<u>FORM B</u> DECLARATION OF APPLICANT

STATE OF UTAH)) ss: COUNTY OF)

I, _____, declare under criminal penalty of the State of Utah that

the following is true and correct to the best of my knowledge and belief:

1. I am over the age of 18 and have personal knowledge of the following facts and could and would testify regarding such facts if necessary.

2. I hereby apply for membership in the Utah State Bar Paralegal Division ("Division".) I hereby certify that I am employed as a paralegal, that I work under the ultimate supervision of a duly licensed attorney or Licensed Paralegal Practitioner (collectively "bar licensee") at all times, and that I qualify as a member under the "Definition of Paralegal" in Paragraph 4.

I HEREBY CONSENT THAT THE DIVISION MAY CONTACT MY PRESENT AND FORMER BAR LICENSEE(S) FOR VERIFICATION OR CLARIFICATION OF MY QUALIFICATIONS FOR MEMBERSHIP. I UNDERSTAND THAT IF ANY INFORMATION SUBMITTED IN THIS APPLICATION IS DETERMINED TO BE FALSE, THIS AND ALL FUTURE APPLICATIONS WILL BE DENIED.

3. I certify that I have never been expelled or suspended from membership in a law related professional association without being fully reinstated.

4. I have read the "Definition of Paralegal" adopted by the Utah Supreme Court and the Board of Bar Commissioners set forth. I certify that I am eligible for membership in the Division, through my education, professional experience, and/or licensure, and based upon the below Definition. I have read and agree to be bound by the Division's Code of Ethics and Guidelines for the Utilization of Paralegals which were included with this application.

A paralegal is a person, qualified through education, training or work experience, who is employed or retained in Utah by a licensee of the Utah State Bar or the bar of another jurisdiction ("bar licensee"), a law office, a governmental agency, or another entity; who works under the ultimate direction and supervision of a bar licensee; and who performs substantive legal work that, for the most part, requires a sufficient knowledge of legal concepts and that, absent such assistance, the bar licensee would perform. A paralegal includes a Utah paralegal on a contract or freelance basis who works under the supervision of a bar licensee or who produces work directly for a bar licensee for which a bar licensee is accountable. A paralegal may also include a Licensed Paralegal Practitioner as defined in Rule 14-101. The term "bar licensee" refers to both a lawyer and a Licensed Paralegal Practitioner.

5. As support for my application, I am attaching one of the following:

(A) Completed Form C verifying that I currently work under the ultimate supervision of a duly licensed attorney or Licensed Paralegal Practitioner (collectively "bar licensee") at all times; AND/OR

(B) Verification that I am an LPP (Licensed Paralegal Practitioner), in good standing with the Utah State Bar (please submit a copy of your LPP Supreme Court Admittance Certificate); Bar No._____.

6. I acknowledge that my membership requires, in addition to the required annual CLE hours (10 approved hours per year) for renewal, an annual renewal fee (amount to be decided by the Utah State Bar and the Paralegal Division), and the submission of the required forms through the Paralegal Division website.

7. I agree to notify the Division, in writing, of any change of employment or address within thirty (30) days of any such change and acknowledge that if such change also involves a change in the supervising bar licensee, that I will provide the Division with the appropriate declaration from the new supervising bar licensee.

DATED this _____ day of ______.

Signature of Applicant

Printed Name

CANONS OF ETHICS PARALEGAL DIVISION UTAH STATE BAR

As a general guide intended to aid paralegals and attorneys, the Paralegal Division and the Board of Bar Commissioners of the Utah State Bar have approved the following Canons of Ethics for paralegals:

Canon 1 - A paralegal shall not perform any of the duties that attorneys only may perform nor take any actions that attorneys may not take.

Canon 2 - A paralegal shall not:

- a) establish an attorney-client relationship;
- b) establish the amount of a fee to be charged for legal services;
- c) give legal opinions or advice;
- d) represent a client before a court or agency unless so authorized by that court or agency;
- e) engage in, encourage, or contribute to any act which would constitute the unauthorized practice of law; and
- f) engage in any conduct or take any action, which would assist or involve the attorney in a violation of professional ethics or give the appearance of professional impropriety.

Canon 3 - A paralegal may perform any task which is properly delegated and supervised by an attorney provided the attorney maintains responsibility for the work product, maintains a direct relationship with the client, and maintains responsibility to the client.

Canon 4 - A paralegal shall take reasonable measures to ensure that his or her status as a paralegal is established at the outset of any professional relationship with a client, court or administrative agency, a member of the general public or other lawyers.

Canon 5 - A paralegal shall ensure that all client confidences are preserved.

Canon 6 - A paralegal shall take reasonable measures to prevent conflict of interest resulting from his or her employment affiliates, or outside interests.

Canon 7 - A paralegal must strive to maintain integrity and a high degree of competency through education and training with respect to professional responsibility, local rules and practice, and through continuing education in substantive areas of law to better assist the legal profession in fulfilling its duty to provide legal services.

Canon 8 - A paralegal shall abide by all court rules, agency rules and statutes, as well as the Utah State Bar's Rules of Professional Conduct.