

IN THE SUPREME COURT OF THE STATE OF ARIZONA

In the Matter of:)	
)	
ARIZONA CODE OF JUDICIAL)	Administrative Order
ADMINISTRATION § 7-210:)	No. 2023 - <u>225</u>
LEGAL PARAPROFESSIONAL)	(Affecting Administrative Order
)	No. 2023-61)
)	

Proposed amendments to the above-captioned section of the Arizona Code of Judicial Administration (ACJA) came before the Arizona Judicial Council on December 14, 2023, and were approved and recommended for adoption.

Therefore, pursuant to Article 6, Section 3, Constitution of Arizona,

IT IS ORDERED that the amendments to ACJA § 7-210, as indicated on the attached document, are adopted. All other provisions of § 7-210 remain unchanged and in effect.

Dated this 29th day of December, 2023.

ROBERT BRUTINEL
Chief Justice

ARIZONA CODE OF JUDICIAL ADMINISTRATION
Part 7: Administrative Office of the Courts
Chapter 2: Certification and Licensing Programs
Section 7-210: Legal Paraprofessional

A. Definitions. In addition to the definitions in ACJA § 7-201(A), the following definitions apply to this section:

* * *

“Legal Paraprofessional” (“LP”) means an individual licensed pursuant to this section to provide legal services without the supervision of an attorney in the areas of law and within the scope of practice defined herein.

* * *

“Substantive, law-related experience” means the provision of legal services as a law clerk, paralegal, or paralegal student including, but not limited to, drafting pleadings, legal documents, or correspondence; completing forms; preparing reports or charts; legal research; and interviewing clients or witnesses in the area(s) of practice in which the applicant seeks to be licensed. Substantive law-related experience does not include routine clerical or administrative duties or preparation of legal documents for an entity or member of the public engaged in self-representation.

B. Applicability. This section applies to individuals who provide legal services within the exception to the prohibition of the unauthorized practice of law set forth in ~~Supreme Court Rule 31.3(e)(4), Rules of the Supreme Court,~~ and this section. To ~~qualify to provide legal services under the this specified exception pursuant to Rule 31.3(e)(4) and this section,~~ individuals must hold a valid legal ~~paraprofessionals~~ paraprofessional ~~shall hold a valid license, and perform legal their duties services only within the scope of the practice area(s) in which they are licensed in accordance with subsection (F), and comply with the other requirements for licensees in this section. A No person shall individual may not represent that he or she is claim to be a legal paraprofessional unless the person holds they hold an active license as a legal paraprofessional. This section is read in conjunction with ACJA § 7-201: General Requirements, and the Arizona Rules 31 through 80, Rules of the Supreme Court, governing the practice of law. In the event of any conflict between the Arizona Rules of the Supreme Court, ACJA § 7-201, and ACJA § 7-210 this section,~~ the Rules of the Supreme Court shall govern, followed by this section.

C. Purpose. The supreme court has inherent regulatory power over all ~~persons~~ lawyers or nonlawyers providing legal services to the public, ~~regardless of whether they are lawyers or nonlawyers.~~ Accordingly, this section is ~~intended to result in~~ provides for the effective administration of the legal paraprofessional licensing program.

D. ~~Administration~~ Roles and Responsibilities.

1. ~~Role and Responsibilities of the Supreme Court. In addition to the requirements of supreme court’s responsibilities under ACJA § 7 201(D), the~~ The supreme court shall review receives recommendations from the board for licensure of applicants and makes a final

~~determination on the licensure of these applicants.~~ 2. Establishment and Administration of Fund. ~~The supreme court shall~~ establishes and administers a legal paraprofessional fund consisting of monies received for license fees, costs, and civil penalties. ~~The supreme court shall administer the legal paraprofessional fund and shall receive and is authorized to~~ expend monies from the fund for the implementation, administration, and enforcement of the legal paraprofessional program.

~~32. Role and Responsibilities of the~~ Division Staff. ~~The responsibilities of the Division's director, deputy director, and staff are contained as stated in ACJA § 7-201(D).~~

~~43. Board of Nonlawyer Legal Service Providers. In addition to the requirements of ACJA § 7-201(D), the following requirements apply. The Board of Nonlawyer Legal Service Providers is established.~~

a. ~~The Board of Nonlawyer Legal Service Providers is established, comprised of the following board consists of~~ eleven members appointed by the chief justice in the following categories:

- (1) Two certified legal document preparers;
- (2) ~~Until June 30, 2022, two additional members and thereafter, t~~ Two legal paraprofessionals;
- (3) One judge or court administrator;
- (4) One clerk of the superior court or designee;
- (5) One attorney;
- (6) Two public members; and
- (7) Two additional members.

b. ~~The board shall~~ must issue licenses to qualified applicants ~~pursuant to~~ as provided in subsections (E)(2) and (3).

c. ~~On or before April 30 of each year, the board shall~~ must file a report with the supreme court describing the status of the legal paraprofessional program. ~~The report shall~~ must include, but is not limited to, the following ~~information:~~

- (1) The number of applications granted and declined during the previous calendar year;
- (2) The number of licensed legal paraprofessionals as of December 31 of the previous calendar year;
- (3) The number and nature of charges filed against legal paraprofessionals during the previous calendar year ~~and the nature of the charge(s);~~
- (4) The number and nature of complaints initiated by the state bar during the previous calendar year ~~and the nature of the complaint;~~
- (5) Discipline imposed during the previous calendar year, the nature of the conduct ~~leading to the~~ resulting in discipline, and the discipline imposed; and
- (6) Recommendations concerning modifications or improvements to the legal paraprofessional program.

