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:

"Advocacy" means course content or practical experience that demonstrates and develops skills that are associated with conducting court hearings and trials, administrative hearings, mediation and arbitration, and settlement and plea negotiation.

"Board" means the Board of Nonlawyer Legal Service Providers.

"Civil procedures course" means at least 3 credits from a course dedicated to civil procedure and the remaining required credits can be obtained through a course or courses that cover an area of civil law, such as administrative law, if the course includes procedural law content.

"Experiential learning" means learning through a format such as an internship, externship or clinical experience during which students develop knowledge, skills, and values from direct experiences outside a traditional academic setting.

"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.

"Legal specialization course" means a course that covers substantive law or legal procedures and that was developed specifically for, and that teaches practical skills needed by, paralegals or legal paraprofessionals. For example, courses in general "business law" designed for undergraduate or graduate business curriculums and law-related courses that focus solely on theory do not qualify as a legal specialization course.

"Substantive law-related experience" means the provision of legal services as a 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) or practice the applicant seeks to be licensed. Substantive law-related experience does not include routine clerical or administrative duties.

B. Applicability. This section applies to individuals who provide legal services within the exemption to the prohibition of the unauthorized practice of law set forth in Supreme Court Rule 31.3(e)(4) and this section. To qualify to provide legal services under the specified exemption pursuant to Rule 31.3(e)(4) and this section, legal paraprofessionals shall hold a valid license and perform their duties in accordance with subsection (F). A person shall not represent that he or she is a legal paraprofessional unless the person holds an active license as a legal paraprofessional. This section is read in conjunction with ACJA § 7-201: General Requirements, and the Arizona Rules of Supreme Court governing the practice of law. In the

event of any conflict between the Arizona Rules of Supreme Court, ACJA § 7-201, and ACJA § 7-210, the Rules of Supreme Court shall govern.

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

D. Administration.

1. Role and Responsibilities of the Supreme Court. In addition to the requirements of ACJA § 7-201(D), the supreme court shall review recommendations from the board for licensure of applicants and make a final determination on the licensure of these applicants.

2. Establishment and Administration of Fund. The supreme court shall establish 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 expend monies from the fund.

3. Role and Responsibilities of the Division Staff. These responsibilities are contained in ACJA § 7-201(D).

4. Board of Nonlawyer Legal Service Providers. In addition to the requirements of ACJA § 7-201(D) the following requirements apply:

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

      (1) Two certified legal document preparers;
      (2) Until June 30, 2022, two additional members and thereafter, 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 issue licenses to qualified applicants pursuant to subsections (E)(2) and (3).

   c. On or before April 1 of each year, the board shall file a report with the supreme court describing the status of the legal paraprofessional program. The report shall 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 of charges filed against legal paraprofessionals during the previous calendar year and the nature of the charge(s);
(4) The number 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 discipline and the discipline imposed; and
(6) Recommendations concerning modifications or improvements to the legal paraprofessional program.

d. The state bar shall provide the board with the following information:

(1) On a calendar quarter basis:
(a) The number of charges filed against legal paraprofessionals during the previous calendar quarter and the nature of the charge(s);
(b) The number of complaints initiated by the state bar during the previous calendar quarter and the nature of the complaint; and
(c) Discipline imposed during the previous calendar quarter, the nature of the conduct leading to the discipline and the discipline imposed.
(d) The current list of licensed LP's; the state bar shall submit a copy to the clerk of the supreme court.
(2) On or before January 31 on an annual basis:
(a) the number of licensed legal paraprofessionals as of December 31; and
(b) Recommendations concerning modifications or improvements to the legal paraprofessional program.
(3) Such other information as the board may request to prepare the report described in (D)(4)(c) herein.

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

1. Necessity. A person shall not represent that the person is a legal paraprofessional, or is authorized to provide legal services, without holding a valid license pursuant to this section.

2. Eligibility for Applying for a License.

a. All potential applicants for a license, in addition to meeting the requirements set forth in subsection (E)(3), shall meet the examination requirements of this subsection.

