

## Legal Document Preparer FAQ – Initial Certification, Renewal, & Continuing Education Questions

[ACJA § 7-201](#)

[ACJA § 7-208](#)

[Rule 31](#)

### Initial Certification

- How do I register for the exam?

The [2013 Exam Schedule](#) is located on the LDP website. Download the registration form and choose from the test dates available.

- How long should I study for the exam?

The [study guide](#) of the exam is located on the LDP website. All test questions are derived from the content areas discussed in the study guide. The amount of time needed to prepare for the exam is dependent upon each individual's previous experience and knowledge base.

- Are there classes that I can take to prepare for the exam?

No, there are no classes provided by the Arizona Supreme Court to prepare an applicant for the exam. A study guide is available on the LDP website and all test questions are derived from the content areas discussed in the study guide.

- Can I review my test score if I do not pass the exam?

Yes, you are able to schedule a time during the hours the Supreme Court is open (M-F, 8am-5pm) to review your answer sheet and score by emailing or faxing a written request. However, you are not able to review the test booklet and you are not able to make a copy or receive a copy of your answer sheet.

- Do I need to pay to retake the exam?

Yes, all fees are non-refundable and a payment of \$50 is required to retake the exam.

- How do I retake the exam?

You must submit a written request to Division staff asking approval to retake the exam within 30 days of your examination results notification. You may submit the request by emailing the program at [ldp@courts.az.gov](mailto:ldp@courts.az.gov) or you may fax the

request to 602-452-3958. Upon approval of a retake, Division staff will provide you with further instructions.

- How many times can I retake the exam?

You have three opportunities to pass the exam. Any additional opportunities beyond the third attempt must be approved by the Legal Document Preparer Board (the Board).

- Will my credit affect my ability to be certified?

An applicant's credit will not necessarily preclude him/her from being certified as a Legal Document Preparer.

- If I am denied certification, do I receive a refund for my application fee?

No, all fees are non-refundable. Please refer to the Arizona Code of Judicial Administration § 7-208 for eligibility and certification requirements.

- Am I eligible to become a Legal Document Preparer?

Please refer to the Arizona Code of Judicial Administration § 7-208 (E)(3)(b) for Individual Certification eligibility requirements.

- Are there classes I can take or a program I can enroll in to prepare me to become a Certified Legal Document Preparer?

The Arizona Supreme Court does not offer preparatory classes for potential applicants, nor does the Arizona Supreme Court endorse any preparatory programs. Individual Initial Certification will depend on meeting the eligibility requirements outlined in the Arizona Code of Judicial Administration § 7-208 (E)(3)(b).

- What is a legal document preparer?

The Arizona Code of Judicial Administration § 7-208 (A) defines a legal document preparer as *“an individual or business entity certified to prepare or provide legal documents, without the supervision of an attorney, for an entity or a member of the public who is engaging in self representation in any legal matter. An individual or business entity whose assistance consists merely of secretarial or receptionist services is not a legal document preparer.”*

- What is considered a legal document? How do I know if I need to be certified?

A legal document is any document that can be used in court. If you have any questions or concerns about whether or not a document is considered a “legal

document,” you must consult your attorney. Any person or business entity that is preparing legal documents without the supervision of a licensed attorney must be certified as a legal document preparer.

- What is the difference between a legal document preparer and a paralegal?

Supreme Court of Arizona Rule 31: The Regulation of the Practice of Law defines a paralegal as “*a person qualified by education and training who performs substantive legal work, which requires a sufficient knowledge and expertise of legal concepts and procedures, who is supervised by an active member of the State Bar of Arizona and for whom an active member of the state bar is responsible, unless otherwise authorized by Supreme Court Rule*”. Therefore, a paralegal is under the supervision of a licensed attorney. A certified legal document preparer does not require supervision by a licensed attorney.

- How often does the Board meet to grant certification?

The LDP Board meets every other month. During renewal year, additional meetings may be scheduled by Division staff. Board meeting dates and times, as well as meeting minutes, are available on the LDP website.

- The Board meeting minutes show that my application has been deferred due to insufficient information but I have not been contacted. What does this mean?

An application may be deficient information due to a multitude of reasons (i.e. background check results have not been received). If your application is deficient information that is needed from the applicant, Division staff will be in contact with you.

- How soon after I become certified can I work?

You may begin working as a Certified Legal Document Preparer immediately upon certification. Once certification is granted, a letter will be sent to the address you provided on your application with a large certificate as well as a business card sized certificate.

- Can I use the fingerprint card that I already have?

Yes, if you recently obtained a new blue and white FBI fingerprint card that has not been processed by another entity, you can submit the card along with your application. A fingerprint card that has already been processed cannot be used for certification eligibility.

- My fingerprint results came back as indiscernible or unreadable. What do I do?

The Arizona Code of Judicial Administration (ACJA) § 7-201 (E)(2)(d) states that *“If after two attempts, the FBI determines the fingerprints provided are not readable, the applicant shall submit a written statement, under oath, the applicant has not been arrested, charged, indicted, convicted of or pled guilty to any felony or misdemeanor, other than as disclosed on the application.”*

- Can I obtain a copy of my fingerprint results?

No, applicants are not able to receive a copy of their fingerprint results.

- Once I have been certified, what can I do to maintain my certification?

Abide by the policies and procedures stipulated in ACJA § 7-201 and 7-208, Rule 31 and any other applicable statutes, court rules, or regulations.

