

Licensed Paralegal Practitioner Program Overview and Information

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LPP Practice Areas and Scope of Practice

- ▶ LPPs can practice in the following areas of practice:
 - ▶ Family law
 - ▶ Debt Collection
 - ▶ Unlawful detainer (landlord-tenant) actions
- ▶ Rule 14-802 also enumerates permissible actions for LPPs within the practice areas. Under this rule, an LPP may:
 - ▶ Enter into a contractual relationship with a natural person (LPPs cannot represent corporations);
 - ▶ Interview a client to determine the client's needs and goals;
 - ▶ Assist a client with completing approved forms and obtaining documents to support those forms and review documents given by opposing party;
 - ▶ Complete a settlement agreement, sign the form and serve the written settlement agreement; and
 - ▶ Communicate with another party or the party's representative regarding the relevant forms and matters.



Educational Requirements

- ▶ Law degree from ABA approved law school. Utah Supreme Court Rules of Professional Practice. Rule 15-703(a)(4)(A); **OR**
- ▶ Associate degree in paralegal studies from an accredited school. Rule 15-703(a)(4)(B); **OR**
- ▶ Bachelor's degree in paralegal studies from an accredited school. Rule 15-703(a)(4)(C); **OR**
- ▶ Master's Degree in legal studies or equivalent that is offered through an Approved Law School; **OR**
- ▶ Obtained either the Certified Paralegal (CP or CLA) credential from the National Association of Legal Assistants (NALA); the Professional Paralegal (PP) credential from the National Association of Legal Professionals (NALS); or the Registered Paralegal (RP) credential from the National Federation of Paralegal Associations (NFPA).



Limited Time Waiver

“Grandfathering Provision”

For waiver of educational requirements only.

- ▶ Bar may grant waiver of minimum educational requirements for three years from the date the Bar initially begins to accept LPP applications for licensure. Rule 15-705(a).
- ▶ Applicant must show, within two years from the waiver request, that they:
 - ❖ Have filed the Application for a Limited Time Waiver and paid prescribed fees. Rule 15-705(a)(1)
 - ❖ Are at least 21 years old. Rule 15-705(a)(2)
 - ❖ Have 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 they seek licensure. Rule 15-705(a)(3)
 - 500 hours of substantive law-related experience in temporary separation, divorce, parentage, cohabitant abuse, civil stalking, custody and support, and name change.
 - 100 hours of substantive law-related experience in forcible entry and detainer or debt collection.
 - Proof of substantive law related experience will be certified by supervising attorney, meeting requirements in Rule 15-705(a)(3)(A)-(C)
 - ❖ Proof that applicant has successfully passed the LPP Ethics Examination and the LPP Examinations for the practice areas in which the applicant will be licensed. Rule 15-705(a)(4) and (a)(5)



Experience Requirements

- ▶ Applicants with a first law degree are exempt from experience requirement.
- ▶ If no law degree, applicant must have 1500 total hours of substantive law-related experience within the last three years. 15-703(a)(5)
 - ❖ For licensure in family law, must have 500 hours of substantive law-related experience in temporary separation, divorce, parentage, cohabitant abuse, civil stalking, custody and support, and name change
 - ❖ For licensure in other areas, must have 100 hours of substantive law-related experience in forcible entry and detainer or debt collection.
- ▶ In all practice areas, applicants must have gained experience under the supervision of a licensed Utah attorney or LPP.
 - ❖ Full or part-time job
 - ❖ Paid or unpaid internship
 - ❖ Volunteer or pro bono work



Experience

Requirements- Continued

- ▶ “Substantive Law-Related Experience” means the provision of legal services as a paralegal, paralegal student, or law 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. Substantive law-related experience for landlord-tenant and debt collection includes, but is not limited to, the provision of legal services in the areas of bankruptcy, real estate, mortgage and/or banking law. Rule 15-701(bb)
 - ❖ Substantive law-related experience **does not include** routine clerical or administrative duties.

Requirements for Applicants without a First Professional Law Degree.

- ▶ If an applicant has not obtained a first professional law degree, the applicant will be required to complete:
 - ❖ Completion of LPP-Approved Courses for Ethics and any practice-area in which they want to be licensed. Currently, Utah Valley University is the only institution that is offering these courses; AND
 - ❖ A National Certification from one of the certification organizations set forth in the next slide, unless the applicant possesses an Associate's Degree or a Bachelor's Degree from an Accredited School or Program.
- ▶ Applicants who have obtained a first professional law degree are not required to take the LPP courses, but they are encouraged to do so.

National Certification Requirement

- ▶ Applicants who possess a first professional law degree, an MLS degree, or an Associate's Degree or Bachelor's Degree in paralegal studies are exempt from taking the National Certification.
- ▶ All other applicants for licensure as an LPP must have obtained one of the following:
 - ❖ Designation as a Certified Paralegal (CP) OR Certified Legal Assistant (CLA) by the National Association of Legal Assistants (NALA). Click [here](#) for more information about NALA certification.
 - ❖ Certification as a Professional Paralegal (PP) from the National Association for Legal Professionals (NALS). Click [here](#) or more information about the NALS PP certification.
 - ❖ Designation as a CORE Registered Paralegal (CRP) by the National Federation of Paralegal Associations (NFPA). Click [here](#) for more information about the CRP designation.



Testing and Admissions

- ▶ To be licensed, all LPPs must pass the LPP Ethics Exam and an exam for the specific area in which they will be practicing. Rule 15-703(a)(6)-(7)
- ▶ You can find specific information on the structure of the LPP exam on our website [here](#).
- ▶ The Bar will oversee the admission of LPPs and will regulate licensing.
 - ❖ LPPs will be required to complete 12 hours of Continuing Legal Education per two-year reporting period. Rule 15-404.
- ▶ Each applicant must be of good moral character. Rule 15-708
 - ❖ The Bar will perform character and fitness examinations for each applicant before they are admitted, similar to investigation for applicants taking the Bar Exam.
- ▶ LPPs will be governed by Standards of Professionalism and Civility and Rules of Professional Conduct.
 - ❖ Rules are based on those that apply to attorneys.

LPP Exam Application

Dates & Timelines

APPLICATIONS FOR LPP ADMISSION BY EXAMINATION - DEADLINES

MARCH EXAMINATION:

Application filing deadline date - October 1

Late filing deadline date - October 15 (*include a \$50 late fee*)

Final filing deadline date - November 1 (*include a \$100 late fee*)

AUGUST EXAMINATION:

Application filing deadline date - April 1

Late filing deadline date - April 15 (*include a \$50 late fee*)

Final filing deadline date - May 1 (*include a \$100 late fee*)

The Application, with all forms and applicable supplementary documentation, must be received by the Bar (NOT postmarked) by close of business on the appropriate filing deadline. If the deadline date falls on a Saturday, Sunday or holiday the deadline date will be the first business day thereafter.

NO APPLICATIONS OR SUPPLEMENTAL DOCUMENTATION FOR APPLICATIONS WILL BE ACCEPTED AFTER NOVEMBER 1 FOR THE MARCH LPP EXAMINATION AND MAY 1 FOR THE AUGUST LPP EXAMINATION.

Contact Information

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If you need immediate assistance, please email me at the address above. I will be able to respond more quickly.