(1) Potential applicants for a license shall successfully pass the 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 ACJA § 7-201(E):

(1) The examinations for a license shall consist of:
(a) a test on legal terminology, substantive law, client communication, data gathering, document preparation, the ethical code for LPs, 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
(b) a substantive law test on each of the areas of practice 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. Licensing.

a. Fingerprinting. Pursuant to ACJA § 7-201(E)(1)(d), an applicant shall furnish fingerprints for a criminal background investigation.

b. Eligibility for License; Education. The board shall grant a license to an applicant 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 for each area of practice in which they seek licensure;
(8) The applicant has been deemed qualified by the board based on character and fitness; and
(9) The applicant shall also possess one of the following combinations of education or experience:
(a) An associate-level degree in paralegal studies or an associate-level 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 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;

(ii) For the criminal law endorsement: 3 credit hours in criminal law, 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;

(iii) For the administrative law endorsement: 3 credit hours in administrative law, 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;

(iv) For all endorsements, a minimum of 3 credit hours in professional responsibility.

All applicants meeting the education requirements of (9)(a) must also have one (1) year of substantive law-related experience under the supervision of a lawyer in the area of practice of each endorsement sought.

(b) Four-year bachelor's degree in law from an accredited college or university and approved by the court that included the following coursework:

(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;

(ii) For the criminal law endorsement: 3 credit hours in criminal law, 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;

(iii) For the administrative law endorsement: 3 credit hours in administrative law, 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;

(iv) For all endorsements, a minimum of 3 credit hours in professional responsibility.

(c) Completed a certification program 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. Certification programs must provide the subject matter courses that meet the credit hours or equivalent clock hours in the subject matter areas required for each subject matter area endorsement.

(d) A Master of Legal Studies (MLS) from an American Bar Association accredited law school that included the following coursework:

(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;

(ii) For the criminal law endorsement: 3 credit hours in criminal law, 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;

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

(iv) For all endorsements, a minimum of 3 credit hours in professional responsibility.

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

(f) Foreign-trained lawyers with a Masters of Laws (LLM) from an American Bar Association accredited law school that included the following coursework:

(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;

(ii) For the criminal law endorsement: 3 credit hours in criminal law, 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;

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

(iv) For all endorsements, a minimum of 3 credit hours in professional responsibility.

c. 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, 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 seven years of full-time substantive law-related experience within the 10 years preceding the application, including experience in the practice area in

which the applicant seeks licensure as follows:

(a) 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.

(b) For landlord-tenant, debt collection, and administrative law, 2 years of substantive law-related experience in each area in which the applicant seeks licensure.

(10) Proof of substantive law-related experience will be certified by supervising attorney, meeting the following requirements:

(a) The name and Bar number of the supervising lawyer(s);

(b) Certification by the lawyer that the work experience meets the definition of substantive law-related experience in the practice area in which the applicant will be licensed as defined in (A); and

(c) The dates of the applicant's employment by or service with the lawyer(s) or licensed paralegal practitioner(s).

d. Professionalism Course. Within one year after being licensed, a newly licensed LP shall complete the state bar course on professionalism. A newly licensed LP who fails to comply with the requirements of this paragraph shall be summarily suspended upon motion of the state bar pursuant to Rule 62, provided that a notice of non-compliance shall have been sent to the LP, mailed to the LP's last address of record at least thirty days prior to such suspension, but may be reinstated in accordance with the rules of reinstatement herein.

F. Role and Responsibilities of Licensees.

1. Authorized Services. Upon successful completion of a substantive law exam described in subsection (E)(2)(b) for one or more of the areas of practice described in subsection (F)(2) and the board's endorsement on the legal paraprofessional's license, a legal paraprofessional is authorized to render legal services within the scope of practice defined in subsection (F)(2), without the supervision of an attorney, including:

a. Prepare and sign legal documents;

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

c. 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. 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. Negotiate on behalf of a client in accord with the code of conduct.

2. Areas of Practice; Scope of Practice.

   a. Family Law. Legal paraprofessionals may render authorized services in domestic relations, except they may not represent any party in a matter that involves the following unless the legal paraprofessional has met additional qualifications as established by the supreme court.

