

1 **Rule 15-701. Definitions.**

2 As used in this article:

3 (a) “ABA” means the American Bar Association.

4 (a)(b) “Accredited Program” means a course of instruction in paralegal studies from a
5 program officially recognized as meeting the standards and requirements of a regional or
6 national accrediting organization that is approved by the U.S. Department of Education, or a
7 paralegal school or paralegal studies program that has been fully or provisionally approved by
8 the ABA Standing Committee on Paralegals.

9 (b)(c) “Accredited School” ~~or “Accredited Program”~~ means a school ~~or program~~
10 officially recognized as meeting the standards and requirements of a regional or national
11 accrediting organization that is approved by the U.S. Department of Education, ~~or a paralegal~~
12 ~~school or paralegal studies program that has been fully or provisionally approved by the ABA~~
13 ~~Standing Committee on Paralegals.~~

14 (e)(d) “Applicant” means each person requesting licensure as a Licensed Paralegal
15 Practitioner.

16 (d)(e) “Approved Law School” means a law school which is fully or provisionally
17 approved by the ABA pursuant to its Standards and Rules of Procedure for Approval of Law
18 Schools. To qualify as approved, the law school must have been fully or provisionally approved
19 at the time of the Applicant's graduation, or at the time of the Applicant's enrollment, provided
20 that the Applicant graduated within a typical and reasonable period of time.

21 (e)(f) “Associate Degree” means an undergraduate academic degree conferred by a
22 college upon completion of the curriculum required for an associate degree.

23 (f)(g) “Bachelor’s Degree” means an academic degree conferred by a college or
24 university upon completion of the undergraduate curriculum.

25 (g)(h) “Bar” means the Utah State Bar, including its employees, committees and the
26 Board.

27 (h)(i) “Board” means the Board of Bar Commissioners.

28 (i)(j) “Complete Application” means an application that includes all fees and necessary
29 application forms, along with any required supporting documentation, character references, a
30 criminal background check, a photo, an official certificate of graduation and if applicable, a test
31 accommodation request with supporting medical documentation.

32 ~~(j)~~(k) “Confidential Information” is defined in Rule 15-720(a).

33 ~~(k)~~(l) “Disbarred Lawyer” means an individual who was once a licensed lawyer and is
34 no longer permitted to practice law.

35 ~~(l)~~(m) “Executive Director” means the executive director of the Utah State Bar or her or
36 his designee.

37 ~~(m)~~(n) “First Professional Degree” means a degree that prepares the holder for admission
38 to the practice of law (e.g. juris doctorate) by emphasizing competency skills along with theory
39 and analysis. An advanced, focused, or honorary degree in law is not recognized as a First
40 Professional Degree (e.g. master of laws or doctor of laws).

41 ~~(n)~~(o) “Full-time” means providing legal services as a paralegal for no fewer than 80
42 hours per month.

43 ~~(o)~~(p) “General Counsel” means the General Counsel of the Utah State Bar or her or his
44 designee.

45 ~~(p)~~(q) “Licensed Paralegal Practitioner” means a person licensed by the Utah Supreme
46 Court to provide limited legal representation in the areas of (1) temporary separation, divorce,
47 parentage, cohabitant abuse, civil stalking, and custody and support; (2) forcible entry and
48 detainer and unlawful detainer; or (3) debt collection matters in which the dollar amount in issue
49 does not exceed the statutory limit for small claims cases.

50 ~~(q)~~(r) “LPP” means Licensed Paralegal Practitioner.

51 ~~(r)~~(s) “LPP Administrator” means the Bar employee in charge of LPP licensure or his
52 or her designee.

53 ~~(s)~~(t) “LPP Admissions Committee” means those Utah State Bar members or others appointed
54 by the Board or president of the Bar who are charged with recommending standards and
55 procedures for licensure of LPPs, with implementation of this article, reviewing requests for test
56 accommodations, and assessing the qualifications of applicants.

57 ~~(t)~~(u) “NALA” means the National Association of Legal Assistants.

58 ~~(u)~~(v) “NALS” means The Association for Legal Professionals.

59 ~~(v)~~(w) “NFPA” means the National Federation of Paralegal Associations.

60 ~~(w)~~(x) “National Certification” means Certified Paralegal (CP or CLA) credential from
61 the National Association of Legal Assistants (NALA); the Professional Paralegal (PP) credential

62 from the National Association of Legal Professionals (NALS); or the Certified Registered
63 Paralegal (CRP) credential from the National Federation of Paralegal Associations (NFPA).

64 ~~(u)~~(y) “OPC” means the Bar’s Office of Professional Conduct.

65 ~~(v)~~(z) “Paralegal” means a person qualified through education, training, or work
66 experience, who is employed or retained by a lawyer, law office, governmental agency, or the
67 entity in the capacity or function which involves the performance, under the ultimate direction
68 and supervision of an attorney, of specifically delegated substantive legal work, which work, for
69 the most part, requires a sufficient knowledge of legal concepts that absent such assistance, the
70 attorney would perform.

71 ~~(w)~~(aa) “Paralegal Certificate” means verification that an individual has successfully
72 completed ~~an accredited~~ a paralegal ~~education studies~~ program ~~from an Accredited Program that~~
73 ~~includes at least 15 credit hours of paralegal studies. The certificate must be offered, taught, and~~
74 ~~granted by the accredited school or accredited program.~~an Accredited Program.

75 ~~(x)~~(bb) “Paralegal Studies and Paralegal Studies Degree” mean course work that prepares
76 a holder to work as a paralegal.

77 ~~(y)~~(cc) “Privileged Information” in this article includes: information subject to the
78 attorney-client privilege, attorney work product, test materials and applications of examinees;
79 correspondence and written decisions of the Board and LPP Admissions Committee, and the
80 identity of individuals participating in the drafting, reviewing, grading and scoring of the LPP
81 Licensure Examination.

82 ~~(z)~~(dd) “Reapplication for Licensure” means that for two years after the filing of an original
83 application, an Applicant may reapply by completing a Reapplication for Licensure form
84 updating any information that has changed since the prior application was filed and submitting a
85 new criminal background check.

86 ~~(aa)~~(ee) “Substantive Law-Related Experience” means the provision of legal services as a
87 Paralegal, paralegal student or law student including, but not limited to, drafting pleadings, legal
88 documents or correspondence, completing forms, preparing reports or charts, legal research, and
89 interviewing clients or witnesses. Substantive Law-Related Experience does not include routine
90 clerical or administrative duties. Substantive Law-Related Experience for licensure in landlord-
91 tenant and debt collection includes, but is not limited to, the provision of legal services as a

92 Paralegal supervised by a licensed attorney, paralegal student or law student in the areas of
93 bankruptcy, real estate, mortgage and/or banking law.

94 ~~(bb)~~(ff) “Supreme Court” means the Utah Supreme Court.

95 ~~(ee)~~(gg) “Unapproved Law School” means a law school that is not fully or provisionally
96 approved by the ABA.

97 ~~(dd)~~(hh) “Updated Application” means that an Applicant is required to amend and update her
98 or his application on an ongoing basis and correct any information that has changed since the
99 application was filed.

Effective November 1, 2019