

Developing Indigenous Paralegal Training Programs to Promote Sustainable Development on the Amazon River

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I. Introduction

A partnership between the University of Florida Biodiversity Institute and the Amazon Dams Network was created with the goal of promoting sustainable development and protecting the rights of indigenous communities during the construction and maintenance of numerous existing and proposed dams on the Amazon River. The initial research for this article was conducted for the specific purpose of learning the best practices for creating a paralegal training program that would promote the sustainable development of indigenous lands along the Amazon River in Brazil. However, what began as a narrowly tailored research expedition quickly grew into an introductory manual of sorts with the potential to have a universal application for any organization looking to promote sustainable development through the unique avenue of an indigenous paralegal training program.

This article will illustrate the positive impact of indigenous paralegal training programs on the successful implementation of sustainable development practices. To aid in the discussion of this expansive topic, Section II of this article will provide definitions and address distinctions associated with various paralegal programs. While every program will likely have different goals and unique challenges, the often insurmountable question of where and how to begin is a great equalizer. With this hurdle in mind, Section III will raise the key questions and preliminary issues that ideally should be resolved during the creation and execution of a new paralegal program. Finally, Section IV will provide suggestions for implementing successful new programs through an analysis of the best practices of previous and on-going indigenous paralegal programs.

II. Definitions and Distinctions

Before any meaningful discussion can take place about how any of the research presented could be applied to the creation of a paralegal training program, there are multiple questions that must be answered in regards to what a project will encompass and how the end goals will be achieved. During this initial stage, it may be helpful to envision the questions posed in the format of a flowchart, with each decision creating a path that presents different responsibilities and unique problems. The first question sets up the overarching road map for all subsequent decisions. Is the primary goal of the project: (1) to create an indigenous paralegal training program, (2) to focus primarily on

having Traditional Ecological Knowledge¹ (TEK) incorporated in the design, implementation and management of mega infrastructure projects through a mandate within domestic legislation, or (3) to create a hybrid program with the goal of achieving a combination of the first two options?

As the research from previous case studies will show, typically programs have focused on only creating paralegal programs or incorporating TEK, with minor, and inevitable, overlap between the two goals. At this point, it is worth noting yet another distinction in terminology that is relevant to this article. When the term “indigenous paralegal” is used in academic literature, there is not a set definition that denotes exactly what legal powers or responsibilities have been given to the indigenous leaders. The term “paralegal” itself has a very broad definition and encompasses anyone “trained in subsidiary legal matters but not fully qualified as a lawyer.”² Specifically in the United States, the term paralegal carries a different connotation than in most other countries in the world. In the U.S., there are two national organizations³ that can provide certification of paralegals and American colleges and universities also offer specialized paralegal training and certification. Paralegals in the U.S. are formally educated in their craft and are employed by law firms and attorneys in order to “assist lawyers in the delivery of legal services.”⁴ This paralegal responsibility is often different from the work that would be expected, or even legally permitted, of most indigenous paralegals.

Outside of the U.S., the title of paralegal is a loaded term that has many preconceived notions associated with it depending on regional connotations. In this way, any use of the phrase “indigenous paralegal” can be tainted with misinformation or misplaced expectations. Understanding the implications behind the term indigenous paralegal, and the application of this phrase to the goals of a specific project, is important in order to set realistic expectations and provide clear responsibilities for any person who will eventually undergo training through a paralegal program. In most English academic literature, the phrases “indigenous paralegal” and “community paralegal” are used to denote work performed by people with little to no formal legal training. The issue surrounding accurate terminology arose in part due to a lack of direct translations of titles describing paralegal-type work from other languages and international legal systems. Throughout this article, the terms “indigenous paralegal” and “community paralegal” will be used interchangeably.

¹ Traditional Ecological Knowledge “refers to the knowledge, innovations and practices of indigenous and local communities around the world”. “Introduction: Traditional Knowledge and the Convention on Biological Diversity,” Convention on Biological Diversity, accessed July 29, 2017, <https://www.cbd.int/traditional/intro.shtml>. This knowledge usually involves insight on sustainable natural resource management and is transferred from generation to generation within indigenous communities.