      (1) Preparation of a Qualified Domestic Relations Order (QDRO) and supplemental orders dividing retirement assets;
      (2) Division or conveyance of formal business entities or commercial property; or
      (3) An appeal to the court of appeals or supreme court.

   b. Limited Jurisdiction Civil. Legal paraprofessionals may engage in authorized services in any civil matter that may be or is before a municipal or justice court of this state.

   c. Limited Jurisdiction Criminal. Legal paraprofessionals may render authorized services in criminal misdemeanor matters before a municipal or justice court of this state where, upon conviction, a penalty of incarceration is not at issue, whether by law or by agreement of the prosecuting authority and trial court.

   d. Administrative Law. Legal paraprofessionals may engage in authorized services before any Arizona administrative agency that allows it. Legal paraprofessionals are not authorized to represent any party in an appeal of the administrative agency's decision to a superior court, the court of appeals, or the supreme court, except that the legal paraprofessional may file an application or notice of appeal. LPs are not authorized to represent any lawyer or LP before the court, presiding disciplinary judge, or hearing panel.

3. Code of Conduct. Each legal paraprofessional shall adhere to the code of conduct in subsection J.

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

5. Notification of Discipline. A license holder who has been disbarred from the practice of law in any state since original licensure as a legal paraprofessional shall provide the information regarding the disbarment to the board within 30 days of service of the notice of the disbarment.

6. Notification of Denial of Admission. A license holder who has been 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 provide the information regarding the denial to the board and 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:

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 replace 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 replace the term "disbarred" or "disbarment."

H. Policies and Procedures for Board Members. These requirements are contained 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 comply with the continuing education requirements of Rule 45, Arizona Rules of Supreme Court.

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 legal paraprofessionals in the State of Arizona. 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 legal paraprofessional is bound by Supreme Court Rule 42, Arizona Rules of Professional Conduct in accordance with the following:

a. References to "lawyer(s)" are to be read as "legal paraprofessional(s)."

b. References to "applicant" or "applicant for admission to the state bar" is to be read as applicant for a legal paraprofessional license.

c. References to "admission to practice" or "admitted to practice" shall be read as licensed as an LP.

d. ER 5.5(a) through (b) applies to LPs. ER 5.5(c) through (h) are not applicable.

2. Professionalism. Each legal paraprofessional shall adhere to Supreme Court Rule 41, except for the Oath of Admission to the Bar.

3. Trust Accounts. Each legal paraprofessional shall adhere to Supreme Court Rule 43.

4. Insurance Disclosures. Each legal paraprofessional shall adhere to Supreme Court Rule 32(c)(13).

5. Performance in Accordance with Law.

a. A legal paraprofessional shall perform all duties and discharge all obligations in accordance with applicable laws, rules, or court orders.

b. A legal paraprofessional shall not represent that the practitioner is authorized to practice law beyond the areas of practice and scope of practice as provided in subsections (F)(1) and (2).

c. A legal paraprofessional shall 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 license. Any communications concerning an LP's services must identify the LP as being a legal paraprofessional.

d. A legal paraprofessional shall not provide any kind of advice, opinion or recommendation to a client about possible legal rights, remedies, defenses, options, or strategies unless the practitioner has the license and subject matter area specific endorsement to do so.

e. A legal paraprofessional shall 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 beyond what the LP is specifically licensed to provide authorized services for.

K. Fee Schedule.

1. Application Fees

a. Application Fee; Initial Licensure	$300
b. Fingerprint Application Processing - rate set by Arizona law and is subject to change.	

2. Examination Fees

a. Core Skills Test	$100
b. Core Skills Test Reexaminations (For any applicant who does not pass the examination on the first attempt. The $100 fee applies to each reexamination.)	$100
c. Core Skills Test Reregistration for Examination (For any applicant who registers for an examination date and fails to appear at the designated site on the scheduled date and time.)	$100
d. Subject Matter Test	$150
e. Subject Matter Test Reexamination (For any applicant who does not pass the examination on the first attempt. The $150 fee applies to each reexamination.)	$150
f. Subject Matter Test Reregistration for Examination	$150

4. Miscellaneous Fees.

a. Application. Printed Application for Admission or Character Report (materials available online for free)	$ 20.00
b. NSF Fee	$ 40.00
c. Document Deficiency Fee: assessed if required supporting documents are not filed with application.	$100.00
d. Replacement of License or Name Change	$ 25.00
e. Public Record Request per Page Copy	$ .50
f. Certificate of Correctness of Copy of Record	$ 18.00

5. 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). Dues for State Bar Affiliate Membership are assessed separately.