

TEXAS BOARD OF LEGAL SPECIALIZATION LEGAL ASSISTANTS RULES AND REGULATIONS

DEFINITIONS

“**TBLS**” refers to the Texas Board of Legal Specialization.

“**SBOT**” refers to the State Bar of Texas.

“**TXPD**” refers to the Paralegal Division of the SBOT.

“**LAC**” refers to the Legal Assistants Commissions appointed by TBLS.

“**Standards**” refers to the Legal Assistants Standards for Certification.

“**Plan**” refers to the Texas Plan for Recognition and Regulation of Legal Assistants Certification.

“**Rules**” refers to the Texas Board of Legal Specialization Legal Assistants Rules and Regulations.

“**CLE**” refers to Continuing Legal Education.

“**Applicant**” refers to both a certification and recertification applicant unless specifically stated otherwise.

“**Certified legal assistant**” refers to a legal assistant who is currently Board certified by TBLS.

“**Application**” is a generic term and refers to all forms used in the application process. The term is applied to both certification and recertification unless specifically stated.

“**Exam**” refers to the written certification examination.

“**Active Status**” refers to a legal assistant who may hold himself or herself out as Board certified by TBLS.

“**Pending Status**” refers to a legal assistant who may hold himself or herself out as Board certified by TBLS, but who has a matter that must be resolved before he or she can return to active status. “Pending” status is for internal monitoring.

“**Hold Status**” refers to a legal assistant who may not hold himself or herself out as Board certified by TBLS for various reasons. The legal assistants may return to “active or pending” status at a later date if authorized by TBLS. “Hold” status may also result in denial or revocation of certification.

SECTION I APPLICATIONS FOR CERTIFICATION, AND ANNUAL REPORTING AND RECERTIFICATION REQUIREMENTS

- A. **Form and Content.** Applications and the Annual Reporting Form shall be updated annually and furnished by TBLS. Each question shall be answered or shown as "not applicable". All applications and the Annual Reporting Form and the information contained therein shall be affirmed by the applicant or certified legal assistant as being true and complete. These forms shall not be altered or amended by the applicant or certified legal assistant.

B. Completion of Requirements.

1. **Certification.** A certification applicant shall complete the following professional experience, educational experience and substantial involvement requirements by the application filing deadline:
 - a. A minimum of 5 years of actual experience as a legal assistant, and
 - b. Substantial involvement and special competence in the specialty area during the 3 years immediately preceding application by showing and providing such information as may be required by TBLS, and
 - c. In addition to the above, successful completion of at least one of the following:
 - (i) The NALA (National Association of Legal Assistants) Certification examination; or
 - (ii) A baccalaureate or higher degree in any field; or
 - (iii) An ABA approved program of education and training for legal assistants; or
 - (iv) A legal assistant program that consists of a minimum of 60 semester credit hours (or equivalent quarter hours) of which at least 18 such credit hours are in substantive legal courses; or
 - (v) A legal assistant program that consists of at least 18 semester credit hours of substantive legal courses, plus at least 45 semester credit hours (or equivalent quarter hours) of general college curriculum courses; or
 - (vi) Four additional years of actual experience working as a legal assistant under the supervision of a licensed attorney, for a total of 9 years of actual experience.
 - d. A certification applicant who has been approved for the exam shall have 2 consecutive opportunities to attain a passing grade on the examination. The first opportunity shall be during the year in which the application was filed. The second opportunity shall be only during the year immediately following the submission of the initial application, shall not require payment of the certification application filing fee, and is subject to re-approval by TBLS.
2. **Recertification.** A certified legal assistant must complete a recertification process every 5th year of certification in order to continue certification.
 - a. In addition to completing the Annual Reporting requirements by the deadline established by TBLS, a recertification applicant must submit the following by the deadline:
 - (i) Pay a recertification fee for the applicable specialty area.
 - (ii) Provide names and addresses of persons to serve as references in the applicable specialty area for the peer review process. Refer to the Standards for specific requirements for the pertinent specialty area.
 - b. A certified legal assistant who does not wish to recertify in a specialty area is not required to pay the recertification fee or provide references. However, to maintain certification through the end of the 5 year period of certification, payment of the Annual Fee is required for the specialty area.