~~44. The State Bar of Arizona. The state bar shall~~ must provide the board with the following information:

~~(1)~~a. On a calendar quarter basis:

- ~~(a)~~1) The number and nature of charges filed against legal paraprofessionals during the previous calendar quarter ~~and the nature of the charge(s);~~
- ~~(b)~~2) The number and nature of complaints initiated by the state bar against legal paraprofessionals during the previous calendar quarter ~~and the nature of the complaint; and~~
- ~~(c)~~3) Discipline imposed on legal paraprofessionals during the previous calendar quarter, and the nature of the conduct leading to the discipline, and the discipline imposed; and
- ~~(d)~~4) The current list of licensed ~~LP'~~ legal paraprofessionals that the state bar ~~shall~~ must submit ~~a copy~~ to the clerk of the supreme court.

~~(2)~~b. On or before January 31 ~~on an annual basis~~ of each year:

- ~~(a)~~1) ~~the~~ The number of licensed legal paraprofessionals as of December 31 of the previous year; and
- ~~(b)~~2) Recommendations concerning modifications or improvements to the legal paraprofessional program.

~~(3)~~c. Such other information as the board may request to prepare ~~the~~ its report to the supreme court ~~described in under (D)(4)(3)(c) herein.~~

E. Licensure. In addition to the ~~requirements~~ provisions of ACJA § 7-201(E)~~(1) through (5)~~, the following requirements apply:

1. ~~Necessity~~ License Required. A person ~~shall~~ must not represent that the person is a legal paraprofessional, or is authorized to provide legal services, without holding a valid license ~~and one or more endorsement pursuant to this~~ issued in compliance with this section in one or more of the following practice areas:

~~a.~~ The board may grant license endorsements in the following practice areas:

- ~~(1)~~a. Family law ~~endorsement~~;
- ~~(2)~~b. Civil ~~practice~~ endorsement;
- ~~(3)~~c. Criminal law ~~endorsement~~;
- ~~(4)~~d. Administrative law ~~endorsement~~; and
- ~~(5)~~e. Juvenile law ~~endorsement~~.

~~b.~~ The board may issue subject area certification under the following endorsements:

- ~~(1)~~ Adoption certification under a family law endorsement; and

~~(2) Adoption certification under a juvenile law endorsement.~~

2. Eligibility for Applying for a License Examination.

a. ~~All potential applicants for a license, in addition to meeting the requirements set forth in subsection (E)(3) Timing of Examination. Before applying for licensure, a prospective applicants shall meet the examination requirements of this subsection. (1) Potential applicants for a license shall must successfully pass achieve a passing score on the legal paraprofessional examination prior to submitting an application for licensure.~~

~~(2) Upon a potential applicant passing the examination, division staff shall forward notice to the potential applicant of the potential applicant's fulfillment of the examination requirement and provide the potential applicant with a license application form which shall include forms necessary for a review of qualification based on character and fitness.~~

b. ~~Administration of the Examination. In addition to the requirements of~~ The procedures for examinations, which includes reexaminations, are as stated in ACJA § 7-201(E); legal paraprofessional examinations must be administered using a board-approved format and delivery method.

c. ~~(1) Contents of Examination. The legal paraprofessional examinations, prepared with the assistance of subject matter experts, for a license shall must consist of test:~~

~~(a1) a test on legal Legal terminology, substantive law, client communication, data gathering, document preparation, the ethical code for LPs legal paraprofessionals, and professional and administrative responsibilities pertaining to the provision of legal services, as identified through a job analysis conducted at the direction of the board; and~~

~~(b2) a Substantive knowledge of the law test on in each of the subsection (F)(2) areas of practice area described in subsection (F)(2) in which the applicant seeks to be licensed. The examinations shall be administered in a board approved format and delivery method.~~

~~(2) Administration of reexaminations. These requirements are contained in ACJA § 7-201(E)(1)(f)(2).~~

3. Forms. When notifying a prospective applicant that they have achieved a passing score on the examination and satisfied the examination requirement, the division will provide the forms the prospective applicant must complete and submit to the division to apply for licensure.

