

1 **Rule 15-912. Processing claims.**
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3 (a) Whenever it appears that a claim is not eligible for reimbursement pursuant to these rules,
4 the claimant shall be advised of the reasons why the claim may not be eligible for
5 reimbursement, and that unless additional facts to support eligibility are submitted to the
6 Committee, the claim file shall be closed. The chairperson of the Fund may appoint any member
7 of the Committee and/or his/herself to determine the eligibility of claims.

8 (b) A certified copy of an order disciplining a licensed paralegal practitioner for the same
9 dishonest act or conduct alleged in the claim, or a final judgment imposing civil or criminal
10 liability therefor, shall be evidence that a licensed paralegal practitioner committed such
11 dishonest act or conduct.

12 (c) The Bar's Office of Professional Conduct Senior Counsel shall be promptly notified of
13 each and every claim.

14 (d) The licensed paralegal practitioner alleged to have engaged in dishonest conduct shall be
15 provided a copy of the claim and given an opportunity to respond in writing within 20 days of
16 the receipt thereof to the Committee.

17 (e) The Committee may request that testimony be presented. The licensed paralegal
18 practitioner or licensed paralegal practitioner's representative shall be given an opportunity to be
19 heard if they so request within 20 days of receiving a notice from the Committee that the
20 Committee will process the claim.

21 (f) The Committee may make a finding of dishonest conduct for purposes of adjudicating a
22 claim. Such a determination is not a finding of dishonest conduct for the purposes of professional
23 discipline and further, represents only a recommendation to the Board. A claim may only be
24 considered if the individual licensed paralegal practitioner involved has been disciplined to a
25 threshold level of a public reprimand or is no longer in practice.

26 (g) The claim shall be determined on the basis of all available evidence, and notice shall be
27 given to the claimant and the licensed paralegal practitioner of the final decision by the Board
28 after a recommendation has been made by the Committee. The recommendation for approval or
29 denial of a claim shall require the affirmative votes of at least a majority of the Committee
30 members and a quorum of the voting members of the Board.

31 (h) Any proceeding upon a claim shall not be conducted according to technical rules relating
32 to evidence, procedure and witnesses. Any relevant evidence shall be admitted if it is the sort of
33 evidence on which responsible persons are accustomed to rely in the conduct of serious affairs,
34 regardless of the existence of any common law or statutory rule which might make improper the
35 admission of such evidence over objection in court proceedings. The claimant shall have the duty
36 to supply relevant evidence to support the claim.

37 (i) The Board shall determine the order and manner of payment and pay those claims it
38 deems meritorious, but unless the Board directs otherwise, no claim should be approved during
39 the pendency of a disciplinary proceeding involving the same act or conduct as alleged in the
40 claim; specifically, no determination and/or hearing shall take place until such time that all
41 disciplinary proceedings have, in fact, been completed.

42 (j) Both the claimant and the licensed paralegal practitioner shall be advised of the status of
43 the Board's consideration of the claim and after having received the recommendation of the
44 Committee, also shall be informed of the final determination.

45 (k) The claimant may request reconsideration within 30 days of the denial or determination
46 of the amount of the claim.