² Oxford English Dictionary, s.v. “paralegal,” accessed July 29, 2017, <https://en.oxforddictionaries.com/definition/paralegal>.

³ The two paralegal organizations providing certification in the United States are the National Association of Legal Assistants and the National Federation of Paralegal Associations.

⁴ “About Paralegals,” The National Association of Legal Assistants, accessed July 29, 2017, <https://www.nala.org/about-paralegals>.

Within the implementation of a paralegal program, there is yet another prong that can be added to the flow chart, further narrowing the goals of a program based on the focus of the training. Generally, the role of a community paralegal can be divided into two main categories. The first type of community paralegal acts as a quasi-lawyer on day-to-day civil and criminal law issues, including unlawful arrests of indigenous people, in areas where there is limited access to licensed lawyers. The second category of community paralegals fills a much broader legal goal and expands the scope of work beyond small procedural tasks in a manner that could more aptly be titled “indigenous advocate.” An example of the work an indigenous advocate would perform within their paralegal role would be facilitating the incorporation of TEK in the development and construction of an inevitable mega-infrastructure project, once more formal legal resistance to the project is found to be futile.

III. Preliminary questions and big picture issues

During the process of evaluating the successes and failures of previous paralegal training programs, there were numerous preliminary questions that seemed to present themselves in every situation. The questions raised act as a starting point to evaluate any legal or cultural constraints that could act as a roadblock to developing an indigenous paralegal training program.

The first question that must be answered before any program can be established is: what is the current legal framework that protects the rights of indigenous communities? Because of the different avenues in which indigenous rights can be protected domestically (including constitutional protection and local legal initiatives) as well as internationally (including the United Nations Declaration on the Rights of Indigenous Peoples and other well-intentioned international treaties), understanding the initial protections that are applicable in a given region provides the critical starting point for any project. Though this step may appear to be obvious, there is always a risk that it could be overlooked in the fallacy of not seeing the forest for the trees. The recurring theme that will emerge throughout this article is that no project or initiative is ever truly a standalone project, and in order to be successful, the interconnectivity of the project to the existing legal framework must always be respected.

A similar fundamental issue that will help guide the formation of a paralegal project is evaluating what platforms and bodies currently represent local indigenous communities and the venue in which indigenous communities can have their complaints heard and addressed. Finding these existing avenues, and working in conjunction with existing programs or non-governmental organizations (NGOs), will not only add legitimacy to a new program, but will also present opportunities for partnership and collaboration. Partnerships that involve as many parties as possible will likely lead to the most success for a paralegal training program, especially if the program seeks to create a working relationship between indigenous communities and local governments or NGOs.

Finally, it is important to look at what is already being done to create and/or foster community-based paralegal programs in the specific areas where a program would take

place. Looking at what is already happening, and honestly assessing the viability of a paralegal program, will help to either narrow or broaden the scope of a specific project. Steps in this process would include determining whether there are other organizations or universities that have existing relationships with vulnerable communities that would be willing to engage in a partnership, or if there is a void that has been left by a defunct organization that could now be filled by a newly created paralegal program.

Creating a comprehensive list of questions and issues relating to a paralegal training program is an insurmountable task that would likely never be completed until a project has already been implemented. Even then, new issues will likely arise due to the unique impact of local government actions and the regional influence of the site of the project. Although the issues presented above are in no way a comprehensive list, this introductory overview serves a valuable purpose by providing a starting point that will narrow the scope of work and set the initial expectations for the project.

IV. Background on case studies profiled

The case studies profiled present a mix of purely paralegal training programs and initiatives where domestic law mandates the incorporation of TEK in the construction and maintenance of projects. Overall, there was a wide variety in the goals that each program set out to achieve, in addition to the geographic diversity of the programs, including protecting the interests of local landowners in Mozambique to training indigenous communities in their legal rights over natural renewable resources in Ecuador. The key takeaways from each case study have been grouped topically in the following subsections to illustrate the similar traits of successful programs that could, and should, be replicated in any new paralegal training program. These successful traits include: setting educational standards for participants, implementing unique training techniques, fostering relationships with local governments, and establishing a means for legal certification and recognition of the program. A brief background on the history and scope of the selected case studies profiled is provided below for context.