C. Supplementary Information. In order to ascertain qualification for certification or recertification, TBLS may require an applicant to submit information in addition to that called for on the application form, and may require an applicant to submit to a personal interview before TBLS, any of its individual members, or any authorized representative.

D. Deadlines.

1. **Certification and Recertification.** TBLS shall establish a filing deadline each calendar year. An application must be submitted to TBLS by the filing deadline or postmarked on or before the filing deadline in order to be accepted for consideration.
2. **Annual Reporting.** TBLS shall establish a deadline each calendar year for filing the annual reporting requirements. A certified legal assistant with a TBLS status of "active, pending, or hold" is required to complete the annual reporting requirements. The annual reporting requirements must be submitted to TBLS by the filing deadline or postmarked on or before the filing deadline. Failure to timely file the annual reporting requirements shall be grounds for revocation of certification.

3. **Fees.** TBLS shall establish a deadline each calendar year for the payment of fees. The following fees may be adjusted by TBLS as it deems appropriate. Failure to timely pay fees shall be grounds for revocation of certification or denial of certification or recertification.
 - a. **Certification Application Fee.** A fee of \$50.00 shall be charged for each certification application submitted to TBLS subject to Section I, B,1,d of these Rules. A certification application submitted without payment of the application fee shall be considered incomplete and shall not be accepted by TBLS. Denial or withdrawal of the application will not entitle the certification applicant to a refund of the fee or any part thereof.
 - b. **Annual Fee.** A fee of \$25.00 shall be charged to a certified legal assistant with a TBLS status of “active, pending, or hold” for each certificate of special competence earned.
 - c. **Recertification Fee.** A fee of \$15.00 shall be charged to a certified legal assistant who is eligible for recertification in a specialty area with a TBLS status of “active, pending, or hold”. A certified legal assistant is required to pay a recertification fee in addition to the annual fee for the applicable specialty area if he or she wishes to recertify.
 - d. **Administrative Reinstatement Fee.** A fee of \$20.00 may be charged for administrative reinstatement. Payment of the administrative reinstatement fee may be a prerequisite for reinstatement as a certified legal assistant in an applicable specialty area.

E. Alteration of Form. Any form created by TBLS that has been altered or amended by an applicant or certified legal assistant will be reviewed by TBLS. An alteration or amendment that results in the omission, misrepresentation, or incomplete disclosure of a certification requirement shall be cause for revocation of certification or denial of certification or recertification.

F. Processing.

1. Upon receipt of an application or Annual Reporting Form, TBLS will:
 - a. In the case of a certification application, assign an appropriate file number.
 - b. Deposit any required fee.
 - c. Review the application or Annual Reporting Form and determine if it is complete.
 - d. Notify the applicant or certified legal assistant of any necessary information which has not been provided on the application or Annual Reporting Form.
2. The LAC for each specialty area will review each application and make recommendations to TBLS for approval or denial.
3. TBLS will review LAC recommendations and make the final determination concerning the approval or denial of applications.
4. An applicant will be notified of TBLS action on his or her application.
 - a. An approved certification applicant will be sent an exam payment form.
 - b. An approved recertification applicant will be sent a seal updating his or her certificate of special competence.
 - c. An applicant who is denied will be notified of the appellate process.

G. Confidentiality. All materials and information received or used by TBLS in connection with the certification, recertification, and annual reporting processes, including, but not limited to, TBLS forms and Statements of Reference, shall be confidential and shall not be subject to disclosure.

