

1 **Rule 15-301. Standards of Licensed Paralegal Practitioner Professionalism and Civility.**

2 Preamble

3 A licensed paralegal practitioner's conduct should be characterized at all times by personal
4 courtesy and professional integrity in the fullest sense of those terms. In fulfilling a duty to
5 represent a client, we must be mindful of our obligations to the administration of justice, which is
6 a truth-seeking process designed to resolve human and societal problems in a rational, peaceful,
7 and efficient manner. We must remain committed to the rule of law as the foundation for a just
8 and peaceful society.

9 Conduct that may be characterized as uncivil, abrasive, abusive, hostile, or obstructive
10 impedes the fundamental goal of resolving disputes rationally, peacefully, and efficiently. Such
11 conduct tends to delay and often to deny justice.

12 Licensed paralegal practitioners should exhibit courtesy, candor and cooperation in dealing
13 with the public and participating in the legal system. The following standards are designed to
14 encourage licensed paralegal practitioners to meet their obligations to each other, to litigants and
15 to the system of justice, and thereby achieve the twin goals of civility and professionalism, both
16 of which are hallmarks of a learned profession dedicated to public service.

17 Licensed paralegal practitioners should educate themselves on the potential impact of using
18 digital communications and social media, including the possibility that communications intended
19 to be private may be republished or misused. Licensed paralegal practitioners should understand
20 that digital communications in some circumstances may have a widespread and lasting impact on
21 their clients, themselves, lawyers, other licensed paralegal practitioners, and the judicial system.

22 Licensed paralegal practitioners are expected to make mutual and firm commitments to these
23 standards. Adherence is expected as part of a commitment by all participants to improve the
24 administration of justice throughout this State. We further expect licensed paralegal practitioners
25 to educate their clients regarding these standards.

26 These standards should be followed by licensed paralegal practitioners in all interactions with
27 each other, lawyers, and judges, and in any proceedings in this State. Copies may be made

28 available to clients to reinforce our obligation to maintain and foster these standards. Nothing in
29 these standards supersedes or detracts from existing disciplinary codes or standards of conduct.

30 Cross-References: L.P.P. R. Prof. Cond. Preamble [1], [13]; R. Civ. P. 1.

31 1. Licensed paralegal practitioners shall advance the legitimate interests of their clients,
32 without reflecting any ill-will that clients may have for their adversaries, even if called upon to
33 do so by another. Instead, licensed paralegal practitioners shall treat all other licensed paralegal
34 practitioners, lawyers, parties, judges, and other participants in all proceedings in a courteous and
35 dignified manner.

36 Comment: Licensed paralegal practitioners should maintain the dignity and decorum of
37 judicial and administrative proceedings, as well as the esteem of the legal profession.

38 Licensed paralegal practitioners are expected to refrain from inappropriate language,
39 maliciousness, or insulting behavior in meetings with opposing licensed paralegal practitioners,
40 lawyers, and clients, telephone calls, email, and other exchanges. They should use their best
41 efforts to instruct their clients to do the same.

42 Cross-References: L.P.P. R. Prof. Cond. 1.4, 1.16(a)(1), 2.1, 3.1, 3.2, 3.3(a)(1), 3.4, 3.5(d),
43 3.8, 3.9, 4.1(a), 4.4(a), 8.4(d); R. Civ. P. 10(h), 12(f).

44 2. Licensed paralegal practitioners shall advise their clients that civility, courtesy, and fair
45 dealing are expected. They are tools for effective advocacy and not signs of weakness. Clients
46 have no right to demand that licensed paralegal practitioners abuse anyone or engage in any
47 offensive or improper conduct.

48 Cross-References: L.P.P. R. Prof. Cond. Preamble [5], 1.2(a), 1.2(d), 1.4(a)(5).

49 3. Licensed paralegal practitioners shall not, without an adequate factual basis, attribute to
50 other licensed paralegal practitioners, lawyers, or the court improper motives, purpose, or
51 conduct. Licensed paralegal practitioners should avoid hostile, demeaning, or humiliating words
52 in written and oral communications with adversaries. Written submissions should not disparage
53 the integrity, intelligence, morals, ethics, or personal behavior of an adversary unless such
54 matters are directly relevant under controlling substantive law.

55 Comment: Hostile, demeaning, and humiliating communications include all expressions of
56 discrimination on the basis of race, religion, gender, sexual orientation, age, handicap, veteran

57 status, or national origin, or casting aspersions on physical traits or appearance. Licensed
58 paralegal practitioners should refrain from acting upon or manifesting bigotry, discrimination, or
59 prejudice toward any participant in the legal process, even if a client requests it.