Ecuador

In Ecuador, the Sustainable Uses for Biological Resources (SUBIR) project was authorized in 1992 with the goal of promoting “the conservation and management of Ecuador’s renewable natural resources for sustained economic development.”⁵ Funded by the United States Agency for International Development (USAID), the SUBIR project was developed to promote the participation of local communities in the implementation of sustainable resource management models in conservation areas. The Ecuadorian Community Paralegal Program (ECP), part of the SUBIR project and managed by the

⁵ Dennis Glick et al., “Ecuador Project Paper: Sustainable Uses for Biological Resources Sustainable Uses for Biological Resources (SUBIR) Project Phase I Evaluation,” United States Agency for International Development/Ecuador Under Cooperative Agreement, June 1994, 1. http://pdf.usaid.gov/pdf_docs/PDABP379.pdf.

organization Ecolex, educates indigenous and local communities in the relevant legislation and advocacy practices of natural resource management.⁶

The political environment in Ecuador at the time the paralegal program was created was relatively favorable towards indigenous rights, promoting the use of TEK, as well as the political engagement of indigenous populations. Since the 1970s, there have been a series of important domestic legal reforms of agrarian law that promote a more inclusive and sustainable vision of development within Ecuador.⁷ These reforms centered on the issue of TEK, including the recognition and promotion of TEK in project management and the connection between agrarian production and the needs of the Ecuadorian people.⁸ This national movement towards creating an inclusive relationship between indigenous communities and the government was ratified in the Ecuadorian Constitutions of 1998⁹ and 2008¹⁰ through several provisions that recognized indigenous collective rights.

Mozambique

One of the most prolific paralegal training programs, which saw great success during its tenure from 2006 to 2014, was the Legal and Judicial Training Centre (CFJJ) created in conjunction with the Food and Agriculture Organization (FAO) of the United Nations and the Mozambique Ministry of Justice.¹¹

Before a concerted effort was made to train community paralegals, a progressive new domestic policy, the 1995 National Land Policy (NLP), and legal framework, the 1997 Land Law, were passed by the government as a means to “secure the rights of the Mozambican people over land and other natural resources, as well as [promote] investment and the sustainable and equitable use of these resources.”¹² Issues that spurred the passing of the NLP and the Land Law included unregulated foreign investment in land, exploitative use of natural resources, and unfair land acquisitions for

⁶ Ibid., 32.

⁷ Manolo Morales, *Guía Metodológica para la Formación de Paralegales Comunitarios*, [Methodological Guide for the training of Community Paralegals]. Quito: Ecolex, 2004, 16. Accessed July 29, 2017. <http://www.flacsoandes.edu.ec/libros/digital/43250.pdf>.

⁸ Manolo Morales, “Community Paralegals and Land Tenure,” in *Integrated Conservation and Development in Tropical America: Experiences and Lessons in Linking Communities*, ed. Robert E. Rhoades and Jody Stallings. USA: SANREM CRSP and CARE-SUBIR, 2001, 123. https://vtechworks.lib.vt.edu/bitstream/handle/10919/65330/266_icdtaFull.pdf?sequence=1.

⁹ Rodrigo de la Cruz, “Regional Study in the Andean Countries: Customary Law in the Protection of Traditional Knowledge”, 7. Report revised for World Intellectual Property Organization (WIPO), Quito, Ecuador, November 2006. http://www.wipo.int/export/sites/www/tk/en/resources/pdf/study_cruz.pdf.

¹⁰ Ecuador. Constitution of the Republic of Ecuador: Published in the Official Register October 20, 2008. Quito: Ministerios de Relaciones Exteriores, 2010.

¹¹ Christopher Tanner and Marianna Bicchieri, “When the Law is Not Enough: Paralegals and Natural Resources Governance in Mozambique,” Food and Agriculture Organization of the United Nations Legislative Study, 2014, 1. <http://www.fao.org/3/a-i3694e.pdf>.