H. Rentention. Inactive files will be destroyed after 3 years from the date the file is closed.

SECTION II PEER REVIEW

- A. **Types of References.** An applicant shall submit names of Texas attorney supervisors, judges or non-attorney professionals who can attest to his or her competence and work product in a specialty area, in accordance with the Standards. A certification applicant described in Section I, B,1,d of these Rules is not required to submit references unless deemed necessary by TBLS. Additionally, TBLS may solicit at random additional Texas references to attest to the applicant's competence. Absent a specific determination by TBLS or its designee to the contrary, no more than a total of 6 Statements of Reference may be solicited on an individual applicant. Statements of Reference shall be submitted on forms approved and furnished by TBLS. All Statements of Reference received by TBLS shall be confidential.
- B. **Evaluation of References.** TBLS shall review the Statements of Reference concerning an applicant to determine whether the applicant has demonstrated sufficient knowledge, skills, and abilities in the specialty area, and whether the applicant's conduct conforms to the Texas Disciplinary Rules of Professional Conduct (TDRPC) and the State Bar of Texas Paralegal Division Canon of Ethics. Reference responses must be received by TBLS no later than May 31 of the year in which application is filed. All Statements of Reference received by TBLS shall be confidential.
1. **Minimum Number of Favorable References.** An applicant must received a minimum of three favorable references. A favorable reference is one in which the respondent: (1) works in the specialty area; (2) is familiar with the applicant's work product in the specialty area; and (3) has affirmed that the applicant should be certified in the specialty area. TBLS may approve an applicant with fewer favorable references than those specified only on a finding that an applicant's work product is limited because of geographical location, nature of work, or similar reasons.
 2. **Negative or Adverse Responses.** TBLS shall seek additional information on an applicant at any time during the year of application if a reference indicates that the applicant does not demonstrate special competence in the specialty area, or if a serious question is raised concerning the applicant's special competence in the specialty area, or the applicant has failed to conform his or her conduct to the TDRPC. TBLS shall seek this additional information even if the applicant has received the requisite number of favorable references. Significant negative responses shall be investigated to assure that they related to special competence or failure to abide by the TDRPC and not to personality conflicts or other factors irrelevant to special competence. Reasonable efforts shall be made to contact the source or sources of negative or adverse comments and reasonable efforts shall be made to obtain independent verification of the negative or adverse comments. Whenever possible, continuing and exclusive reliance shall not be placed on the same source of information in evaluating various applicants from any given geographical area.
- C. **Denial Based on Statements of References.** An applicant may be denied if he or she receives fewer than the requisite number of favorable reference responses or on the basis of substantial and credible information received in the peer review process that reflects that he or she does not demonstrate special competence. All Statements of Reference received by TBLS shall be confidential.

SECTION III CONTINUING LEGAL EDUCATION

- A. **Hours Required.**
1. **Certification.** A certification applicant shall complete approved CLE activities during the 3 calendar years preceding the application as required by the Standards in the pertinent specialty area. A certification applicant may also count the CLE hours attended in the application year if completed by December 31. The hours of activity may include attendance at courses and seminars, self-study of no more than 10 hours total, and other activities approved by TBLS.

2. **Recertification.** A recertification applicant shall complete approved CLE activities during the 5 calendar years of certification as required by the Standards in the pertinent specialty area. A recertification applicant may have until December 31 of the 5th year of certification to complete the CLE requirement. The hours of activity may include attendance at courses and seminars, self-study of not more than 5 hours per calendar year, and other activities approved by TBLS.

B. Formal CLE Programs.

1. **Approval Required.** Attendance at educational programs approved by TBLS will qualify for CLE.
2. **Criteria for Approval of Educational Programs.**
 - a. **Content.** The content of a program may include a broad or narrow range of subjects in the specialty or related areas.
 - b. **Level of Curriculum.** A program must not be designed or conducted principally as a "review" course to prepare an applicant for the written exam, but should be directed toward legal assistants who meet the education and experience requirements of the Standards. In determining whether the program is so designed, the type of advertising employed by the sponsor shall be considered.
 - c. **Instructors.** The instructors shall be qualified experts in the area in which he or she is teaching.
3. **Proof of Completion.** An applicant or certified legal assistant shall report course attendance to TBLS so it can be recorded and filed.

