

Rule 15-522. Reciprocal discipline.

1 (a) Duty to notify OPC counsel of discipline. Upon being publicly disciplined by another
2 court, another jurisdiction, or a regulatory body having disciplinary jurisdiction, a licensed
3 paralegal practitioner licensed to practice in Utah shall within 30 days inform the OPC of the
4 discipline. Upon notification from any source that a licensed paralegal practitioner within the
5 jurisdiction of the Supreme Court has been publicly disciplined by another court, another
6 jurisdiction, or a regulatory body having disciplinary jurisdiction, OPC counsel shall obtain a
7 certified copy of the disciplinary order.

8 (b) Notice served upon licensed paralegal practitioner. Upon receipt of a certified copy of an
9 order demonstrating that a licensed paralegal practitioner licensed to practice in Utah has been
10 publicly disciplined by another court, another jurisdiction, or a regulatory body having
11 disciplinary jurisdiction, OPC counsel shall issue a notice directed to the licensed paralegal
12 practitioner containing:

13 (b)(1) a copy of the order from the other court, jurisdiction or regulatory body; and

14 (b)(2) a notice giving the licensed paralegal practitioner the right to inform OPC counsel,
15 within 30 days from service of the notice, of any claim by the licensed paralegal practitioner
16 predicated upon the grounds set forth in paragraph (d), that the imposition of the equivalent
17 discipline in Utah would be unwarranted, and stating the reasons for that claim.

18 (c) Effect of stay of discipline in other jurisdiction. If the discipline imposed in the other
19 court, jurisdiction or regulatory body has been stayed, any reciprocal discipline imposed in Utah
20 shall be deferred until the stay expires.

21 (d) Discipline to be imposed. Upon the expiration of 30 days from service of the notice
22 pursuant to paragraph (b), the district court shall take such action as may be appropriate to cause
23 the equivalent discipline to be imposed in this jurisdiction, unless it clearly appears upon the face
24 of the record from which the discipline is predicated that:

25 (d)(1) the procedure was so lacking in notice or opportunity to be heard as to constitute a
26 deprivation of due process;

27 (d)(2) the imposition of equivalent discipline would result in grave injustice; or

28 (d)(3) the misconduct established warrants substantially different discipline in Utah or is not
29 misconduct in this jurisdiction.

30 If the district court determines that any of these elements exist, it shall enter such other order
31 as it deems appropriate. The burden is on the respondent to demonstrate that the imposition of
32 equivalent discipline is not appropriate.

33 (e) Conclusiveness of adjudication in other jurisdictions. Except as provided in paragraphs
34 (c) and (d) above, a final adjudication of the other court, jurisdiction or regulatory body that a
35 respondent has been guilty of misconduct shall establish conclusively the misconduct for
36 purposes of a disciplinary proceeding in Utah.

Effective November 1, 2018