

ARIZONA CODE OF JUDICIAL ADMINISTRATION
Part 7: Administrative Office of the Courts
Chapter 2: Certification and Licensing Programs
Section 7-210: Legal Paraprofessional
(deleted text shown in ~~strikethrough~~; new text underlined)

A. Definitions. In addition to the definitions in ACJA § 7-201(A), the following definitions apply to this section:

“Advocacy” means course content or practical experience that demonstrates and develops skills that are associated with conducting court hearings and trials, administrative hearings, mediation and arbitration, and settlement and plea negotiation.

“Board” means the Board of Nonlawyer Legal Service Providers.

“Certification” means achievement of subject area competency within an endorsement.

“Civil procedures course” means at least 3 credits from a course dedicated to civil procedure and the remaining required credits can be obtained through a course or courses that cover an area of civil law, such as administrative law, if the course includes procedural law content.

“Endorsement” means an area of practice in which a legal paraprofessional may be licensed.

“Experiential learning” means learning through a format such as an internship, externship or clinical experience during which students develop knowledge, skills, and values from direct experiences outside a traditional academic setting.

“Legal Master’s degree” means an advanced degree from an American Bar Association accredited law school that may include but is not limited to Master of Legal Studies (MLS), Master of Studies in Law (MSL), Master of Jurisprudence (MJ), Juris Master (JM), and Master of Human Resources and Employment Law (MHREL).

“Legal Paraprofessional” means an individual licensed pursuant to this section to provide legal services without the supervision of an attorney in the areas of law and within the scope of practice defined herein.

“Legal specialization course” means a course that covers substantive law or legal procedures and that was developed specifically for, and that teaches practical skills needed by, paralegals or legal paraprofessionals. For clarity, courses in general “business law” designed for undergraduate or graduate business curriculums and law-related courses that focus solely on theory do not qualify as a legal specialization course.

“Substantive, law-related experience” means the provision of legal services as a law clerk, paralegal, or paralegal 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 in areas of practice in which the applicant seeks to be licensed. Substantive law-related experience does not include routine clerical or administrative duties or preparation of legal documents for an entity or member of the public engaged in self-representation.

B. through D. [No changes]

E. Licensure. In addition to the provisions of ACJA § 7-201(E), the following requirements apply:

1. License Required. ~~A person~~ An individual must not represent that ~~the person is~~ they are a legal paraprofessional, or ~~is~~ are authorized to provide legal services, without holding a valid license issued in compliance with this section in one or more of the following practice areas:

- a. ~~F~~family law;
- b. ~~C~~civil;
- c. ~~C~~criminal law;
- d. ~~A~~administrative law;
- e. ~~J~~juvenile law; or
- f. probate law.

2. through 5. [No changes]

6. Education or Experience Requirement. The applicant must also have one of the following:

- a. An associate-level degree in paralegal studies; an associate-level, bachelor's, or advanced degree in any subject plus a certificate in paralegal studies approved by the American Bar Association (ABA) and satisfying the minimum content requirements of this provision; or an associate-level, bachelor's, or advanced degree in any subject plus the successful completion of a minimum of 24 semester units, or the clock hour equivalent, in legal specialization courses satisfying the minimum content requirements of this provision taken at one or more institutions accredited by an institutional accrediting agency recognized by the U.S. Department of Education or the Council for Higher Education Accreditation (CHEA). If a certificate in paralegal studies does not satisfy the following minimum content requirements, the certificate may be supplemented by successfully completing the missing credit hours at one or more institutions offering an ABA-approved certificate of paralegal studies or accredited by CHEA. The following minimum content requirements for a certificate in paralegal studies or the 24 semester units of legal specialization courses need not be completed as part of a degree program but must include at least:

