

1 **MAINTAINING THE INTEGRITY OF THE PROFESSION**

2

3 **Rule 8.1. Licensing and Disciplinary Matters.**

4

5 An applicant for licensing as a licensed paralegal practitioner, or a licensed paralegal

6 practitioner in connection with a licensing application or in connection with a disciplinary

7 matter, shall not:

8 (a) Knowingly make a false statement of material fact; or

9 (b) Fail to disclose a fact necessary to correct a misapprehension known by the person to

10 have arisen in the matter or knowingly fail to respond to a lawful demand for information from

11 an admissions or disciplinary authority, except that this Rule does not require disclosure of

12 information otherwise protected by Rule 1.6 of the Licensed Paralegal Practitioner Rules of

13 Professional Conduct.

14

15 Comment

16 [1] The duty imposed by this Rule extends to persons seeking licensure as well as to licensed

17 paralegal practitioners. Hence, if a person makes a material false statement in connection with an

18 application for admission, it may be the basis for subsequent disciplinary action if the person is

19 admitted, and in any event may be relevant in a subsequent admission application. The duty

20 imposed by this Rule applies to a licensed paralegal practitioner's own admission or discipline as

21 well as that of others. Thus, it is a separate professional offense for a licensed paralegal

22 practitioner to knowingly make a misrepresentation or omission in connection with a disciplinary

23 investigation of the licensed paralegal practitioner's own conduct. Paragraph (b) of this Rule also

24 requires correction of any prior misstatement in the matter that the applicant or licensed paralegal

25 practitioner may have made and affirmative clarification of any misunderstanding on the part of

26 the admissions or disciplinary authority of which the person involved becomes aware.

27 [2] This Rule is subject to the provisions of the Fifth Amendment of the United States

28 Constitution and corresponding provisions of state constitutions. A person relying on such a

29 provision in response to a question, however, should do so openly and not use the right of

30 nondisclosure as a justification for failure to comply with this Rule.

31 [3] Reserved.