34. Licensing Fingerprinting.

a. ~~Fingerprinting. Pursuant to ACJA § 7-201(E)(1)(d), an An applicant shall furnish fingerprints for a criminal background investigation must comply with the fingerprinting requirements of ACJA § 7-201(E)(1)(d).~~

b5. Eligibility for License; Education Qualifications. The board ~~shall~~ must grant a license to an applicant who demonstrates possession of the following qualifications in addition to the education or experience requirements in (E)(6):

~~(1)~~ a. Is ~~A~~ a citizen or legal resident of the United States;

~~(2)~~ b. Is ~~A~~ at least twenty-one years of age;

~~(3)~~ c. ~~Not have~~ ~~Has not~~ been denied admission to the practice of law in Arizona or any other jurisdiction;

~~(4)~~ d. ~~An applicant~~ ~~Has not been~~ disbarred or suspended from the practice of law in Arizona or any other jurisdiction ~~may only be granted a license if~~ unless the applicant requests an exception that is approved by the supreme court;

~~(5)~~ e. Is ~~Of~~ of good moral character;

~~(6)~~ f. Complies with the laws, court rules, and orders adopted by the supreme court governing legal paraprofessionals in this state;

~~(7)~~ g. ~~The applicant has~~ ~~Has~~ successfully passed ~~achieved~~ a passing score on the legal paraprofessional examination, including a substantive law examination for in each (F)(2) practice area of practice in which they seek ~~the applicant seeks to be licensed licensure;~~

~~(8)~~ h. ~~The applicant has been deemed qualified by the board based on~~ character and fitness; ~~and for licensure including, but not limited to, a past and present record of honesty, trustworthiness, diligence, reliability, respect for law and legal institutions, respect for the ethical codes governing attorneys, and whether the applicant has:~~

(1) ~~Been convicted of a misdemeanor involving a serious crime as defined in Rule 36(b)(2)A), Rules of the Supreme Court, or of any felony;~~

(2) ~~Engaged in unlawful conduct not resulting in conviction of a crime;~~

(3) ~~Committed any act involving misconduct, dishonesty, a false statement or omission, fraud, deceit, or material misrepresentation;~~

(4) ~~Engaged in abuse of legal process;~~

(5) ~~Engaged in neglect of financial responsibilities;~~

(6) ~~Neglected or disregarded ethical or professional obligations;~~

(7) ~~Violated any order of a court, judicial officer, administrative tribunal, or professional regulatory entity;~~

(8) ~~Engaged in conduct evidencing mental or emotional instability impairing the ability of the applicant to perform the duties and functions of a legal paraprofessional;~~

(9) ~~Engaged in conduct evidencing substance abuse impairing the ability of the applicant to perform the duties and functions of a legal paraprofessional; and~~

(10) ~~A history of any disciplinary complaints or disciplinary action by an attorney~~

disciplinary agency or other professional disciplinary agency of any jurisdiction.

~~(9)~~6. Education or Experience Requirement. The applicant ~~shall~~ must also ~~possess~~ have one of the following ~~combinations of education:~~

- (a). An associate-level degree in paralegal studies or an associate-level, bachelor's, or advanced degree in any subject plus a certificate in paralegal studies approved by the American Bar Association or ~~is~~ offered by an institution that is accredited by an institutional accrediting agency recognized by the U.S. Department of Education or the Council for Higher Education Accreditation (CHEA) and that requires successful completion of a minimum of 24 semester units, or the clock hour equivalent, in legal specialization courses, ~~which shall include including~~ a minimum of:
- ~~(i) For the family law and civil practice endorsement: 3 credit hours in family law and 6 credit hours in civil procedures, 3 credit hours in evidence, 3 credit hours of legal research and writing, and a minimum of 120 hours of experiential learning under the supervision of a lawyer that includes content on advocacy.~~
 - (1) For family law: 3 credit hours in family law, 6 credit hours in civil procedure, 3 credit hours in evidence, and 3 credit hours of legal research and writing.
 - (2) For civil law: 6 credit hours in civil procedure, 3 credit hours in evidence, and 3 credit hours of legal research and writing.
 - ~~(iii) For the criminal law endorsement: 3 credit hours in criminal law, 3 credit hours in evidence, and 3 credit hours of legal research and writing, and a minimum of 120 hours of experiential learning under the supervision of a lawyer that includes content on advocacy.~~
 - ~~(iii) For the administrative law endorsement: 3 credit hours in administrative law, 3 credit hours in evidence, and 3 credit hours of legal research and writing, and a minimum of 120 hours of experiential learning under the supervision of a lawyer that includes content on advocacy.~~
 - ~~(iv) For the juvenile law endorsement: 3 credit hours in dependency law or completion of the Attorney General's Office internal employee dependency training program for potential LPs—legal paraprofessionals employed by the Attorney General's office, 3 credit hours in evidence, and 3 credit hours of legal research and writing, and a minimum of 120 hours of experiential learning under the supervision of a lawyer that includes content on advocacy.~~
 - ~~(v) For the family law or juvenile law endorsement with an adoption certification: in addition to completion of the educational requirements for a family law or juvenile law endorsement and passage of the legal paraprofessional examination required for the family or juvenile law endorsement, passage of an examination on adoption law.~~
 - (vi) For all endorsements practice areas:
 - (a) A minimum of 3 credit hours in professional responsibility;
 - (b) A minimum of 120 hours or 3 credit hours of experiential learning, supervised by a licensed attorney or legal paraprofessional, that includes content on advocacy; and
 - (c) All applicants meeting the education requirements of (9)(a) must also have