60 Licensed paralegal practitioners should refrain from expressing scorn, superiority, or
61 disrespect. Legal process should not be issued merely to annoy, humiliate, intimidate, or harass.

62 Cross-References: L.P.P. R. Prof. Cond. Preamble [5], 3.1, 3.5, 8.4; R. Civ. P. 10(h).

63 4. Licensed paralegal practitioners shall never knowingly attribute to other licensed paralegal
64 practitioners, or to lawyers, a position or claim that the other professional has not taken or seek
65 to create such an unjustified inference or otherwise seek to create a “record” that has not
66 occurred.

67 Cross-References: L.P.P. R. Prof. Cond. 3.1, 3.3(a)(1), 3.5(a), 8.4(c), (d).

68 5. Reserved.

69 6. Licensed paralegal practitioners shall adhere to their express promises and agreements,
70 oral or written, and to all commitments reasonably implied by the circumstances or by local
71 custom.

72 Cross-References: L.P.P. R. Prof. Cond. 1.1, 1.3, 1.4(a), (b), 1.6(a), 1.9, 1.13(a), (b), 1.14,
73 1.15, 1.16(d), 1.18(b), (c), 2.1, 3.2, 3.3, 3.4(c), 3.8, 5.1, 5.3, 8.3(a), (b), 8.4(c), (d).

74 7. When committing oral understandings to writing, licensed paralegal practitioners shall do
75 so accurately and completely. They shall provide other licensed paralegal practitioners or lawyers
76 a copy for review, and never include substantive matters upon which there has been no
77 agreement, without explicitly advising the other licensed paralegal practitioner or lawyer. As
78 drafts are exchanged, licensed paralegal practitioners shall bring to the attention of other licensed
79 paralegal practitioners or lawyers changes from prior drafts.

80 Comment: When providing the opposing party with a copy of any negotiated document for
81 review, a licensed paralegal practitioner should not make changes to the written document in a
82 manner calculated to cause the opposing party or that party’s representative to overlook or fail to
83 appreciate the changes. Changes should be clearly and accurately identified in the draft or
84 otherwise explicitly brought to the attention of the opposing party. Licensed paralegal
85 practitioners should be sensitive to, and accommodating of, other professionals’ inability to make

86 full use of technology and should provide hard copy drafts when requested and a redline copy, if
87 available.

88 Cross-References: L.P.P. R. Prof. Cond. 3.4(a), 4.1(a), 8.4(c), (d).

89 8. Reserved.

90 9. Reserved.

91 10. Reserved.

92 11. Licensed paralegal practitioners shall avoid impermissible ex parte communications.

93 Cross-References: L.P.P. R. Prof. Cond. 1.2, 2.2, 2.9, 3.5, 5.1, 5.3, 8.4(a), (d).

94 12. Reserved.

95 13. Reserved.

96 14. Licensed paralegal practitioners shall advise their clients that they reserve the right to
97 determine whether to grant accommodations to other licensed paralegal practitioners or lawyers
98 in all matters not directly affecting the merits of the cause or prejudicing the client's rights, such
99 as extensions of time. Licensed paralegal practitioners shall agree to reasonable requests for
100 extension of time when doing so will not adversely affect their clients' legitimate rights.
101 Licensed paralegal practitioners shall never request an extension of time solely for the purpose of
102 delay or to obtain a tactical advantage.

103 Comment: Licensed paralegal practitioners should not evade communication with other
104 professionals, should promptly acknowledge receipt of any communication, and should respond
105 as soon as reasonably possible. Licensed paralegal practitioners should only use data-
106 transmission technologies as an efficient means of communication and not to obtain an unfair
107 tactical advantage. Licensed paralegal practitioners should be willing to grant accommodations
108 where the use of technology is concerned, including honoring reasonable requests to retransmit
109 materials or to provide hard copies.

110 Licensed paralegal practitioners should not request inappropriate extensions of time or serve
111 papers at times or places calculated to embarrass or take advantage of an adversary.

112 Cross-References: L.P.P. R. Prof. Cond. 1.2(a), 2.1, 3.2, 8.4.

113 15. Reserved.

114 16. Licensed paralegal practitioners shall not cause the entry of a default without first
115 notifying the other party's lawyer or licensed paralegal practitioner whose identity is known,
116 unless their clients' legitimate rights could be adversely affected.

117 Cross-References: L.P.P. R. Prof. Cond. 8.4; R. Civ. P. 55(a).

118 17. Reserved.

119 18. Reserved.

120 19. Reserved.

121 20. Licensed paralegal practitioners shall not authorize or encourage their clients or anyone
122 under their direction or supervision to engage in conduct proscribed by these Standards.