

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

3 (a) Failure to comply; petition for suspension. A licensed paralegal practitioner who
4 fails to comply with reporting provisions of Rule 14-414 will be assessed a late fee. A
5 licensed paralegal practitioner who fails to comply with Rule 14-414 or who files a
6 Certificate of Compliance showing that he or she has failed to complete the required
7 number of hours of MCLE will be notified that a petition for the licensed paralegal
8 practitioner 's suspension of their license will be submitted to the Supreme Court unless
9 all requirements are completed and reported within 30 days.

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

15 (a)(2) If, after a hearing or a failure to cure the delinquency by satisfactory affidavit
16 and compliance, the licensed paralegal practitioner is suspended by the Supreme
17 Court, the licensed paralegal practitioner will be notified by certified mail, return receipt
18 requested.

19 (b) Reinstatement. A licensed paralegal practitioner suspended by the Supreme
20 Court under the provisions of this rule may be reinstated by the Court upon motion of
21 the Board showing that the licensed paralegal practitioner has cured the delinquency for
22 which the licensed paralegal practitioner has been suspended. If a licensed paralegal
23 practitioner has been suspended by the Supreme Court for non-compliance with this
24 article, the licensed paralegal practitioner must then comply with all applicable rules to
25 be eligible to return to active or inactive status.

26 (c) Waivers and extensions of time. For good cause shown, the Board may use its
27 discretion in cases involving hardship or extenuating circumstances to grant waivers of

28 the minimum MCLE requirements or extensions of time within which to fulfill the
29 requirements.

30 (d) Deferrals. The Board may defer MCLE requirements in the event of the licensed
31 paralegal practitioner's serious illness.

32 (e) Petition to appeal. Any licensed paralegal practitioner who is aggrieved by any
33 decision of the Board under this rule may, within 30 days from the date of the notice of
34 decision, appeal to the Board by filing a petition setting forth the decision and the relief
35 sought along with the factual and legal basis. Unless a petition is filed, the Board's
36 decision is final.

37 (e)(1) The Board may approve a petition without hearing or may set a date for
38 hearing. If the Board determines to hold a hearing, the licensed paralegal practitioner
39 will have at least 10 days' notice of the time and place set for the hearing. Testimony
40 taken at the hearing will be under oath. The Board shall enter written findings of fact,
41 conclusions of law and the decision on each petition. A copy will be sent by certified
42 mail, return receipt requested, to the licensed paralegal practitioner.

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

45 (e)(3) Decisions of the Board are final and are not subject to further contest, unless
46 the decision was a denial of a request for a waiver or a recommendation of suspension
47 of licensed paralegal practitioner's license.

48 (f) Appeal to Supreme Court. A decision denying a request for waiver or a decision
49 to suspend the licensed paralegal practitioner is final under paragraph (e)(3) unless
50 within 30 days after service of the findings of fact, conclusions of law and decision, the
51 licensed paralegal practitioner files a written notice of appeal with the Supreme Court.

52 (f)(1) Transcripts. To perfect an appeal to the Supreme Court, the licensed paralegal
53 practitioner must, at the licensed paralegal practitioner 's expense, obtain a transcript of
54 the proceedings from the Board. If testimony was taken before the Board, the Board will

55 certify that the transcript contains a fair and accurate report of the proceedings. The
56 Board will prepare and certify a transcript of all orders and other documents pertinent to
57 the proceeding before it and file these promptly with the clerk of the Supreme Court.
58 The matter will be heard by the Supreme Court under this article and other applicable
59 rules.

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