

IN THE SUPREME COURT OF THE STATE OF ARIZONA

In the Matter of:)	
)	
AMENDING ARIZONA CODE OF)	Administrative Order
JUDICIAL ADMINISTRATION §7-208:)	No. <u>2003- 64</u>
LEGAL DOCUMENT PREPARER)	(Affecting Administrative Order
CERTIFICATION)	No. 2003-14)
_____)	

A technical amendment to the above captioned section of the Arizona Code of Judicial Administration having been recommended for adoption by the Board of Legal Document Preparers,

Now, therefore, pursuant to Article VI, Section 3, of the Arizona Constitution, and Arizona Code of Judicial Administration §7-208,

IT IS ORDERED that Arizona Code of Judicial Administration §7-208 is amended as indicated on the attached document. All other provisions of §7-208, as originally adopted, remain unchanged and in effect.

Dated this 6th day of June, 2003.

CHARLES E. JONES
Chief Justice

Subsection E(3)(c) of §7-208: Legal Document Preparer is amended to read:

E. Certification.

3. Initial Certification.

- c. Eligibility for Certification as a Business Entity.
- (1) A corporation, limited liability company, partnership, or sole proprietorship that employs certified legal document preparers, OR SUPERVISES TRAINEES, AS DEFINED BY SUBSECTION (F)(5), shall obtain certification as a business entity. The business entity shall execute and submit a principal form designating one or more principals who are certified as individual legal document preparers pursuant to this code section. The principal shall have the duties and responsibilities set forth in subsection F(6) of this code section. In the event a designated principal is no longer able or willing to serve as the principal, a certified business entity shall immediately designate another certified legal document preparer as the new principal and within twenty days file an executed principal form with the program coordinator.
 - (2) The owner of a legal document preparer business is not required to hold certification, provided the owner has a designated principal who holds valid certification as a legal document preparer.
 - (3) A sole proprietor who does not employ certified legal document preparers OR SUPERVISE TRAINEES AS DEFINED BY SUBSECTION (F)(5), is not required to hold certification as a business, provided the sole proprietor holds valid certification as a legal document preparer.
 - (4) A CORPORATION, LIMITED LIABILITY COMPANY, OR PARTNERSHIP THAT ESSENTIALLY OPERATES AS A SOLE PROPRIETORSHIP BECAUSE IT DOES NOT EMPLOY OTHER CERTIFIED LEGAL DOCUMENT PREPARERS OR SUPERVISE TRAINEES, AS DEFINED BY SUBSECTION (F)(5), IS NOT REQUIRED TO HOLD CERTIFICATION AS A BUSINESS, PROVIDED:
 - (a) THE INDIVIDUAL OPERATING THE BUSINESS HOLDS VALID CERTIFICATION AS A LEGAL DOCUMENT PREPARER, AND
 - (b) THE BUSINESS ENTITY HAS APPLIED FOR AND OBTAINED A BUSINESS ENTITY CERTIFICATION EXEMPTION.
 - (5) THE BOARD WILL REVIEW EACH EXEMPTION REQUEST INDIVIDUALLY.
 - (6) IF THE BOARD APPROVES A BUSINESS ENTITY CERTIFICATION EXEMPTION, THE BOARD SHALL REFUND THE FEES SUBMITTED WITH THE EXEMPTED ENTITY'S BUSINESS APPLICATION.
 - ~~(4)~~ (7) No person who has been disbarred by the highest court in any state, and who has not been reinstated, may retain any ownership interest in a certified legal document preparer business.
 - ~~(5)~~ (8) No person whose certificate has been revoked by the Board of Legal Document Preparers may retain any ownership interest in a certified legal document preparer business.