~~one~~One (1) year a minimum of 1500 hours, completed within, of substantive law-related experience under the supervision of a lawyer or legal paraprofessional in the area of practice ~~of each endorsement in which licensure is sought.~~

(b). ~~Four-year~~ A bachelor's degree in law from an accredited college or university and approved by the Arizona Judicial Council ~~court, that included the following coursework including a minimum of:~~

~~(i) For the family law and civil practice endorsement: 3 credit hours in family law and 6 credit hours in civil procedures, 3 credit hours in evidence, 3 credit hours of legal research and writing, and a minimum of 120 hours of experiential learning that includes content on advocacy.~~

~~(1) For family law: 3 credit hours in family law, 6 credit hours in civil procedure, 3 credit hours in evidence, and 3 credit hours of legal research and writing.~~

~~(2) For civil law: 6 credit hours in civil procedure, 3 credit hours in evidence, and 3 credit hours of legal research and writing.~~

~~(iii3) For the criminal law endorsement: 3 credit hours in criminal law, 3 credit hours in evidence, and 3 credit hours of legal research and writing, and a minimum of 120 hours of experiential learning that includes content on advocacy.~~

~~(iii4) For the administrative law endorsement: 3 credit hours in administrative law, 3 credit hours in evidence, and 3 credit hours of legal research and writing, and a minimum of 120 hours of experiential learning that includes content on advocacy.~~

~~(iv5) For the juvenile law endorsement: 3 credit hours in dependency law or completion of the Attorney General's Office internal employee dependency training program for potential LPs legal paraprofessionals employed by the Attorney General's office, 3 credit hours in evidence, and 3 credit hours of legal research and writing, and a minimum of 120 hours of experiential learning that includes content on advocacy.~~

~~(v) For the family law or juvenile law endorsement with an adoption certification: in addition to completion of the educational requirements for a family law or juvenile law endorsement and passage of the legal paraprofessional examination required for the family or juvenile law endorsement, passage of an examination on adoption law.~~

~~(vi6) For all endorsements practice areas, a minimum of 3 credit hours in professional responsibility and a minimum of 120 hours or 3 credit hours of experiential learning, supervised by a licensed attorney or legal paraprofessional, that includes content on advocacy.~~

~~(6) For all practice areas, a minimum of 1500 hours, completed within a consecutive 12 month period during the last three years, of substantive law related experience under the supervision of a lawyer or legal paraprofessional in the practice area in which licensure is sought.~~

(c). ~~Completed a~~ Attended a certification program, for credit or non-credit, for legal paraprofessionals approved by the Arizona Judicial Council. ~~Certification programs~~

~~may be for credit or non-credit but must be~~; offered through an educational institution that is at least regionally accredited; and, while attending the certification program, the applicant must have completed:

- (1) The credit hours, or equivalent clock hours, in courses required under (E)(6)(a) for the practice area in which licensure is sought; and
- (2) The supervised hours of substantive law-related experience and experiential learning required under (E)(6)(a).

~~(d).~~ A Master of Legal Studies (MLS) degree from an American Bar Association accredited law school ~~that included the following coursework, including completion of at least:~~

- ~~(i1) For the family law and civil practice endorsement: 3 credit hours in family law, and 6 credit hours in civil procedures procedure, 3 credit hours in evidence, and 3 credit hours of legal research and writing, and a minimum of 120 hours of experiential learning that includes content on advocacy.~~
- (2) For civil law: 6 credit hours in civil procedure, 3 credit hours in evidence, and 3 credit hours of legal research and writing.
- ~~(ii3) For the criminal law endorsement: 3 credit hours in criminal law, 3 credit hours in evidence, and 3 credit hours of legal research and writing, and a minimum of 120 hours of experiential learning that includes content on advocacy.~~
- ~~(iii4) For the administrative law endorsement: 3 credit hours in administrative law, 3 credit hours in evidence, and 3 credit hours of legal research and writing, and a minimum of 120 hours of experiential learning that includes content on advocacy.~~
- ~~(iv5) For the juvenile law endorsement: 3 credit hours in dependency law or completion of the Attorney General's Office internal employee dependency training program for potential LPs—legal paraprofessionals employed by the Attorney General's office, 3 credit hours in evidence, and 3 credit hours of legal research and writing, and a minimum of 120 hours of experiential learning that includes content on advocacy.~~
- ~~(v) For the family law or juvenile law endorsement with an adoption certification: in addition to completion of the educational requirements for a family law or juvenile law endorsement and passage of the legal paraprofessional examination required for the family or juvenile law endorsement, passage of an examination on adoption law.~~
- (vi6) For all endorsements—practice areas, a minimum of 3 credit hours in professional responsibility and a minimum of 120 hours or 3 credit hours of experiential learning, supervised by a licensed attorney or legal paraprofessional, that includes content on advocacy.

