

Rule 15-601. Definitions.

1 As used in this article:

2 (a) "complainant" means the person who files an informal complaint or the OPC when the
3 OPC determines to open an investigation based on information it has received;

4 (b) "formal complaint" means a complaint filed in the district court alleging misconduct by a
5 licensed paralegal practitioner or seeking the transfer of a licensed paralegal practitioner to
6 disability status;

7 (c) "informal complaint" means any written, notarized allegation of misconduct by or
8 incapacity of a licensed paralegal practitioner;

9 (d) "injury" means harm to a client, the public, the legal system, or the profession which
10 results from a licensed paralegal practitioner's misconduct. The level of injury can range from
11 "serious" injury to "little or no" injury; a reference to "injury" alone indicates any level of injury
12 greater than "little or no" injury;

13 (e) "intent" means the conscious objective or purpose to accomplish a particular result;

14 (f) "knowledge" means the conscious awareness of the nature or attendant circumstances of
15 the conduct but without the conscious objective or purpose to accomplish a particular result;

16 (g) "negligence" means the failure of a licensed paralegal practitioner to heed a substantial
17 risk that circumstances exist or that a result will follow, which failure is a deviation from the
18 standard of care that a reasonable licensed paralegal practitioner would exercise in the situation;

19 (h) "potential injury" means the harm to a client, the public, the legal system or the
20 profession that is reasonably foreseeable at the time of the licensed paralegal practitioner's
21 misconduct, and which, but for some intervening factor or event, would probably have resulted
22 from the licensed paralegal practitioner's misconduct;

23 (i) "respondent" means a licensed paralegal practitioner subject to the disciplinary
24 jurisdiction of the Supreme Court against whom an informal or formal complaint has been filed;
25 and

26 (j) "Rules of Professional Conduct" means the Utah Licensed Paralegal Practitioner Rules of
27 Professional Conduct (including the accompanying comments).

Effective November 1, 2018