

1 Rule 15-717. Relicensure after resignation or delicensure of Utah Licensed Paralegal
2 Practitioners.

3

4 (a) Relicensure after resignation without discipline pending. A Licensed Paralegal
5 Practitioner who seeks relicensure subsequent to resignation without discipline pending must
6 submit a new application, payment of fees, and undergo a character and fitness investigation. An
7 Applicant is not required to retake the Licensed Paralegal Practitioner Examination(s), but must
8 fully comply with the requirements of Rule 15-716 (fees and oath).

9 (b) Relicensure of delicensed Licensed Paralegal Practitioners. A Licensed Paralegal
10 Practitioner who seeks relicensure after delicensure shall satisfy all requirements of this article,
11 including Rules 15-703, 15-708 and 15-716, and shall satisfy all other requirements imposed by
12 Rule 15-525, the OPC, and Utah courts. A report and recommendation shall be filed by the LPP
13 Admissions Committee in the District Court in which the Applicant has filed his or her petition
14 for relicensure. The District Court must approve the Applicant's petition for relicensure under
15 Rule 15-525 before an Applicant can be admitted and licensed under Rule 15-716.

16 (c) A delicensed Licensed Paralegal Practitioner Applicant must undergo a formal
17 hearing as set forth in Rule 15-708(c). A delicensed Licensed Paralegal Practitioner Applicant
18 has the burden of proving rehabilitation by clear and convincing evidence. No delicensed
19 Licensed Paralegal Practitioner Applicant may take the LPP Examination(s) prior to being
20 approved by the LPP Admissions Committee as provided in Rule 15-708(a). In addition to the
21 requirements set forth in this rule and in conjunction with the application, an Applicant under
22 this rule must:

23 (c)(1) file an application for licensure in accordance with the requirements and deadlines
24 set forth in Rule 15-707(c);

25 (c)(2) provide a comprehensive written explanation of the circumstances surrounding her
26 or his delicensure or resignation;

27 (c)(3) provide copies of all relevant documents including, but not limited to, orders
28 containing findings of fact and conclusions of law relating to delicensure or resignation; and

29 (c)(4) provide a comprehensive written account of conduct evidencing rehabilitation.

30

31 (c)(5) To prove rehabilitation, the Applicant must demonstrate and provide evidence of
32 the following:

33 (c)(5)(A) strict compliance with all disciplinary and judicial orders;

34 (c)(5)(B) full restitution of funds or property where applicable;

35 (c)(5)(C) a lack of malice toward those who instituted the original proceeding against the
36 Applicant;

37 (c)(5)(D) unimpeachable character and moral standing in the community;

38 (c)(5)(E) acceptance of responsibility for the conduct leading to the discipline;

39 (c)(5)(F) a desire and intent to conduct one's self in an exemplary fashion in the future;

40 (c)(5)(G) treatment for and current control of any substance abuse problem and/or
41 psychological condition, if such were factors contributing to the delicensure or resignation; and

42 (c)(5)(H) positive action showing rehabilitation by such things as a person's occupation,
43 religion, or community or civic service. Merely showing that the Applicant is now living as and
44 doing those things she or he should have done throughout life, although necessary to prove
45 rehabilitation, does not prove that the individual has undertaken a useful and constructive place
46 in society.