

Rule 15-526. Notice of disability or suspension; return of clients' property; refund of unearned fees.

1 (a) Effective date of order; winding up affairs. Each order that imposes delicensure or
2 suspension is effective 30 days after the date of the order, or at such other time as the order
3 provides. Each order that transfers a respondent to disability status is effective immediately upon
4 the date of the order, unless the order otherwise provides. After the entry of any order of
5 delicensure, suspension, or transfer to disability status, the respondent shall not accept any new
6 retainer or employment as a licensed paralegal practitioner in any new case or legal matter;
7 provided, however, that during any period between the date of entry of an order and its effective
8 date, the respondent may, with the consent of the client after full disclosure, wind up or complete
9 any matters pending on the date of entry of the order.

10 (b) Notice to clients and others. In every case in which a respondent is delicensed or
11 suspended for more than six months, the respondent shall, within 20 days of the entry of the
12 order, accomplish the following acts:

13 (b)(1) notify each client (and any other licensed paralegal practitioner or lawyer assisting the
14 client) in every pending legal matter, litigation and non-litigation, that the respondent has been
15 delicensed or suspended from the practice of law and is disqualified from further participation in
16 the matter;

17 (b)(2) notify each client that, in the absence of co-counsel, the client should obtain a new
18 licensed paralegal practitioner or lawyer, calling attention to the urgency to seek new assistance,
19 particularly in pending litigation;

20 (b)(3) deliver to every client any papers or other property to which the client is entitled or, if
21 delivery cannot reasonably be made, make arrangements satisfactory to the client of a reasonable
22 time and place where papers and other property may be obtained, calling attention to any
23 urgency to obtain the same;

24 (b)(4) refund any part of any fee paid in advance that has not been earned as of the effective
25 date of the discipline;

26 (b)(5) in each matter pending before a court, agency or tribunal, notify opposing counsel or,
27 in the absence of counsel, the adverse party, of the respondent's delicensure or suspension and
28 consequent disqualification to further participate as a licensed paralegal practitioner in the
29 matter;

30 (b)(6) file with the court, agency or tribunal before which any matter is pending a copy of the
31 notice given to opposing counsel or to an adverse party; and

32 (b)(7) within ten days after the effective date of delicensure or suspension, file an affidavit
33 with OPC counsel showing complete performance of the foregoing requirements of this rule. The
34 respondent shall keep and maintain for inspection by OPC counsel all records of the steps taken
35 to accomplish the requirements of this rule.

36 (c) Other notice. If a respondent is suspended for six months or less, the district court may
37 impose conditions similar to those set out in paragraph (b). In any public disciplinary matter, the
38 district court may also require the issuance of notice to others as it deems necessary to protect the
39 interests of clients or the public.

40 (d) Compliance. Substantial compliance with the provisions of paragraphs (a), (b) and (c)
41 shall be a precondition for reinstatement or relicensure. Willful failure to comply with
42 paragraphs (a), (b) and (c) shall constitute contempt of court and may be punished as such or by
43 further disciplinary action.

Effective November 1, 2018