~~(e)~~ A Juris Doctor degree from a law school accredited by the American Bar Association.

~~(f)e.~~ Foreign trained lawyers A Juris Doctor (JD) degree from a law school accredited by the American Bar Association, or the foreign equivalent of a JD from a degree

granting institution and with a Master of Laws (LLM) degree from an a law school accredited by the American Bar Association, accredited law school that in either case included the following coursework:

- ~~(i1)~~ For ~~the family law and civil practice endorsement:~~ 3 credit hours in family law, ~~and 6 credit hours in civil procedures procedure,~~ 3 credit hours in evidence, ~~and 3 credit hours of legal research and writing, and a minimum of 120 hours of experiential learning that includes content on advocacy.~~
- ~~(ii3)~~ For civil law: 6 credit hours in civil procedure, 3 credit hours in evidence, and 3 credit hours of legal research and writing, and a minimum of 120 hours of experiential learning that includes content on advocacy.
- ~~(iii4)~~ For ~~the criminal law endorsement:~~ 3 credit hours in criminal law, 3 credit hours in evidence, ~~and 3 credit hours of legal research and writing, and a minimum of 120 hours of experiential learning that includes content on advocacy.~~
- ~~(iiii4)~~ For ~~the administrative law endorsement:~~ 3 credit hours in administrative law, 3 credit hours in evidence, ~~and 3 credit hours of legal research and writing, and a minimum of 120 hours of experiential learning that includes content on advocacy.~~
- ~~(iv5)~~ For ~~the juvenile law endorsement:~~ 3 credit hours in dependency law or completion of the Attorney General's Office internal employee dependency training program for potential LPs legal paraprofessionals employed by the Attorney General's office, 3 credit hours in evidence, ~~and 3 credit hours of legal research and writing, and a minimum of 120 hours of experiential learning that includes content on advocacy.~~
- ~~(v)~~ For ~~the family law or juvenile law endorsement with an adoption certification:~~ in addition to completion of the educational requirements for a family law or juvenile law endorsement and passage of the legal paraprofessional examination required for the family or juvenile law endorsement, passage of an examination on adoption law.
- ~~(vi6)~~ For all ~~endorsements practice areas,~~ a minimum of 3 credit hours in professional responsibility.

f. Eligibility for License; Experience. The board shall grant a license to an applicant who does not meet the requirements of (b)(9) of this section. In lieu of the educational requirements in (E)(6)(a) through (e), but who possesses the following qualifications:

- ~~(1) A citizen or legal resident of the United States;~~
- ~~(2) At least twenty one years of age;~~
- ~~(3) Not have been denied admission to the practice of law in Arizona or any other jurisdiction;~~
- ~~(4) An applicant disbarred or suspended from the practice of law in Arizona or any other jurisdiction may only be granted a license if approved by the Supreme Court;~~
- ~~(5) Of good moral character;~~
- ~~(6) Complies with the laws, court rules, and orders adopted by the supreme court governing legal paraprofessionals in this state;~~

- ~~(7) The applicant has successfully passed the legal paraprofessional examination pursuant to (E)(2)(b) herein;~~
- ~~(8) The applicant has been deemed qualified by the board based on character and fitness; and~~
- ~~(9) Has completed has completed a minimum of 1500 hours in each of 7 years of full-time, substantive, law-related experience within the 10 years preceding the application, ~~including experience in the each~~ practice area in which the applicant seeks licensure as follows, which must include:~~

 - ~~(1) For licensure in family law, limited jurisdiction civil, and limited jurisdiction criminal; 2 years of substantive law related experience in each area in which the applicant seeks licensure.~~
 - ~~(2) For landlord tenant, debt collection, and administrative law; 2 years of substantive law related experience in each area in which the applicant seeks licensure.~~
 - ~~(c) For juvenile law, 2 years of substantive law related experience in matters involving juvenile dependency or severance, completion of the Attorney General's Office internal employee dependency training program for potential LPs employed by the Attorney General's office, or completion of a dependency specific educational or training program approved by the supreme court.~~
 - ~~(d) For the family law or juvenile law endorsement with an adoption certification: in addition to completion of the educational requirements for a family law or juvenile law endorsement and passage of the legal paraprofessional examination required for the family or juvenile law endorsement, passage of an examination on adoption law.~~

~~(10) 7. Substantive Law-Related Experience. Establishing Proof of~~ substantive law-related experience ~~will be certified~~ requires written certification by a supervising attorney or legal paraprofessional. The certification must include meeting the following requirements:

- ~~(a).~~ The name and Bar number of the all supervising lawyer(s) or legal paraprofessionals;
- ~~(b).~~ Certification by the lawyer A statement that the work experience meets the ~~definition of requirement~~ for substantive law-related experience, as defined in (A), in the practice area in which the applicant ~~will be licensed~~ seeks licensure as defined in (A); and
- ~~(c).~~ The dates of the applicant's employment by or service with all supervising lawyer(s) or licensed paralegal practitioner(s) or legal paraprofessionals.