¹² Christopher Tanner et. al, “Legal Empowerment and Access to Justice as Instruments for Good Land Governance.” Paper presented at World Bank Conference on Land and Poverty, Washington, D.C., March 2015. http://mokoro.co.uk/wp-content/uploads/Tanner_paper_WB.pdf.

farming industries.¹³ As is often the case with a new law, the real battle is not necessarily in passing the law, but in the implementation. Overall, a lack of citizen awareness of the new laws and inadequate means to address concerns within the new framework stalled the potential success of the policies in Mozambique. The CFJJ program was created in an effort to help empower citizens and create a means to ensure compliance with the new laws. During the nine years that the CFJJ program ran, over 700 indigenous paralegals were trained in an effort to help educate citizens and provide legal support for landowners.¹⁴

The Philippines

The Philippines has a long tradition of utilizing community based and indigenous paralegal programs, with the foundation for these programs dating back as early as the 1930s.¹⁵ In contrast to Mozambique or Ecuador, where environmental and development issues became a driving force behind the creation of paralegal programs, the harsh political climate within the Philippines in the 1970s and 1980s helped to establish a national reliance on community paralegal training programs. During the martial law era of the Ferdinand Marcos dictatorship in the 1970s, the Free Legal Assistance group was created with the goal of training paralegals to assist in the legal needs of people arrested under martial law.¹⁶

After a new era of democracy began in the Philippines in 1986, there was a shift towards a more inclusive political system which included the creation of alternative law platforms and various community paralegal programs.¹⁷ The newly enacted constitution ratified in 1987 recognized the collective rights of indigenous communities and established a protection and promotion of these rights within the Philippines. Additionally in 1997, the Philippines adopted the “Indigenous Peoples’ Rights Act,” designed to protect the rights of cultural communities and indigenous peoples. These protected rights include the ability to manage ancestral domains (lands, inland waters, coastal areas, and natural resources occupied or possessed by indigenous peoples), the recognition of customary law, and the protection of indigenous culture and traditions.¹⁸

¹³ Ibid.

¹⁴ “Judicial and Legal Training Center: Presence in Mozambique,” Namati Organization, accessed July 29, 2017, <https://namati.org/network/organization/cfjj>.

¹⁵ Franco et al., “Community Based Paralegalism in the Philippines: From Social Movements to Democratization.” Justice and Development Working Paper Series 27/2014, The International Bank for Reconstruction and Development/The World Bank, Washington, D.C., 2014. <http://documents.worldbank.org/curated/en/735621468334143438/pdf/860000NWP0Comm00Box382162B00PUBLIC0.pdf>.

¹⁶ Ibid, 5.

¹⁷ Ibid, 21.

¹⁸ Republic Act No. 8371 an Act to Recognize, Protect and Promote the Rights of Indigenous Cultural Communities/Indigenous Peoples, creating a National Commission on Indigenous Peoples, Establishing Implementing Mechanisms, Appropriating Funds Therefor, and for Other Purposes, 1997. <http://www.gov.ph/1997/10/29/republic-act-no-8371>.

V. Best practices derived from case studies

A thorough case study analysis was performed on each of the programs highlighted above, in addition to multiple other international paralegal programs that did not warrant a full profile in this article. From this analysis, recurring themes and best practices were identified and the recommendations for potential future programs have been grouped by topic within this section. While every recommendation may not be directly applicable for every program, the basic adage of “don’t reinvent the wheel” is relevant for all of the issues presented.

a. Setting educational standards for potential paralegals

Although the idea of empowering every citizen with legal knowledge is admirable, this plan is not always practical. Setting initial educational standards for participants will help to maximize the success of a paralegal program.