- C. Self-Study.** An applicant or certified legal assistant wishing self-study credit in a specialty area may submit details to TBLS.

SECTION IV EXAM

- A. Place.** The exam for a certification applicant shall be conducted in such place and on such date as set by TBLS.
- B. Exam Fee.** A fee of \$100.00 shall be due and payable after the certification applicant has been notified that he or she is eligible to take the exam. The full exam fee must be paid for each exam taken. The exam fee may be adjusted by TBLS as it deems appropriate.
- C. Special Exam Requests.** Special exam arrangements can be made if a certification applicant is physically unable to take the exam as regularly administered.
- D. Confidentiality.** TBLS handles all exams on a confidential basis. A certification applicant shall not divulge the contents of an exam to another person. Any violation of the confidentiality of an exam will result in the denial, suspension, or revocation of certification.
- E. Improper Exam Conduct.** If TBLS determines that a certification applicant engaged in improper or unethical conduct during the exam process, the certification applicant will automatically be given a failing score on the exam. The certification applicant shall be prohibited from filing any future certification application for a period of 3 years following the incident, and must secure TBLS approval prior to submitting any future certification application.
- F. Determination of Pass/Fail Line.** TBLS shall review the recommendations of the LAC and set the pass/fail line for each specialty area.
- G. Passing the Exam.**
1. **Notification.** A certification applicant who passes the exam will be so notified, but will not be provided his or her exam scores.
 2. **Retention.** The exam books of a certification applicant who has passed the exam will be destroyed after final grading.

H. Failure of Exam.

1. **Notification.** A certification applicant who fails the exam will be notified of his or her exam score and the required passing score.
2. **Retention.** The exam books of a certification applicant who has failed the exam will be destroyed after one year.

**SECTION V
DISCLOSURE OF CONDUCT**

A. Reporting Disclosure of Conduct.

1. A certification applicant is required to report any inquiry or disciplinary action by the Standing Committee, TXPD, or other legal assistant organization. A copy of the inquiry or disciplinary action should accompany the certification application, along with an explanation and any other materials the certification applicant wishes to be considered in the review of the matter. Failure to report the matter may be a basis for denial of the certification application.
2. A certified legal assistant is required to report any disciplinary action by the Standing Committee, TXPD, or other legal assistant organization within 30 days of the institution of such proceeding. A copy of the inquiry or disciplinary action should be submitted to TBLS within the 30 days period, along with an explanation and any other materials the certified legal assistant wishes to be considered in the review of the matter. Failure to report the matter within this period is a basis for denial of recertification or revocation of certification.

B. Types of Conduct Issues.

1. **Conviction of a Serious Crime.** An applicant or certified legal assistant who is convicted, given probation or fined for a serious crime as defined in the Standards will be automatically be denied certification or recertification, or certification will be revoked.
2. **Disciplinary Investigation or Sanction.**
 - a. A certification applicant who is found to be involved in a SBOT disciplinary investigation or sanction at any time during the application process will automatically be denied certification.
 - b. A certified legal assistant who is found to be involved in a SBOT disciplinary investigation or sanction will automatically be placed on a TBLS “hold” status, regardless of the pendency of an appeal. During this time, the certified legal assistant cannot use the “Board Certified” designation. The matter will be reviewed by the LAC and TBLS as described in Section V, C of these Rules.
3. **Professional Misconduct.**
 - a. A certification applicant who is found guilty of professional misconduct by the TXPD’s Professional Ethics Committee or any other legal assistant organization will be reviewed by the LAC and TBLS. Certification may be withheld or denied as determined by TBLS.
 - b. A certified legal assistant who is found guilty of professional misconduct by the TXPD’s Professional Ethics Committee or any other legal assistant organization will be placed on a TBLS “pending” status. During this time, the certified legal assistant will still be able to use the “Board Certified” designation, but his or her status will be reviewed by the LAC and TBLS as described in Section V, C of these Rules.
4. **Improper Use of Designation.** A certified legal assistant who improperly displays or publicizes his or her certification as defined in the Standards will be placed on a “pending” status. During this time, the certified legal assistant will still be able to use the “Board Certified” designation, but his or her status will be reviewed by the LAC and TBLS as described in Section V, C of these Rules.

