

Rule 8.1. Licensing and Disciplinary Matters.

1 An applicant for licensing as a licensed paralegal practitioner, or a licensed paralegal
2 practitioner in connection with a licensing application or in connection with a disciplinary
3 matter, shall not:

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

5 (b) Fail to disclose a fact necessary to correct a misapprehension known by the person to
6 have arisen in the matter or knowingly fail to respond to a lawful demand for information from
7 an admissions or disciplinary authority, except that this Rule does not require disclosure of
8 information otherwise protected by Rule 1.6 of the Licensed Paralegal Practitioner Rules of
9 Professional Conduct.

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11 Comment

12 [1] The duty imposed by this Rule extends to persons seeking licensure as well as to licensed
13 paralegal practitioners. Hence, if a person makes a material false statement in connection with an
14 application for admission, it may be the basis for subsequent disciplinary action if the person is
15 admitted, and in any event may be relevant in a subsequent admission application. The duty
16 imposed by this Rule applies to a licensed paralegal practitioner's own admission or discipline as
17 well as that of others. Thus, it is a separate professional offense for a licensed paralegal
18 practitioner to knowingly make a misrepresentation or omission in connection with a disciplinary
19 investigation of the licensed paralegal practitioner's own conduct. Paragraph (b) of this Rule also
20 requires correction of any prior misstatement in the matter that the applicant or licensed paralegal
21 practitioner may have made and affirmative clarification of any misunderstanding on the part of
22 the admissions or disciplinary authority of which the person involved becomes aware.

23 [2] This Rule is subject to the provisions of the Fifth Amendment of the United States
24 Constitution and corresponding provisions of state constitutions. A person relying on such a
25 provision in response to a question, however, should do so openly and not use the right of
26 nondisclosure as a justification for failure to comply with this Rule.

27 [3] Reserved.

Effective November 1, 2018