~~d8.~~ Professionalism Course. ~~Within one year after being licensed, a~~ A newly-licensed ~~Legal Paraprofessional shall must~~ complete the state bar-approved course on professionalism within one year before or after initial licensure. A newly-licensed ~~Legal Paraprofessional~~ who fails to ~~comply with the requirements~~ complete this requirement of this paragraph shall may be summarily suspended by the Board of Governors of the State Bar of Arizona upon motion on the request of the state bar counsel pursuant to under Rule 62, Rules of the Supreme Court, provided that a notice by certified, return receipt mail of non-compliance shall have been sent to the Legal Paraprofessional, has been mailed to the Legal Paraprofessional's last address of record at least thirty30 days prior to such before suspension; but may be reinstated in accordance with the rules of reinstatement herein.

F. ~~Role and Responsibilities~~ Conduct of Licensees.

1. Authorized Services. A licensed legal paraprofessional ~~is authorized to render~~ may provide legal services in the areas of practice for which they are licensed as follows ~~without the supervision of an attorney, including:~~

a. Legal Services. A licensed legal paraprofessional is authorized to provide the following legal services without the supervision of an attorney:

(1) Prepare and sign legal documents;

~~b.~~(2) Provide specific advice, opinions, or recommendations about possible legal rights, remedies, defenses, options, or strategies;

~~c.~~(3) Draft and file documents, including initiating and responding to actions, related motions, discovery, interim and final orders, and modification of orders, and arrange for service of legal documents;

~~d.~~(4) Appear before a court or tribunal on behalf of a party, including mediation, arbitration, and settlement conferences where not prohibited by the rules and procedures of the forum; and

~~e.~~(5) Negotiate legal rights or responsibilities for a specific person or entity.

~~2b.~~ Areas of Practice; Scope of Practice. A ~~licensed~~ legal paraprofessional's authorization to ~~may render authorized legal services within any area of practice in which the board has granted an endorsement to the legal paraprofessional but only to the extent such legal services are within the scope of practice permitted for the endorsement and any certification issued under the endorsement. The scope of practice for each endorsement and certification is:~~ provide legal services in a practice area is as follows:

~~a.~~(1) Family Law. Legal paraprofessionals licensed in family law may render authorized services in:

~~(a)~~ (a) Domestic relations, except that they may not represent any party in a matter that involves provide services in the following areas ~~the~~ unless the legal paraprofessional has met additional qualifications as established by the supreme court ~~for:~~

(i) Preparation of a Qualified Domestic Relations Order (QDRO) and supplemental orders dividing retirement assets;

(ii) Division or conveyance of formal business entities or commercial property; ~~or.~~

(iii) An appeal to the court of appeals or supreme court.

(b) Adoption, to assist clients in all aspects of the adoption process, if the legal paraprofessional has met additional qualifications as established by the supreme court.

~~b.~~(2) Limited Jurisdiction Civil. Legal paraprofessionals licensed to practice in civil law may engage in provide authorized services in any civil matter, ~~except that may be or is before for matters~~ that is or could be in a municipal or justice court

of this state other than matters in which a licensed attorney is not permitted to appear.

~~e.~~(3) Criminal Law. Legal paraprofessionals licensed in criminal law may render authorized services:

~~(1a)~~ (1a) At any initial appearance; or, when the defendant is not represented by counsel in subsequent criminal proceedings, for the limited purpose of advocating for release of a defendant from pretrial detention.

~~(2b)~~ (2b) For criminal misdemeanor matters ~~before in~~ before in a municipal or justice court of this state ~~where, upon conviction, that is not subject to~~ where, upon conviction, that is not subject to a penalty of incarceration ~~is not at issue upon conviction,~~ is not at issue upon conviction, whether by law or by agreement of the prosecuting authority and trial court.

~~d. Juvenile Court. Legal paraprofessionals with a juvenile law endorsement may engage in rendering services in juvenile dependency proceedings for any party, except that they may not:~~

~~(1) Conduct a contested dependency adjudication;~~

~~(2) Conduct a contested termination adjudication proceeding; or~~

~~(3) Represent any party in a matter in which the child named in the petition is subject to the Indian Child Welfare Act (ICWA) as defined in Rule 102, Arizona Rules of Procedure for the Juvenile Court.~~

~~e.~~(4) Administrative Law. Legal paraprofessionals licensed in administrative law may engage in providing authorized services before any Arizona administrative agency that ~~allows~~ does not preclude it ~~practice by legal paraprofessionals.~~ Legal paraprofessionals licensed in administrative law are not authorized to:

~~(a) represent~~ (a) Represent any party in an appeal of ~~the an~~ an administrative agency's decision to a superior court, the court of appeals, or the supreme court; ~~except that the legal paraprofessional may file for filing~~ except that the legal paraprofessional may file for filing an application or notice of appeal.