A prerequisite to becoming a participant of the CFJJ in Mozambique was that the potential paralegal must have obtained some secondary education.¹⁹ Preferably, participants would also have some specialized education or experience working with land management issues.²⁰ The standards set by the ECCP were not confined only to the student’s education, but also addressed personal traits and the participant’s commitment to their community. The specific standards set by the ECCP required the paralegals to have at least: (1) three years of residence in their community, experience on the community board of directors, or a role in a specific position of power within their community, (2) completed some form of elementary-level schooling, or have the ability to read and verbalize ideas, and (3) a personal disposition towards being open minded and a willingness to learn.²¹

These educational and personal requirements are important in order to ensure that participants can accomplish the goals set out by the program. Once accepted into the ECCP program, participants were required to accomplish certain milestones and activities beyond just attending the workshops, including: contributing to the legal analysis of the program’s activities, distributing the information gained about the problems facing their communities, as well as generally assisting their communities with legal problems.²² Similarly in the CFJJ, paralegals were expected to accomplish certain goals set forth by the program, including fulfilling an advocacy role and providing legal advice and support to their community.²³

¹⁹ Tanner and Bicchieri, “When the Law is Not Enough,” 33.

²⁰ Tanner, “Legal Empowerment,” 13.

²¹ Manolo Morales, *Guía Metodológica para la Formación de Paralegales Comunitarios*, [Methodological Guide for the training of Community Paralegals]. Edited by Otto Zambrano Mendoza. Quito: Ecolex, 2013.

²² *Ibid*, 10.

²³ Tanner and Bicchieri, “When the Law is Not Enough,” 33.

b. Developing a training program that caters to the unique needs of the indigenous students

Although it would be ideal to train paralegals with some secondary education or previous legal experience, for most training programs, this will simply not be the case due to a lack of qualified individuals in the target area. The formal education level of indigenous paralegals will likely vary substantially within a given class or an entire program. Beyond basic educational hurdles, such as the ability to read or write, unique cultural customs will likely come into play during education sessions. Even if it is impossible to completely remove these barriers, there are steps that can be taken to help create a successful training program and an inclusive learning environment.

The ECCP has excelled in engaging with students by adopting alternative teaching methods that are centered on active student participation. The training curriculum is taught over a six month period and is divided into a set of themes identified as common problems in rural communities, including: community organization, legal land titles, protected areas and forestry resources, petroleum and mining, community tourism, biodiversity, and intellectual property.²⁴ Classes in the ECCP are taught in a workshop format where teachers use participative activities such as:²⁵ participative dynamics,²⁶ working groups, field trips to public and private entities, socio-dramas,²⁷ creative work,²⁸ and talking maps.²⁹ In order to assess the effectiveness of these strategies, the ECCP carried out routine evaluations at the end of each work day,³⁰ at the end of each workshop,³¹ and at the end of the program as whole to gauge the improvement in the students' abilities to understand and analyze legal issues.³²

Catering to the needs of students should not be strictly limited to curriculum, as the location of the training program can have an equally important impact on its overall success. In Ecuador, training programs alternate teaching locations between central and regional outposts in order to help ease participants into the program, and also to familiarize students with the government administration. Central workshops are based in Quito, Ecuador in association with key administrative and political institutions, allowing for interaction with experts in the relevant legal field, including public administrators.

²⁴ Morales, *Guía Metodológica para la Formación de Paralegales Comunitarios*, [Methodological Guide for the training of Community Paralegals], 2013, 3-6.

²⁵ *Ibid*, 16-17.

²⁶ At the beginning of each workshop, these short activities are designed to ensure the participant's stimulation and inclusion into the group.

²⁷ Participants break into groups and are assigned different themes. Each group develops a script related to their theme and then represents this theme using puppets.

²⁸ These activities include collages, drawing, and painting to express ideas.

²⁹ The parties in a conflict draw their perspective of the problem.

³⁰ This evaluation is undertaken by the paralegals themselves. Each day, the students are divided into two groups: the evaluator and the observer. The evaluator group represents the steps for a specific procedure learned that day, while the other group either ratifies or questions the contents.

³¹ In round tables, each participant explains the major takeaways, where participants must answer the following question: which theme would you apply in your community and why?

³² Morales, *Guía Metodológica para la Formación de Paralegales Comunitarios*, [Methodological Guide for the training of Community Paralegals], 2013, 18.

