provide, or offers to assist in providing, for compensation, any self-help service to a member of the public who is representing themselves in a legal matter, or who holds themselves out as someone who offers that service or has that authority. This paragraph does not apply to any individual whose assistance consists merely of secretarial or receptionist services.

(2) A corporation, partnership, association, or other entity that employs or contracts with any person not exempted under Section 6401 who, as part of their responsibilities, provides, or assists in providing, or offers to provide, or offers to assist in providing, for compensation, any self-help service to a member of the public who is representing themselves in a legal matter or holds themselves out as someone who offers that service or has that authority. This paragraph does not apply to an individual whose assistance consists merely of secretarial or receptionist services.

(d) "Self-help service" means all of the following:

(1) Completing legal documents in a ministerial manner, selected by a person who is representing themselves in a legal matter, by typing or otherwise completing the documents at the person's specific direction.

(2) Providing general published factual information that has been written or approved by an attorney, pertaining to legal procedures, rights, or obligations to a person who is representing themselves in a legal matter, to assist the person in representing themselves. This service, in and of itself, does not require registration as a legal document assistant.

(3) Making published legal documents available to a person who is representing themselves in a legal matter.

(4) Filing and serving legal forms and documents at the specific direction of a person who is representing themselves in a legal matter.

(e) "Compensation" means money, property, or anything else of value.

(f) A legal document assistant, including any legal document assistant employed by a partnership or corporation, shall not provide any self-help service for compensation, unless the legal document assistant is registered pursuant to Section 6402.

(g) A legal document assistant may not provide any kind of advice, explanation, opinion, or recommendation to a consumer about possible legal rights, remedies, defenses, options, selection of forms, or strategies. A legal document assistant shall complete documents only in the manner prescribed by paragraph (1) of subdivision (d).

(Amended by Stats. 2020, Ch. 370, Sec. 8. (SB 1371) Effective January 1, 2021. Repealed as of January 1, 2030, pursuant to Section 6401.7.)

6401. This chapter does not apply to any person engaged in any of the following occupations, provided that the person does not also perform the duties of a legal document assistant in addition to those occupations:

- (a) Any government employee who is acting in the course of their employment.
 - (b) A licensee of the State Bar of California, or their employee, paralegal, or agent, or an independent contractor while acting on behalf of a licensee of the State Bar.
 - (c) Any employee of a nonprofit, tax-exempt corporation who either assists clients free of charge or is supervised by a licensee of the State Bar of California who has malpractice insurance.
 - (d) A licensed real estate broker or licensed real estate salesperson, as defined in Chapter 3 (commencing with Section 10130) of Part 1 of Division 4, who acts pursuant to subdivision (b) of Section 10131 on an unlawful detainer claim as defined in subdivision (b) of Section 6400, and who is a party to the unlawful detainer action.
 - (e) An immigration consultant, as defined in Chapter 19.5 (commencing with Section 22440) of Division 8.
 - (f) A person registered as a process server under Chapter 16 (commencing with Section 22350) of Division 8 or a person registered as a professional photocopier under Chapter 20 (commencing with Section 22450) of Division 8.
 - (g) A person who provides services relative to the preparation of security instruments or conveyance documents as an integral part of the provision of title or escrow service.
 - (h) A person who provides services that are regulated by federal law.
 - (i) A person who is employed by, and provides services to, a supervised financial institution, holding company, subsidiary, or affiliate.
- (Amended by Stats. 2019, Ch. 128, Sec. 2. (AB 1213) Effective January 1, 2020. Repealed as of January 1, 2030, pursuant to Section 6401.7.)*

6401.5. This chapter does not sanction, authorize, or encourage the practice of law by nonlawyers. Registration under this chapter, or an exemption from registration, does not immunize any person from prosecution or liability pursuant to Section 6125, 6126, 6126.5, or 6127.

(Repealed and added by Stats. 2002, Ch. 1018, Sec. 2. Effective January 1, 2003. Repealed as of January 1, 2030, pursuant to Section 6401.7.)

6401.6. A legal document assistant may not provide service to a client who requires assistance that exceeds the definition of self-help service in subdivision (d) of Section 6400, and shall inform the client that the client requires the services of an attorney.

(Repealed and added by Stats. 2002, Ch. 1018, Sec. 2. Effective January 1, 2003. Repealed as of January 1, 2030, pursuant to Section 6401.7.)

6401.7. This chapter shall remain in effect only until January 1, 2030, and as of that date is repealed.

(Amended by Stats. 2023, Ch. 341, Sec. 1. (AB 690) Effective January 1, 2024. Repealed as of January 1, 2030, by its own provisions. Note: Repeal affects Chapter 5.5, comprising Sections 6400 to 6415.)