~~(b) are not authorized to represent~~ (b) Represent any lawyer or ~~legal paraprofessional~~ legal paraprofessional before the supreme court, presiding disciplinary judge, or any board, committee, or hearing panel.

~~(5) Juvenile Law. Legal paraprofessionals licensed in juvenile law may render authorized services in:~~

~~(a) Juvenile dependency proceedings for any party, except that they may not:~~

~~(i) Conduct a contested dependency adjudication;~~

~~(ii) Conduct a contested termination adjudication proceeding; or~~

~~(iii) Represent any party in a matter in which the child named in the petition is subject to the Indian Child Welfare Act (ICWA) as defined in Rule 102, Arizona Rules of Procedure for the Juvenile Court.~~

~~(b) Adoption, to assist clients in all aspects of the adoption process, if the legal paraprofessional has met additional qualifications as established by the supreme court.~~

~~f. Adoption Certificate. A person who qualifies for an adoption certificate may assist clients with completion of all aspects of the adoption process.~~

~~32. Code of Conduct. Each legal paraprofessional shall~~ must adhere to ~~abide by~~ abide by the code of conduct in (J).

43. Identification. ~~A~~ Legal paraprofessionals ~~shall~~ must include their ~~practitioner's~~ name, the title "Arizona Legal Paraprofessional" or the abbreviation "LP₂" and their legal paraprofessional's license number on all documents ~~they~~ prepared by the legal paraprofessional, unless expressly prohibited by a non-judicial agency or entity. ~~The~~ Legal paraprofessionals ~~shall~~ must also provide their ~~practitioner's~~ name, title, and license number to any person upon request.

54. Notification of Discipline. A licensed ~~holder~~ legal paraprofessional whose license to practice law ~~has been~~ is revoked, suspended or disbarred from the practice of law in any state since original licensure as a legal paraprofessional shall jurisdiction must provide the notice of and information regarding about the revocation, suspension or disbarment to the board and the state bar within 30 days of service of the notice of the revocation, suspension or disbarment.

65. Notification of Denial of Admission. A licensed ~~holder~~ legal paraprofessional who ~~has been~~ is denied admission to the practice of law or suspended or disbarred from the practice of law in any jurisdiction since original licensure as a legal paraprofessional shall must provide the notice of and information regarding about the denial to the board and the state bar within 30 days of service of the notice of the denial.

G. Complaints, Investigation, Disciplinary Proceedings, and Continuing Legal Education.

The Supreme Court Rules governing complaints, investigations, discipline, sanctions, reinstatement, continuing legal education, and public access to state bar records are applicable to legal paraprofessionals, ~~except~~ with the following modifications:

1. Rule 44 is not applicable to legal paraprofessionals.
2. Rule 60(a)(1) is applicable to legal paraprofessionals, except that the term "revocation" ~~shall~~ replaces the term "disbarment."
3. Reinstatement proceedings under Rules 64 and 65, Rules of Supreme Court, are applicable to legal paraprofessionals, except the term "revoked" or "revocation" ~~shall~~ replaces the term "disbarred" or "disbarment."

H. Policies and Procedures for Board Members. ~~These requirements are contained in~~ The policies and procedures applicable to board member are as provided in ACJA § 7-201(I).

I. Continuing Legal Education Policy.

1. Purpose. Ongoing continuing legal education ("CLE") is one method to ensure legal paraprofessionals maintain competence in the field after licensure ~~is obtained~~. Continuing education also provides opportunities for legal paraprofessionals to keep abreast of changes in the profession and the Arizona judicial system.
2. Applicability. All legal paraprofessionals ~~shall~~ must comply with the continuing education requirements of Rule 45, Arizona Rules of Supreme Court. Continuing education must relate to the ~~subject matter~~ practice area in which the legal paraprofessional is ~~endorsed~~

licensed to practice.

~~3. Responsibilities of legal paraprofessionals.~~

- ~~a. It is the responsibility of each legal paraprofessional to ensure compliance with the continuing education requirements, maintain documentation of completion of continuing education, and to submit the maintained documentation to the nonlawyer legal service provider program upon the request of the board or division staff.~~
- ~~b. Upon request, each legal paraprofessional shall provide any additional information required by the board or division staff when reviewing renewal applications and continuing education documentation.~~

J. Code of Conduct. ~~This code of conduct is adopted by the supreme court to apply to all~~ All legal paraprofessionals in the State of Arizona must abide by the following code of conduct establishing the. ~~The purpose of this code of conduct is to establish~~ rules of professional conduct and minimum standards for performance by legal paraprofessionals.