- C. **Review Process for Conduct Issues.** A certified legal assistant will be notified by mail and is required to respond to the LAC or TBLS request for information within 30-days after receipt of such notice. Disclosure of Conduct matters received by TBLS on a certified legal assistant shall be reviewed by TBLS in the following manner.
1. **LAC.**
 - a. A disclosure of conduct issue involving a certified legal assistant as listed in Section V, B of these Rules will be reviewed by the appropriate LAC. The LAC will make a recommendation to TBLS concerning appropriate action.
 - b. The LAC may ask for additional information from the certified legal assistant and/or ask to meet personally with the certified legal assistant should the LAC feel it necessary in order to make an appropriate recommendation. Failure to respond to a request for information or interview may be taken into account by TBLS when making its final decision.
 2. **TBLS.**
 - a. TBLS shall review the LAC recommendation concerning a disclosure of conduct issue received on a certified legal assistant. TBLS may accept such recommendation or make a different recommendation.
 - b. TBLS shall notify a certified legal assistant of their recommendation regarding the disclosure of conduct issue. The certified legal assistant must submit a written response to such notification within 15 days of receipt or the TBLS recommendation will become final.
 - c. The written response to the TBLS recommendation regarding a disclosure of conduct issue shall request review of the TBLS recommendation and shall state the reasons the certified legal assistant believes the TBLS recommendation is in error.
 - d. The review of the written response to a TBLS recommendation regarding a disclosure of conduct issue may be conducted by the entire TBLS or a committee appointed by the Chair. A recommendation regarding a disclosure of conduct issue must be submitted to the entire TBLS for final action. Such final action shall be taken within a reasonable time after review of the written response.
 - e. The certified legal assistant shall be provided notification of the final TBLS action which shall become effective upon receipt. In making the final decision, TBLS shall not be bound by the recommendation under consideration, but may take action of greater or lesser degree as it deems appropriate based on any evidence or argument presented or obtained during the process.

SECTION VI DENIAL OF APPLICATION

- A. **Grounds for Denial of Application.**
1. **Certification.** A certification applicant may be denied based on the following reasons:
 - a. Failure to be employed as a legal assistant working under direct supervision of an attorney duly licensed and doing business in Texas.
 - b. Working under the supervision of an attorney who has received a disciplinary sanction prohibiting him or her from practicing law.
 - c. Receipt of a disciplinary, unauthorized practice of law, or criminal sanction, or such sanctions that are pending.
 - d. Guilty of professional misconduct by the TXPD's Professional Ethics Committee or any legal assistant organization.
 - e. Receipt of negative information from Statements of Reference or an insufficient number of favorable references.
 - f. Failure to meet the special competence or substantial involvement requirements.
 - g. Failure to pay the application filing fee.