- (1) For family law: 3 credit hours in family law, 6 credit hours in civil procedure, 3 credit hours in evidence, and 3 credit hours of legal research and writing.
 - (2) For civil law: 6 credit hours in civil procedure, 3 credit hours in evidence, and 3 credit hours of legal research and writing.
 - (3) For criminal law: 3 credit hours in criminal law, 3 credit hours in evidence, and 3 credit hours of legal research and writing.
 - (4) For administrative law: 3 credit hours in administrative law, 3 credit hours in evidence, and 3 credit hours of legal research and writing.
 - (5) For juvenile law: 3 credit hours in dependency law or completion of the Attorney General's Office internal employee dependency training program for potential Legal Paraprofessionals employed by the Attorney General's office, 3 credit hours in evidence, and 3 credit hours of legal research and writing.
 - (6) For probate law: 3 credit hours covering estate planning, probate administration, guardianship, and conservatorship; 3 credit hours in evidence; and 3 credit hours of legal research and writing.
 - ~~(6)~~ For all practice areas:
 - (a) A minimum of 3 credit hours in professional responsibility;
 - (b) A minimum of 120 hours or 3 credit hours of experiential learning, supervised by a licensed attorney or legal paraprofessional, that includes content on advocacy; and
 - (c) One (1) year of substantive law-related experience under the supervision of a lawyer or legal paraprofessional in the area of practice in which licensure is sought.
- b. A bachelor's degree in law from an accredited college or university and approved by the Arizona Judicial Council, including a minimum of:
- (1) For family law: 3 credit hours in family law, 6 credit hours in civil procedure, 3 credit hours in evidence, and 3 credit hours of legal research and writing.
 - (2) For civil law: 6 credit hours in civil procedure, 3 credit hours in evidence, and 3 credit hours of legal research and writing.
 - (3) For criminal law: 3 credit hours in criminal law, 3 credit hours in evidence, and 3 credit hours of legal research and writing.
 - (4) For administrative law: 3 credit hours in administrative law, 3 credit hours in evidence, and 3 credit hours of legal research and writing.
 - (5) For juvenile law: 3 credit hours in dependency law or completion of the Attorney General's Office internal employee dependency training program for potential legal paraprofessionals employed by the Attorney General's office, 3 credit hours in evidence, and 3 credit hours of legal research and writing.
 - (6) For probate law: 3 credit hours covering estate planning, probate administration, guardianship, and conservatorship; 3 credit hours in evidence, and 3 credit hours of legal research and writing.
 - ~~(6)~~ For all practice areas, a minimum of 3 credit hours in professional responsibility and a minimum of 120 hours or 3 credit hours of experiential learning, supervised by a licensed attorney or legal paraprofessional, that includes content on advocacy.

- c. Attended a certification program, for credit or non-credit, for legal paraprofessionals approved by the Arizona Judicial Council; offered through an educational institution that is at least regionally accredited; and, while attending the certification program, the applicant must have completed:
- (1) The credit hours, or equivalent clock hours, in courses required under (E)(6)(a) for the practice area in which licensure is sought; and
 - (2) The supervised hours of substantive law-related experience and experiential learning required under (E)(6)(a).
- d. A ~~Master of Legal Studies (MLS)~~ Legal Master's degree from an American Bar Association accredited law school including completion of at least:
- (1) For family law: 3 credit hours in family law, 6 credit hours in civil procedure, 3 credit hours in evidence, and 3 credit hours of legal research and writing.
 - (2) For civil law: 6 credit hours in civil procedure, 3 credit hours in evidence, and 3 credit hours of legal research and writing.
 - (3) For criminal law: 3 credit hours in criminal law, 3 credit hours in evidence, and 3 credit hours of legal research and writing.
 - (4) For administrative law: 3 credit hours in administrative law, 3 credit hours in evidence, and 3 credit hours of legal research and writing.
 - (5) For juvenile law: 3 credit hours in dependency law or completion of the Attorney General's Office internal employee dependency training program for potential legal paraprofessionals employed by the Attorney General's office, 3 credit hours in evidence, and 3 credit hours of legal research and writing.
 - (6) For probate law: 3 credit hours covering estate planning, probate administration, guardianship, and conservatorship; 3 credit hours in evidence; and 3 credit hours of legal research and writing.
 - ~~(67)~~ For all practice areas, a minimum of 3 credit hours in professional responsibility and a minimum of 120 hours or 3 credit hours of experiential learning, supervised by a licensed attorney or legal paraprofessional, that includes content on advocacy.
- e. A Juris Doctor (JD) degree from a law school accredited by the American Bar Association, or the foreign equivalent of a JD from a degree granting institution and a Master of Laws (LLM) degree from a law school accredited by the American Bar Association, that in either case included:
- (1) For family law: 3 credit hours in family law, 6 credit hours in civil procedure, 3 credit hours in evidence, and 3 credit hours of legal research and writing.
 - (2) For civil law: 6 credit hours in civil procedure, 3 credit hours in evidence, and 3 credit hours of legal research and writing.
 - (3) For criminal law: 3 credit hours in criminal law, 3 credit hours in evidence, and 3 credit hours of legal research and writing.
 - (4) For administrative law: 3 credit hours in administrative law, 3 credit hours in evidence, and 3 credit hours of legal research and writing.
 - (5) For juvenile law: 3 credit hours in dependency law or completion of the Attorney General's Office internal employee dependency training program for potential

legal paraprofessionals employed by the Attorney General's office, 3 credit hours in evidence, and 3 credit hours of legal research and writing.

(6) For probate law: 3 credit hours covering estate planning, probate administration, guardianship, and conservatorship; 3 credit hours in evidence; and 3 credit hours of legal research and writing.

~~(67)~~ For all practice areas, a minimum of 3 credit hours in professional responsibility.

f. In lieu of the educational requirements in (E)(6)(a) through (e), ~~has completed completion of~~ 7 years of full-time, substantive, law-related experience within the 10 years preceding application in each practice area in which the applicant seeks licensure.