## **Renewals**

- I was recently certified. Do I still need to apply for renewal?

Yes, you will still need to apply for renewal and meet the requirements outlined in ACJA § 7-208 (G).

- When is the renewal deadline?

Pursuant to ACJA § 7-208 (G)(1), *“all standard certifications expire at midnight, on June 30<sup>th</sup> of each odd numbered year.”* Notices of renewal deadlines will be sent out to the addresses on file approximately a month and a half in advance of expiration. It is imperative to keep your contact information current to ensure that you receive any correspondence from Division staff.

- Is there a late fee for submitting my renewal application after the deadline?

Yes, there is a \$50 late fee associated with submitting your application after the deadline. Pursuant to ACJA § 7-201 (G)(1)(d), *“The certificate of a certificate holder who does not supply a complete renewal application and payment of the renewal fee in the specified time and manner to division staff shall expire as of the expiration date in the applicable section of the ACJA. Division staff shall treat any renewal application received after the expiration date as a new application.”* Therefore, if a renewal application is received after June 30<sup>th</sup> of renewal year, the applicant’s certificate will expire and the applicant will need to pursue initial certification again.

- I did not receive notification of the renewal time. What can I do?

It is your responsibility to ensure that your contact information on file is current. If you did not receive correspondence sent to you by Division staff and missed the

expiration date for renewal, you will need to pursue initial certification again. Pursuant to ACJA § 7-201 (F)(6), “*a certificate holder shall notify division staff of any change in name or business, directory, mailing or home address, telephone number or email address within 30 days of any change, pursuant to the applicable sections of the ACJA. The certificate holder shall make this notice in writing by U.S. Post, facsimile or email.*”

- If I filled out an online application, do I need to fill out a paper application?

No, if you filled out an online application you do not need to fill out a paper application and vice versa. If you have filled out an online application but need to update your contact information, fill out the contact information update form found online and fax the form to Division staff.

- I filled out a paper application. Can I pay with a credit card?

No, if you need to pay your renewal fee with a credit card, then you must submit an online application. If you submit a paper application, a money order, cashier's check or personal check will need to be included for the renewal fee payment.

- How will I know when my renewal has been approved?

Due to the extensive amount of renewal applications received, the renewal process can take several months. Your certificate will remain active if a renewal application is pending until a decision has been made by the Board. You will receive a letter in the mail with a new business card certificate once your renewal has been granted.

- I am trying to register online but the website isn't recognizing me. What do I do?

Be sure that you are entering the correct email address that the Division has on file for your certification number. If you are applying for your business renewal, be sure that you are using your personal certificate number and not the business certificate number.

- The Board meeting minutes show that my application has been deferred due to insufficient information but I have not been contacted. What does this mean?

An application may be deficient information due to a multitude of reasons (i.e. background check results have not been received). If your application is deficient information that is needed from the applicant, Division staff will be in contact with you.

### **Continuing Education Credits**

- Do I need to send in Certificates of Completion for my continuing education (CE) credits?

No, you do not need to send in verification of continuing education credits unless you are audited. You will receive a notice in the mail if you have been audited and submission of your continuing education credits is necessary.

- I am being audited for my CE credits. What if I have not completed the required hours?

You will need to submit a notarized request for an extension to the Board as discussed in ACJA § 7-208 (L)(9)(c). The Board will make a decision regarding continuing education compliance as discussed in the ACJA § 7-208 (L)(10)(a).

- How do I know if a class, seminar, training etc is eligible for credit?

Any activity that you complete is eligible for continuing education credit if the activity meets the criteria stipulated in ACJA § 7-208 (L)(4).

- Does the Arizona Supreme Court provide any classes or trainings that will count towards my continuing education credit requirement?

The Arizona Supreme Court does not offer any continuing education classes or trainings. There are continuing education credit opportunities listed on our website; however, this list is not extensive. Provided that the activity completed meets the authorized continuing education activities criteria listed in ACJA § 7-208 (L)(4), any activity can be eligible for credit. Be sure that the activity being completed will apply as there are restrictions on the number of hours that are approved for credit depending on the type of activity that is completed. For example, no more than half of the required hours per year can be completed through self study activities. Refer to ACJA § 7-208 (L) for all Continuing Education policies.

- How can I track the number of hours that I have completed?

ACJA §7-208 (L)(2)(a) requires all certified legal document preparers to attend a minimum of ten hours of approved continuing education each year between the period of May 1st and April 30th of the following year, for a total of no less than twenty hours of continuing education completed on or before April 30th of every odd numbered year. A [continuing education tracking tool](#) can be found on our website to assist you.

- I completed the 20 hours required for renewal, however, I completed the hours outside of the timeframes of May 1<sup>st</sup> through April 30<sup>th</sup> of one year and May 1<sup>st</sup> through April 30<sup>th</sup> of renewal year. What happens now?

The Board makes all final decisions regarding renewal applications. If the Board grants renewal, a \$50 delinquent continuing education fee may be applied if all continuing education hours have been met but were completed outside of the required timeframes or after the deadline of April 30<sup>th</sup>.

- I did not receive a certificate of completion for an activity that I completed. How do I receive credit for that activity?

Please refer to ACJA §7-208 (L)(8)(a-f) for documentation of attendance or completion requirements. Verification of payment is not considered documentation of attendance or completion.