- h. Failure to furnish requested information or misrepresentation of any material facts requested by TBLS.
 - i. Failure to satisfy any other application requirement.
 - j. Any other reason which in the discretion of TBLS indicates that a certification applicant is not qualified.
2. **Recertification.** A recertification applicant may be denied based on the following reasons:
- a. Failure to maintain employment as a legal assistant working under direct supervision of an attorney duly licensed and doing business in Texas.
 - b. Failure to file an Annual Reporting Form, pay fees, and/or submit references.
 - c. Receipt of a disciplinary, unauthorized practice of law, or criminal sanction.
 - d. Guilty of professional misconduct by the TXPD's Professional Ethics Committee or any legal assistant organization.
 - e. Receipt of negative information from the Statements of Reference or an insufficient number of favorable references.
 - f. Failure to meet the special competence or substantial involvement requirements.
 - g. Failure to furnish requested information or misrepresentation of any material facts requested by TBLS.
 - h. Failure to satisfy any other application requirement.
 - i. Any other reason which in the discretion of TBLS indicates that a recertification applicant is not qualified.
- B. Notice of Denial of Application.** An applicant shall be provided written notice by certified mail of the denial of application. Such notice shall advise the applicant with as much specificity as possible, the reasons for such denial, and shall inform the legal assistant of the right to appeal the decision to TBLS. All Statements of Reference received by TBLS shall be confidential. Refer to Section VIII, A of these Rules for the appellate process.

SECTION VII REVOCATION OF CERTIFICATION OF SPECIAL COMPETENCE

A certified legal assistant whose certification is revoked by TBLS must return his or her certificate of special competence to the office of the Executive Director of TBLS.

- A. Administrative Revocation with Remedial Provisions.**
- 1. **Reasons for Revocation.** TBLS shall revoke the certificate of special competence of a certified legal assistant for the following reasons:
 - a. Failure to timely pay any TBLS fees.
 - b. Failure to timely file any TBLS reports.
 - 2. **Administrative Revocation Appellate Process.** A certified legal assistant will be notified by TBLS of revocation for administrative reasons stated above. A certified legal assistant receiving such notice may be reinstated within a period of 30 days after receiving such notice if he or she rectifies the problem(s), pays any necessary fees, and provides written confirmation to TBLS that these actions have been taken. If all remedial actions are not completed within this 30 day period, the legal assistant must apply as directed under Section VIII, B of these Rules to again become certified.
- B. Administrative Revocation in Other Situations.**
- 1. **Reasons for Revocation.** TBLS shall revoke the certificate of special competence of a certified legal assistant for the following reasons:
 - a. Failure to meet substantial involvement requirements in his or her specialty area for two consecutive years.
 - b. Failure to comply with any other Standards in the specialty area or the Rules.

2. **Revocation Process.** A certified legal assistant whose certification is revoked under this section will be notified by TBLS of the basis for the proposed revocation and will be allowed 30 days from receipt of that notice to provide TBLS with a written explanation. The LAC will review the explanation and submit their recommendation to TBLS. TBLS will make a final determination on the revocation and notify the certified legal assistant of the result. A certified legal assistant whose certification is revoked under this section is not eligible for reinstatement, but must apply as directed under Section VIII, B of these Rules to again become certified.

C. Non-Administrative Revocation.

1. TBLS shall revoke the certificate of special competence of a certified legal assistant when it discovers that:
 - a. The certificate was issued contrary to the Rules of TBLS.
 - b. The certificate was issued to a legal assistant who was not eligible to receive a certificate or who made any misrepresentation or misstatement of material fact to TBLS.
 - c. The certificate holder failed to abide by all rules and regulations covering the program promulgated by TBLS as amended from time to time, including any requirement or safeguard for continued proficiency.
 - d. The certificate holder has engaged in the unauthorized practice of law.
 - e. The certificate holder has failed to abide by the provisions, rules, regulations, and/or guidelines adopted by the Standing Committee and TXPD.
2. **Non-Administrative Revocation Appellate Process.** A certified legal assistant whose certification has been revoked due to a non-administrative reason (other than situations mandating automatic revocation listed in Section VII, B of these Rules) shall follow the appellate process outlined in Section VIII, A of these Rules.

