

Rule 5-701. Definitions.

As used in this article:

(a) “**ABA**” means the American Bar Association.

(b) “**Accredited Program**” means a course of instruction in paralegal studies from a program officially recognized as meeting the standards and requirements of a regional or national accrediting organization that is approved by the U.S. Department of Education, or a paralegal school or paralegal studies program that has been fully or provisionally approved by the ABA Standing Committee on Paralegals.

(c) “**Accredited School**” means a school officially recognized as meeting the standards and requirements of a regional or national accrediting organization that is approved by the U.S. Department of Education.

(d) “**Applicant**” means each person requesting licensure as a Licensed Paralegal Practitioner.

(e) “**Approved Law School**” means a law school which is fully or provisionally approved by the ABA pursuant to its Standards and Rules of Procedure for Approval of Law Schools. To qualify as approved, the law school must have been fully or provisionally approved at the time of the Applicant’s graduation, or at the time of the Applicant’s enrollment, provided the Applicant graduated within a typical and reasonable time.

(f) “**Associate Degree**” means an undergraduate academic degree conferred by a college upon completion of the curriculum required for an associate degree.

(g) “**Bachelor’s Degree**” means an academic degree conferred by a college or university upon completion of the undergraduate curriculum.

(h) “**Bar**” means the Utah State Bar, including its employees, committees and the Board.

(i) “**Board**” means the Board of Bar Commissioners.

(j) “**Complete Application**” means an application that includes all fees and necessary application forms, along with any required supporting documentation, character

references, a criminal background check, a photo, an official certificate of graduation and if applicable, a test accommodation request with supporting medical documentation.

(k) “**Confidential Information**” is defined in [Rule 15-720\(a\)](#).

(l) “**Disbarred Lawyer**” means an individual who was once a licensed lawyer and is no longer permitted to practice law.

(m) “**Executive Director**” means the executive director of the Utah State Bar or designee.

(n) “**First Professional Degree**” means a degree that prepares the holder for admission to the practice of law (e.g. juris doctorate) by emphasizing competency skills along with theory and analysis. An advanced, focused, or honorary degree in law is not recognized as a First Professional Degree (e.g. master of laws or doctor of laws).

(o) “**Full-time**” means providing legal services as a paralegal for no fewer than 80 hours per month.

(p) “**General Counsel**” means the General Counsel of the Utah State Bar or designee.

(q) “**Licensed Paralegal Practitioner**” means a person licensed by the Utah Supreme Court to provide limited legal representation in the practice areas of (1) temporary separation, divorce, parentage, cohabitant abuse, civil stalking, custody and support, name or gender change, and petitions to recognize a relationship as a marriage, (2) forcible entry and detainer and unlawful detainer; or (3) debt collection matters in which the dollar amount in issue does not exceed the ~~statutory monetary~~ limit for ~~the debt collection and housing action division of the district courts~~ ~~small claims cases~~.

(r) “**LPP**” means Licensed Paralegal Practitioner.

(s) “**LPP Administrator**” means the Bar employee in charge of LPP licensure or designee.

(t) “**LPP Admissions Committee**” means those Utah State Bar members or others appointed by the Board or president of the Bar who are charged with recommending standards and procedures for licensure of LPPs, with implementation of this article,

reviewing requests for test accommodations, and assessing the qualifications of applicants.

(u) **“NALA”** means the National Association of Legal Assistants.

(v) **“NALS”** means The Association for Legal Professionals.

(w) **“NFPA”** means the National Federation of Paralegal Associations.

(x) **“National Certification”** means Certified Paralegal (CP or CLA) credential from the National Association of Legal Assistants (NALA); the Professional Paralegal (PP) credential from the National Association of Legal Professionals (NALS); or the Registered Paralegal (RP) credential from the National Federation of Paralegal Associations (NFPA).

(y) **“OPC”** means the Office of Professional Conduct.

(z) **“Paralegal”** means a person qualified through education, training, or work experience, who is employed or retained by a lawyer, law office, governmental agency, or the entity in the capacity or function which involves the performance, under the ultimate direction and supervision of an attorney, of specifically delegated substantive legal work, which work, for the most part, requires a sufficient knowledge of legal concepts that absent such assistance, the attorney would perform.

(aa) **“Paralegal Certificate”** means verification that an individual has successfully completed a paralegal studies program from an Accredited Program that includes at least 15 credit hours of paralegal studies. The certificate must be offered, taught, and granted by an Accredited Program.

(bb) **“Paralegal Studies”** and **“Paralegal Studies Degree”** mean course work that prepares a holder to work as a paralegal.

(cc) **“Privileged Information”** in this article includes: information subject to the attorney-client privilege, attorney work product, test materials and applications of examinees; correspondence and written decisions of the Board and LPP Admissions Committee; and

the identity of individuals participating in the drafting, reviewing, grading and scoring of the LPP Licensure Examination.

(dd) **“Reapplication for Licensure”** means that for two years after the filing of an original application, an Applicant may reapply by completing a Reapplication for Licensure form updating any information that has changed since the prior application was filed and submitting a new criminal background check.

(ee) **“Specialized Course of Instruction”** means a course that has been approved by the Board to provide instruction in professional ethics or the subject areas for which LPP’s are licensed.

(ff) **“Substantive Law-Related Experience”** means the provision of legal services as a Paralegal, paralegal student or law student including, but not limited to, drafting pleadings, legal documents, or correspondence, completing forms, preparing reports or charts, legal research, and interviewing clients or witnesses. Substantive Law-Related Experience does not include routine clerical or administrative duties. Substantive Law-Related Experience for licensure in landlord-tenant and debt collection includes, but is not limited to, legal services provided in the areas of bankruptcy, real estate, mortgage and/or banking law.

(gg) **“Substantive Legal Course”** means a course offered for academic credit by an Approved Law School, an Accredited School, or an Accredited Program. Any course by an Approved Law School is a Substantive Legal Course. Any non-general education course required as part of a Paralegal Studies Degree or Certificate by an Approved School of an Approved Program, including required electives, is a Substantive Legal Course.

(hh) **“Supreme Court”** means the Utah Supreme Court.

(ii) **“Unapproved Law School”** means a law school that is not fully or provisionally approved by the ABA.

103 (jj) “**Updated Application**” means that an Applicant is required to amend and update the
104 Applicant’s application on an ongoing basis and correct any information that has
105 changed since the application was filed.

|106 *Effective: ~~5/1/2022~~*