- 1. Ethics. ~~Each~~ A legal paraprofessional is bound by ~~Supreme Court~~ Rule 42, Rules of the Supreme Court, Arizona Rules of Professional Conduct, ~~in accordance with the following as follows:~~
 - a. “Legal paraprofessional” or “legal paraprofessionals” ~~References to~~ is substituted for “lawyer” or “lawyer(s)” ~~are to be read as~~ “legal paraprofessional(s).”
 - b. References to “applicant” or “applicant for admission to the state bar” ~~is~~ are to be read as “applicant for a legal paraprofessional license.”
 - c. References to “admission to practice” or “admitted to practice” ~~shall be~~ are read as “licensed as an LP a legal paraprofessional.”
 - d. ER 5.5(a) ~~through and~~ (b) ~~applies apply~~ to LPs legal paraprofessionals. ER 5.5(c) through (h) are not applicable to legal paraprofessionals.
- 2. Professionalism. ~~Each~~ A legal paraprofessional ~~shall must adhere to abide by~~ Supreme Court ~~Rule 41, Rules of the Supreme Court, except for~~ with the exception of the Oath of Admission to the Bar.
- 3. Trust Accounts. ~~Each~~ A legal paraprofessional ~~shall must adhere to abide by~~ Supreme Court ~~Rule 43, Rules of the Supreme Court.~~
- 4. Insurance Disclosures. ~~Each~~ A legal paraprofessional ~~shall must adhere to abide by~~ Supreme Court ~~Rule 32(c)(13), Rules of the Supreme Court.~~
- 5. Performance in Accordance with Law. A legal paraprofessional must:
 - a. ~~A legal paraprofessional shall perform~~ Perform all duties and discharge all obligations in accordance with applicable laws, rules, or court orders.

- b. ~~A legal paraprofessional shall not~~ Not represent that the ~~practitioner legal paraprofessional~~ is authorized to practice law provide legal services that are not authorized by this section or are not within beyond the areas of practice and scope of practice as provided in subsections (F)(1) and (2) in the areas for which they are licensed.
- c. ~~A legal paraprofessional shall not~~ Not use the designations “lawyer,” “attorney at law,” “counselor at law,” “Esq.,” or other equivalent words, the use of which is reasonably likely to induce others to believe the legal paraprofessional is authorized to engage in the practice of law beyond that allowed by the practitioner’s a license issued under this section. Any communications ~~concerning an LP’s~~ by a licensed legal paraprofessional in connection with providing services must clearly identify the LP licensee as being a licensed legal paraprofessional.
- d. ~~A legal paraprofessional shall must not~~ Not provide any kind of advice, opinion or recommendation ~~to a client~~ about possible legal rights, remedies, defenses, options, or strategies unless the practitioner legal paraprofessional has the license and subject matter area specific endorsement is licensed to do so in the practice area and doing so is within the scope of the practice area.
- e. ~~A legal paraprofessional shall inform~~ Inform the client in writing that a legal paraprofessional is not a lawyer and cannot provide any kind of advice, opinion, or recommendation to a client about possible legal rights, remedies, defenses, options, or strategies, or beyond what the LP is specifically licensed to provide authorized legal services for that are not within the scope of a practice area in which they are licensed.
- f. Comply with the Arizona Rules of Procedure governing the scope of the legal paraprofessional’s authorized practice area, but, where “lawyer,” “attorney,” or other equivalent words are used, substitute “legal paraprofessional” for any procedural rule governing conduct within the legal paraprofessional’s scope of practice in (F)(1).

K. Fee Schedule.

1. Application Fees

- a. Application Fee; Initial Licensure \$300.00
- b. Fingerprint Application Processing - rate set by Arizona law and is subject to change.

2. Examination Fees

- a. Core Skills Test \$100.00
- b. Core Skills Test Reexaminations \$100.00
(For any applicant who does not pass the examination on the first attempt. The \$100 fee applies to each reexamination.)
- c. Core Skills Test Reregistration for Examination \$100.00

(For any applicant who registers for an examination date and fails to appear at the designated site on the scheduled date and time.)

- d. Subject Matter Test \$150.00
- e. Subject Matter Test Reexamination \$150.00
(For any applicant who does not pass the examination on the first attempt. The \$150 fee applies to each reexamination.)
- f. Subject Matter Test Reregistration for Examination \$150.00
(For any applicant who registers for an examination date and fails to appear at the designated site on the scheduled date and time.)

3. Miscellaneous Fees.

- a. Application. Printed Application for Admission or Character Report \$ 20.00
(materials available online for free)
- b. NSF Fee \$ 40.00
- c. Document Deficiency Fee: assessed if required supporting documents are not filed with application. \$100.00
- d. Public Record Request per Page Copy \$ 0.50
- e. Certificate of Correctness of Copy of Record \$ 18.00
- f. Additional License Fee \$150.00
(For each additional practice in which licensure is sought more than one year after the initial application)

4. Annual Dues for Arizona State Bar Affiliate Members. Each person licensed as a legal paraprofessional is subject to the membership fees and requirements of ~~Supreme Court Rule 32(c), Rules of the Supreme Court. Dues for State Bar Affiliate Membership are assessed separately.~~