



Arizona Homeowners Legal Information Services

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Arizona Supreme Court Rule 31

(a) *Supreme Court Jurisdiction Over the Practice of Law.*

A. "**Practice of law**" means providing legal advice or services to or for another by:

- (1) Preparing any document in any medium intended to affect or secure legal rights for a specific person or entity;
- (2) Preparing or expressing legal opinions;
- (3) Representing another in a judicial, quasi-judicial, or administrative proceeding, or other formal dispute resolution process such as arbitration and mediation;
- (4) Preparing any document through any medium for filing in any court, administrative agency or tribunal for a specific person or entity; or
- (5) Negotiating legal rights or responsibilities for a specific person or entity.

B. "Unauthorized practice of law" includes but is not limited to:

- (1) Engaging in the practice of law by persons or entities not authorized to practice pursuant to paragraphs (b) or (c) or specially admitted to practice pursuant to Rule 33(d); or,
- (2) Using the designations "lawyer," "attorney at law," "counselor at law," "law," "law office," "J.D.," "Esq.," or other equivalent words by any person or entity who is not authorized to practice law in this state pursuant to paragraphs (b) or (c) or specially admitted to practice pursuant to Rule 33(d), the use of which is reasonably likely to induce others to believe that the person or entity is authorized to engage in the practice of law in this state.

C. "**Legal assistant/paralegal**" means a person qualified by education and training who performs substantive legal work requiring a sufficient knowledge of and expertise in legal concepts and procedures, who is supervised by an active member of the State Bar of Arizona, and for whom an active member of the state bar is responsible, unless otherwise authorized by supreme court rule.

(b) *Authority to Practice.* Except as hereinafter provided in section (c), no person shall practice law in this state or represent in any way that he or she may practice law in this state unless the person is an active member of the state bar, and no member shall practice law in this state or represent in any way that he or she may practice law in this state, while suspended, disbarred, or on disability inactive status.

(c) *Exceptions.* Notwithstanding the provisions of section (b):

23. Nothing in these rules shall prohibit a certified legal document preparer from performing services in compliance with Arizona Code of Judicial Administration, Part 7,

Chapter 2, Section 7-208.

AZCLDP

**AZ Code of Judicial Admin.
Legal Document Preparer
§7-208**

“**Legal document preparer**” means an individual who is certified pursuant to this section to prepare or provide legal documents, without the supervision of an attorney, for an entity or a member of the public who is engaging in self representation in any legal matter. An individual whose assistance consists of merely secretarial or receptionist services is not a legal document preparer.

F. Role and Responsibilities of Certificate Holders.

1. Authorized Services. A certified legal document preparer may:
 - a. Prepare or provide legal documents, without the supervision of an attorney, for an entity or a member of the public in any legal matter when that entity or person is not represented by an attorney;
 - b. Provide general legal information, but may not provide any kind of specific advice, opinion, or recommendation to a consumer about possible legal rights, remedies, defenses, options, or strategies;
 - c. Provide general factual information pertaining to legal rights, procedures, or options available to a person in a legal matter when that person is not represented by an attorney;
 - d. Make legal forms and documents available to a person who is not represented by an attorney; and
 - e. File and arrange for service of legal forms and documents for a person in a legal matter when that person is not represented by an attorney.

2. Code of Conduct. Each certified legal document preparer shall adhere to the code of conduct incorporated in this code section and adopted by the supreme court.

3. Identification. Beginning July 1, 2003, a certified legal document preparer shall include the legal document preparer’s name, the title “Arizona Certified Legal Document Preparer” or the abbreviation “AZCLDP,” and the legal document preparer’s certificate number on all documents prepared by the legal document preparer that are filed in an Arizona court or tribunal. The legal document preparer shall also provide their title and certificate number upon request.

4. Notification of Changes.
 - a. A certificate holder shall inform the program coordinator, in writing, of any change in name, address, employment, or phone number within 30 days after the change occurs.
 - b. If the status of a certificate holder changes from being associated with a business entity, the legal document preparer shall, within 30 days of the change, notify the program coordinator.

c. A business entity shall notify the program coordinator within 30 days of the termination of employment when an employee who is a certified legal document preparer leaves the employment of the business entity.

5. Supervision of Trainees.

a. If a certificate holder employs a person who would qualify for certification as a legal document preparer but for the lack of required experience, the certificate holder may train the employee to perform services authorized by this code section for a period not to exceed two and one-half years.

b. The trainee may perform authorized services, as set forth in subsection F(1) of this code section, only under the supervision of the certificate holder. Neither the trainee nor the certificate holder may represent that the trainee is a certified legal document preparer.

c. Any certificate holder who undertakes to train an employee shall:

(1) Assume personal professional responsibility for the trainee's guidance in any work undertaken and for supervising, generally or directly, as necessary, the quality of the trainee's work;

(2) Assist the trainee in activities to the extent the certificate holder considers it necessary;

(3) Ensure the trainee is familiar with and adheres to the provisions of this code section and the code of conduct; and

(4) Provide the certificate holder's name and certificate number, as required by subsection F(3) of this code section, on any documents filed in a court or tribunal that were prepared by the trainee under the certificate holder's supervision.

6. Designated Business Principal. The designated principal of a certified business entity shall:

a. Prepare and submit, with the initial business application, a list of all certified legal document preparers acting for or on behalf of the business entity;

b. File with the program coordinator, by June 30th of each year, a list of all certified legal document preparers and a list of all subsection F(5) trainees acting for or on behalf of the business entity as of June 1st of that year;

c. Actively and directly supervise all other certified legal document preparers, subsection F(5) trainees, and staff working for the certified business entity.

d. Represent the business entity, at the discretion of the entity, in any proceeding under this code section.