Regional workshops are often given to paralegals in their mother tongue and take place in the communities where the participants live.³³

The CFJJ paralegal training program similarly adapted the curriculum and location of the program to suit the needs of the specific paralegals receiving training. The paralegal training classes typically began with dramatized plays performed for the potential trainees in order to better explain the topics and conflicts that would be addressed in a given class.³⁴ Additionally, an emphasis was placed on experiential learning, rather than strictly conforming to traditional classroom learning. Within smaller break-out groups during training, the paralegals and their instructors would go to the source of the problem within their own cities or villages and see the legal issue first hand before later addressing the issue with more traditional classroom learning.³⁵ The benefits that the ECCP and CFJJ programs gained by dividing time between two distinct teaching locations was two-fold: (1) it allowed participants to become familiar with the government institutions that control paralegal practice in their country's capital or administrative center, and (2) when the training was conducted within the participants' communities, in their native dialect, it reinforced the idea that the ultimate beneficiaries of the project were the participants themselves, and the communities in which they live.

As a final note on the issue of catering the educational experience to the needs of a program, it is important to understand that the students are not the only party involved that must undergo unique training. Educating program coordinators and teachers in the most effective techniques that can be used to teach indigenous paralegals is also critical in achieving success. A program produced by the University of Alaska Anchorage titled, "Stop Talking: Indigenous Ways of Teaching and Learning and Difficult Dialogues in Higher Education" has identified key teaching techniques that educators should utilize when teaching indigenous students.³⁶ This program aims to "teach the teachers" in the best methods that should be used when working with indigenous communities. Techniques promoted by the program include: an "emphasis on observation and experience over direct verbal instruction,"³⁷ connecting lessons to nature and environmental principles whenever possible, and respecting existing cultural norms of indigenous communities.³⁸

c. Educating the community and encouraging government involvement

A recurring issue facing most programs is a disconnect that develops between the community, the local government, and the paralegals who have been trained in the program. In the Philippines, many community members were skeptical of the abilities

³³ Ibid, 8.

³⁴ Tanner, "Legal Empowerment," 14.

³⁵ Ibid, 16.

³⁶ Ilarion Mercurieff and Libby Roderick, *Stop Talking: Indigenous Ways of Teaching and Learning and Difficult Dialogues in Higher Education*. Anchorage: University of Alaska Anchorage, 2013.

³⁷ Ibid, iv.

³⁸ Ibid.

and the skills of newly trained paralegals.³⁹ In turn, this community distrust caused many of the paralegals to lose confidence in their abilities, thereby undermining the success of the programs. In an effort to overcome this same type of struggle, the CFJJ placed an emphasis on education beyond the narrow scope of the paralegal students, but also the community as a whole.⁴⁰ Education offered to citizens outside of the paralegal program can help to break down the divide of “us against them” that is frequently seen in rural or indigenous communities, especially in a situation where there is a large influx of outsiders. One way to interpret this point, in an over-simplified analogy, is that a community paralegal will only be as good as the community they are representing. If an indigenous community is unaware of their rights and wary of a legal system that has done little to help them in the past, even a formally trained lawyer is unlikely to have success.

Beyond education, more formal approaches to community and government involvement and acceptance can help to ensure that community paralegals play a valuable role in facilitating change. Rather than working independently to train paralegals and send them out into an unwelcoming and unappreciative legal system, the CFJJ implemented the twin-track approach to work on the local government structures and process alongside the paralegal training program. Generally, the twin-track approach seeks to implement change by incorporating two distinct but complementary tracks: (1) empowering local communities with the education and means to represent themselves, and (2) improving the local government processes, and educating government officials and agents, so the community representatives can actually exercise their newfound power.⁴¹ The second track of the twin-track approach implemented in Mozambique was not confined only to government, as relationships with non-governmental organizations (NGOs) were also built under the twin-track approach. Utilizing NGOs as the go-between in certain situations, and letting NGOs in on the educational process on both sides of the issue, further reinforces the point that the twin-track approach should not limit programs to a binary view of paralegals and governments.

