

Rule 15-415. Failure to satisfy MCLE requirements; notice; appeal procedures; reinstatement; waivers and extensions; deferrals.

1 (a) Failure to comply; petition for suspension. A Licensed Paralegal Practitioner who fails to
2 comply with reporting provisions of Rule 15-414 will be assessed a late fee. A Licensed
3 Paralegal Practitioner who fails to comply with Rule 15-414 or who files a Certificate of
4 Compliance showing that he or she has failed to complete the required number of hours of
5 MCLE will be notified that a petition for the Licensed Paralegal Practitioner's suspension of
6 their license will be submitted to the Supreme Court unless all requirements are completed and
7 reported within 30 days.

8 (a)(1) The Licensed Paralegal Practitioner will have the opportunity during the 30-day period
9 to file an affidavit with the Board disclosing facts demonstrating that the Licensed Paralegal
10 Practitioner's noncompliance was not willful and to tender such documents that, if accepted,
11 would cure the delinquency. A hearing before the Board will be granted if requested.

12 (a)(2) If, after a hearing or a failure to cure the delinquency by satisfactory affidavit and
13 compliance, the Licensed Paralegal Practitioner is suspended by the Supreme Court, the
14 Licensed Paralegal Practitioner will be notified by certified mail, return receipt requested.

15 (b) Reinstatement. A Licensed Paralegal Practitioner suspended by the Supreme Court under
16 the provisions of this rule may be reinstated by the Court upon motion of the Board showing that
17 the Licensed Paralegal Practitioner has cured the delinquency for which the Licensed Paralegal
18 Practitioner has been suspended. If a Licensed Paralegal Practitioner has been suspended by the
19 Supreme Court for non-compliance with this article, the Licensed Paralegal Practitioner must
20 then comply with all applicable rules to be eligible to return to active or inactive status.

21 (c) Waivers and extensions of time. For good cause shown, the Board may use its discretion
22 in cases involving hardship or extenuating circumstances to grant waivers of the minimum
23 MCLE requirements or extensions of time within which to fulfill the requirements.

24 (d) Deferrals. The Board may defer MCLE requirements in the event of the Licensed
25 Paralegal Practitioner's serious illness.

26 (e) Petition to appeal. Any Licensed Paralegal Practitioner who is aggrieved by any decision
27 of the Board under this rule may, within 30 days from the date of the notice of decision, appeal
28 to the Board by filing a petition setting forth the decision and the relief sought along with the
29 factual and legal basis. Unless a petition is filed, the Board's decision is final.

30 (e)(1) The Board may approve a petition without hearing or may set a date for hearing. If the
31 Board determines to hold a hearing, the Licensed Paralegal Practitioner will have at least 10 days
32 notice of the time and place set for the hearing. Testimony taken at the hearing will be under
33 oath. The Board shall enter written findings of fact, conclusions of law and the decision on each
34 petition. A copy will be sent by certified mail, return receipt requested, to the Licensed Paralegal
35 Practitioner.

36 (e)(2) The Board may grant the petitioner an extension of time within which to comply with
37 this rule.

38 (e)(3) Decisions of the Board are final and are not subject to further contest, unless the
39 decision was a denial of a request for a waiver or a recommendation of suspension of Licensed
40 Paralegal Practitioner's license.

41 (f) Appeal to Supreme Court. A decision denying a request for waiver or a decision to
42 suspend the Licensed Paralegal Practitioner is final under paragraph (e)(3) unless within 30 days
43 after service of the findings of fact, conclusions of law and decision, the Licensed Paralegal
44 Practitioner files a written notice of appeal with the Supreme Court.

45 (f)(1) Transcripts. To perfect an appeal to the Supreme Court, the Licensed Paralegal
46 Practitioner must, at the Licensed Paralegal Practitioner's expense, obtain a transcript of the
47 proceedings from the Board. If testimony was taken before the Board, the Board will certify that
48 the transcript contains a fair and accurate report of the proceedings. The Board will prepare and
49 certify a transcript of all orders and other documents pertinent to the proceeding before it and file
50 these promptly with the clerk of the Supreme Court. The matter will be heard by the Supreme
51 Court under this article and other applicable rules.

52 (f)(2) The time set forth in this article for filing notices of appeal are jurisdictional. The
53 Board or the Supreme Court, as to appeals pending before each such body, may, for good cause
54 shown either extend the time for the filing or certification of any material or dismiss the appeal
55 for failure to prosecute.

Effective November 1, 2018