7. through 8. [No changes]

F. Conduct of Licensees.

1. Authorized Services. A licensed legal paraprofessional may provide legal services in the areas of practice for which they are licensed as follows:

a. [No changes]

b. Scope of Practice. A legal paraprofessional's authorization to provide legal services in a practice area is as follows:

(1) Family Law. Legal paraprofessionals licensed in family law may ~~render~~ provide authorized services in:

(a) Domestic relations; ~~matters~~ except on the following conditions:

(i) A legal paraprofessional that they may not provide services in the following areas unless the legal paraprofessional has met additional qualifications as established by the supreme court for:

~~(i) Preparation of a Qualified Domestic Relations Order (QDRO) and supplemental orders dividing retirement assets.~~

~~(ii) Division the division or conveyance of formal business entities or commercial property.~~

~~(iii) An appeal to the court of appeals or supreme court.~~

(ii) A legal paraprofessional may prepare Qualified Domestic Relations Orders (QDRO) and supplemental orders dividing retirement assets only:

a) for Arizona State Retirement System (ASRS) plans or 401(k) plans; and

b) if the legal paraprofessional has:

1) demonstrated a minimum of five years' experience in Family Law;

2) demonstrated current malpractice insurance coverage of at least \$1 million;

3) obtained QDRO Specialist certification from the American Association of Certified QDRO Professionals (AACQP) or an equivalent certification from an entity approved by the supreme court for this purpose; and

4) completed supreme court approved training specific to Arizona

retirement systems.

(iii)The limitations in (ii) do not prohibit a legal paraprofessional from incorporating a separately prepared QDRO into final orders.

(b) Adoption matters, to assist clients in all aspects of the adoption process, if the legal paraprofessional has met additional qualifications as established by the supreme court.

(c) Matters involving orders of protection under A.R.S. §§ 13-3601 and -3602 and injunctions against harassment under A.R.S. §§ 12-1809 and -1810 if the orders or injunctions are or may be related to or incorporated in a Family Law matter.

(2) through (5) [No changes]

(6) Probate Law. Legal paraprofessionals licensed in probate law may provide authorized services:

(a) to prepare wills, but a legal paraprofessional must not:

(i) prepare a will involving an estate valued over the current federal estate tax amount; or

(ii) prepare a will that includes a testamentary trust or exercises a general or special power of appointment.

(b) to prepare and record beneficiary deeds.

(c) to draft powers of attorney, living wills, and health care directives, including mental health directives.

(d) in probate administration if there has been no written objection filed with the court under Rule of Probate Procedure 15, but a legal paraprofessional must not:

(i) administer an estate that is required to file an IRS Form 706;

(ii) administer an estate that includes a testamentary trust;

(iii)administer an intestate estate with heirs who are special needs or disabled adults; or

(iv) administer an estate involving a business.

(e) in a Title 14 guardianship or conservatorship if there is no written objection filed under Rule of Probate Procedure 15, but a legal paraprofessional must not provide authorized services:

(i) in a conservatorship in which the inventory, account, or bond requirements are waived;

(ii) when a ward or protected person has a business ownership interest;

(iii)in a conservatorship in which a protected person is receiving state or federal needs-based government benefits; or

(iv) when a ward or protected person is a party in a pending divorce, separation, or annulment proceeding.

2. Code of Conduct. Each legal paraprofessional must abide by ~~to~~the code of conduct in ~~subsection~~-(J).

3. through 5. [No changes]

G. through J. [No changes]

K. Fee Schedule.

1. Application Fees.

- a. Application Fee; Initial Licensure \$300.00
- b. Fingerprint Application Processing - rate set by Arizona law and is subject to change.

2. Examination Fees.

- a. Core Skills Test \$100.00
- b. Core Skills Test Reexaminations \$100.00
(For any applicant who does not pass the examination on the first attempt. The \$100 fee applies to each reexamination.)
- c. Core Skills Test Reregistration for Examination \$100.00
(For any applicant who registers for an examination date and fails to appear at the designated site on the scheduled date and time.)
- d. Subject Matter Test \$150.00
- e. Subject Matter Test Reexamination \$150.00
(For any applicant who does not pass the examination on the first attempt. The \$150 fee applies to each reexamination.)
- f. Subject Matter Test Reregistration for Examination \$150.00
(For any applicant who registers for an examination date and fails to appear at the designated site on the scheduled date and time.)
- g. Online Exam Administration; Remote Proctoring \$ 25.00
(For Core and all Subject Matter tests)

3. Miscellaneous Fees.

- ~~a. Application. Printed Application for Admission or Character Report
(materials available online for free) \$ 20.00~~
- ba. NSF Fee \$ 40.00
- eb. Document Deficiency Fee: assessed if required supporting documents are not filed with application. \$100.00
- dc. Public Record Request; per Page Copypage charge for photocopies \$.50

~~e. Certificate of Correctness of Copy of Record~~ ~~—————~~ ~~\$ 18.00~~

fd. Additional License Fee \$150.00
(For each additional practice in which licensure is sought more
than one year after the initial application)

4. [No changes]