d. Certification and establishing legitimacy for the paralegal program

Recognition and certification of indigenous paralegals by local communities and the government, at either a national or local level, is the best way to legitimize the work of paralegals. While certification can help to add legal weight to the actions of paralegals, rigorous certification standards or intense government scrutiny can actually hurt paralegal programs by marginalizing and discriminating against indigenous groups who are unable to meet formal education or training standards.⁴² Balancing the need for certification and legal recognition against the need to engage in meaningful work with indigenous communities and their representatives is a challenge that each paralegal program will need to assess during a program’s development stage, as this decision will

³⁹ Franco, “Community Based Paralegalism in the Philippines,” 18.

⁴⁰ Tanner and Bicchieri, “When the Law is Not Enough,” 89.

⁴¹ Tanner, “Legal Empowerment,” 11.

⁴² Franco, “Community Based Paralegalism in the Philippines,” 21.

greatly depend on the location of the proposed program and the ultimate goals and objectives of the program.

There have been successful paralegal training programs that have been able to retain their engagement with indigenous communities and achieve a level of legal recognition, including the case study programs from Ecuador and the Philippines. The ECCP as a whole is recognized by official organizations and students receive a signed certificate upon graduation.⁴³ This act of internally and externally recognizing the work of the paralegals and their dedication to the program is not only a procedural benefit, but also provides an intangible benefit of increased morale and pride. Institutional support within Ecuador has also been critical in adding to the success of the ECCP. Local organizations, including the Pichincha Bar Association and the Center of Mediation, each support the ECCP and evaluate the paralegals' skill level and ability to perform meaningful legal work.⁴⁴

In Ecuador, the success of the ECCP also led to the creation of a major national paralegal organization, the Community-Based Paralegal Network, which acquired official legal status in 2001.⁴⁵ The general assembly of the network meets multiple times throughout the year with the purpose of promoting knowledge exchange between paralegal groups, creating an environment where paralegals from different organizations and nations can collaborate, supporting the rights of indigenous Ecuadorian communities, and regulating paralegal activity.

In the Philippines, there have been some successes and struggles in regards to paralegal recognition and certification. Certain dispute resolution agencies within the executive branch of the government, quasi-judicial tribunals, and agencies that oversee agrarian affairs all recognize the authority of paralegals.⁴⁶ This accreditation not only adds a sense of legal legitimacy to the paralegals' actions, but also signifies a weight of government approval to third parties. Formal accreditation also allows the state to regulate the quality of the services provided by the paralegals. This recognition by the Philippine government is not unconditional though, as paralegal practice is still not formally recognized by the judicial branch.⁴⁷ In 2006, a resolution from the National Paralegal Conference argued for a change in this policy, stating that "given the quantity of cases that we face and the lack of alternative lawyers that are willing to assist us, it is due time that the Supreme Court recognize our knowledge, skills, and capacity to represent ourselves and our organizations and communities."⁴⁸ This statement highlights the important role that indigenous paralegals can play in a country's legal system and

⁴³ Glick, "Ecuador Project Paper," 32.

⁴⁴ Morales, *Guía Metodológica para la Formación de Paralegales Comunitarios*, [Methodological Guide for the training of Community Paralegals], 2013, 4.

⁴⁵ *Ibid*, 30.

⁴⁶ Franco, "Community Based Paralegalism in the Philippines," 9.

⁴⁷ *Ibid*, 29.

⁴⁸ *Ibid*.

illustrates the likely battle that most paralegal programs will eventually face in their quest for legal recognition and support.

VI. Conclusion

The information contained within this article illustrates the diversity in the types of paralegal training programs that can be created, and highlights the variety of successful tools and strategies that can be utilized by future programs. From the research presented within this article, four key recommendations have emerged that, if followed, will likely lead to the greatest success for future indigenous paralegal programs: (1) setting educational standards for potential paralegals, (2) developing a training program that caters to the unique needs of the indigenous students, (3) educating the community and encouraging government involvement, and (4) establishing legitimacy for the paralegal program through certification and legal recognition by the local government.