SECTION VIII APPEAL TO TBLS

A. Appellate Process.

1. **Filing Appeal with TBLS.** If an applicant is denied or a certified legal assistant is revoked, he or she shall file a written Petition for Reconsideration to TBLS within 15 days after receipt of such notice. The Petition may be informal, but shall state with as much specificity as possible the reasons that the decision of TBLS was in error.
2. **Decisions on Appeal.**
 - a. The Chair of the LAC of the appropriate specialty area shall review the petition and make a recommendation to TBLS of whether the qualifications of the applicant or certified legal assistant comply with the requirements of the Standards.
 - b. TBLS will consider the recommendation of the Chair of the appropriate LAC and make the final decision concerning the petition. An applicant or certified legal assistant will be notified in writing of the TBLS final ruling.

B. Reapplication for Certification.

1. A certification applicant who has been denied or whose certification has been revoked may submit a new application in the year next following notification of the denial or revocation by TBLS.
2. Upon reapplication, the certification applicant must demonstrate compliance with all requirements for certification in the year of reapplication unless the applicant meets Section I, B, 1, d of these Rules.
3. The fee for reapplication shall be the same as for certification application unless the applicant meets Section I, B, 1, d of these Rules.
4. A certified legal assistant who has resigned or whose certification has been denied or revoked may again apply for certification and must demonstrate compliance with the certification requirements in the year of reapplication.

The following excerpts are included for informational purposes only.

TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT

Rule 5.03 Responsibilities Regarding Non Lawyer Assistants.

With respect to a non-lawyer employed or retained by or associated with a lawyer:

- (a) a lawyer having direct supervisory authority over the non-lawyer shall make reasonable efforts to ensure that the person's conduct is compatible with the professional obligations of the lawyer; and
- (b) a lawyer shall be subject to discipline for the conduct of such a person that would be a violation of these rules if engaged in by a lawyer if:
 - (1) the lawyer orders, encourages, or permits the conduct involved; or
 - (2) the lawyer:
 - (i) is a partner in the law firm in which the person is employed, retained by, or associated with; or is the general counsel of a government agency's legal department in which the person is employed, retained by or associated with; or has direct supervisory authority over such person; and
 - (ii) with knowledge of such misconduct by the non-lawyer knowingly fails to take reasonable remedial action to avoid or mitigate the consequences of that person's misconduct.



CODE OF ETHICS AND PROFESSIONAL RESPONSIBILITY OF THE PARALEGAL DIVISION OF THE STATE BAR OF TEXAS

- Canon 1** A paralegal shall not engage in the practice of law as defined by statutes or court decisions, including but not limited to accepting cases or clients, setting fees, giving legal advice or appearing in a representative capacity in court or before an administrative or regulatory agency (unless otherwise authorized by statute, court of agency rules): the paralegal shall assist in preventing the unauthorized practice of law.
- Canon 2** A paralegal shall not perform any of the duties that attorneys only may perform or do things which themselves may not do.
- Canon 3** A paralegal shall exercise care in using independent professional judgment and in determining the extent to which a client may be assisted without the presence of any attorney, and shall not act in matters involving professional legal judgment.
- Canon 4** A paralegal shall preserve and protect the confidences and secrets of a client.
- Canon 5** A paralegal shall not solicit legal business on behalf of an attorney.
- Canon 6** A paralegal shall not engage in performing paralegal functions other than under the direct supervision of an attorney, and shall not advertise or contract with members of the general public for the performance of paralegal functions.
- Canon 7** A paralegal shall avoid, if at all possible, any interest or association which constitutes a conflict of interest pertaining to a client matter and shall inform the supervising attorney of the existence of any possible conflict.
- Canon 8** A paralegal shall maintain a high standard of ethical conduct and shall contribute to the integrity of the paralegal profession.
- Canon 9** A paralegal shall maintain a high degree of competency to better assist the legal profession in fulfilling its duty to provide quality legal services to the public.
- Canon 10** A paralegal shall do all other things incidental, necessary or expedient to enhance professional responsibility and the participation of paralegals in the administration of justice and public service in cooperation with the legal profession.