

F. Role and Responsibilities of Certificate Holders. In addition to the requirements of ACJA § 7-201(F) the following requirements apply:

1. Authorized Services. A certified legal document preparer is authorized to:
 - a. Prepare or provide legal documents, without the supervision of an attorney, for a person or entity in any legal matter when that person or entity is not represented by an attorney, or only represented in a limited scope where the attorney provides guidance to the person or entity as to legal arguments and/or opinions for the purpose of the legal document preparer writing a legal argument;
 - b. Provide general legal information, but may not provide any kind of specific advice, opinion, or recommendation to a person or entity 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 or entity in a legal matter when that person or entity is not represented by an attorney, or only represented in a limited scope where the attorney provides guidance to the person or entity as to legal arguments and/or opinions for the purpose of the legal document preparer writing a legal argument;
 - d. Make legal forms and documents available to a person or entity who is not represented by an attorney, or only represented in a limited scope where the attorney provides guidance to the person or entity as to legal arguments and/or opinions for the purpose of the legal document preparer writing a legal argument; and
 - e. File, record, and arrange for service of legal forms and documents for a person or entity in a legal matter when that person or entity is not represented by an attorney. A certified legal document preparer may not sign any document he or she prepares for or provides to a person or entity, but this provision does not prohibit the signing of (i) 20-Day Notices prepared pursuant to A.R.S. § 33-992.01, (ii) notices related to condominium or planned community association liens that are created pursuant to A.R.S. § 33-1256 (condominiums) and § 33-1807 (planned communities); (iii) health care provider liens that are created pursuant to A.R.S. § 33-932, ~~or~~ (iv) mechanic's liens created pursuant to A.R.S. § 33-993, or Affidavits of Service.

G. Renewal of Certification. In addition to the requirements contained in ACJA § 7-201(G) the following requirements apply:

1. Expiration Date. All standard certifications expire at midnight, on June 30th of each odd numbered year.
2. Continuing Education. All certified legal document preparers shall complete ~~ten hours of continuing education each year for a total of~~ twenty hours of continuing education every certification period pursuant to subsection (L).

3. Decision Regarding Renewal. In addition to the requirements contained in ACJA § 7-201(G), the review and certification decision and hearing provisions of subsection (E)(4) shall apply to a certificate holder who has been disbarred or who has been denied admission to the practice of law since the date of the original certification.

L. Continuing Education Policy.

1. Purpose.
 - a. Ongoing continuing education (“CE”) is one method to ensure legal document preparers maintain competence in the field after certification is obtained. Continuing education also provides opportunities for legal document preparers to keep abreast of changes in the profession and the Arizona judicial system.
 - b. Pursuant to ACJA § 7-201(D) the board shall make recommendations to the supreme court regarding rules, policies, and procedures to implement and enforce the requirements regarding legal document preparers, including continuing education. This subsection is intended to provide direction to legal document preparers to ensure compliance with the continuing education requirements and to provide for equitable application and enforcement of the continuing education requirements.
2. Applicability.
 - a. Pursuant to subsection (G)(2), all legal document preparers who hold individual certification shall ~~attend complete ten-twenty~~ hours of ~~approved-authorized~~ continuing education ~~biannually for each certification period from May 1 of the odd numbered year through April 30 of the next odd numbered year. year between the period of May 1st and April 30th of the following year, for a total of no less than twenty hours of continuing education completed on or before April 30th of every odd numbered year.~~ The continuing education requirements do not apply to certified legal document preparer business entities. Hours of participation are not transferable to certification periods other than the one in which the participation occurred unless authorized by the board.
 - b. All certified legal document preparers shall comply with the continuing education policies in this subsection.
3. Responsibilities of Legal Document Preparers.
 - a. It is the responsibility of each legal document preparer to ensure compliance with the continuing education requirements, maintain documentation of completion of continuing education, and to submit the maintained documentation to the legal document preparer program upon the request of the board or division staff.

- b. Upon request, each legal document preparer shall provide any additional information required by the board or division staff when reviewing renewal applications and continuing education documentation.
- c. Continuing education not recognized for credit upon board review does not in any way relieve the legal document preparer of the responsibility to complete the required hours of continuing education.

4. Authorized Continuing Education Activities.

- a. A CE activity shall address the areas of proficiency, competency, and performance of legal document preparation, impart knowledge and understanding of the profession, the Arizona judiciary, legal process, and increase the participant's understanding of the responsibilities of a certified legal document preparer. Authorized continuing education activities include the following subjects:

- (1) The role and responsibility of certified legal document preparers including ACJA §§ 7-201, -208 and Rule 31.3.
- (2) Ethics for legal document preparers and business entities, including cooperation with judges, attorneys, court staff, and other certified legal document preparers, professional courtesy and impartiality to all litigants, and information versus legal advice. Each certified legal document preparer shall complete a minimum of ~~one hour~~ two hours of the total continuing education requirement ~~each year~~ in an ethics based curriculum.
- (3) The Arizona court system including the state and federal constitution, branches of government, Arizona court jurisdiction and responsibilities, Arizona tribal court system, resource materials including Arizona Revised Statutes, Arizona Rules of Court, administrative orders and rules, as well as current issues in the Arizona court system.
- (4) Research skills including utilizing reference materials and libraries and research techniques.
- (5) Management issues including public relations, customer service, accounting, time management, human resources, financial and retirement planning, and office management. The maximum hours of continuing education credits earned as business management credit shall not exceed ~~three-six~~ hours ~~per year~~ of the total number of continuing education hours required for renewal.
- (6) The maximum hours of continuing education credits earned from tax related curriculum shall not exceed ~~three-6~~ hours ~~per year~~ of the total number of continuing education hours required for renewal.

- b. ~~Conferences~~ Interactive CE. A legal document preparer may receive 100 % of the continuing education credits for Interactive CE that is directly related to the legal document preparer profession or would qualify as continuing legal education for an

~~attorney. attendance at a conference relevant to the profession. A legal document preparer may receive 100 percent of the continuing education credits for attendance at the conference, if the conference is directly related to the legal document preparer profession.~~ Introductory remarks sessions, breaks, meals, business meetings, and general sessions of the conference do not qualify as continuing education hours. Interactive CE is defined as any of the following:

- (1) A live CE program or event attended in person
- (2) A webcast, teleconference, or webinar, offered in real time, with the ability of the attendee to ask questions of the presenters.
- (3) A CE program which is offered online and in which the attendee is required to respond to prompts placed at random periods throughout the program or materials, or is required to capture imbedded codes during the program which are later entered online to obtain the certificate of completion or attendance.

- c. University, college and other educational institution courses. A legal document preparer may receive continuing education credit for a course provided by a university, college or other institutionally accredited educational program if the legal document preparer successfully completes the course with a grade of "C" or better or a "pass" in a pass/fail grading system. A legal document preparer may receive continuing education credit if the course is relevant to the legal document preparer profession, up to two times the number of credit hours awarded by the educational institution. The maximum hours of continuing education credits earned from educational course work shall not exceed 50 percent of the total number of continuing education hours required for renewal.
 - d. Self study. A legal document preparer may receive continuing education credit for self study activities, including video and audio tapes, online computer seminars that are not Interactive CE, and other methods of independent learning. The maximum hours of continuing education credits earned in a self study format shall not exceed 50 percent of the total number of continuing education hours required for renewal.
 - e. Serving as faculty. A legal document preparer may receive continuing education credit for serving as faculty, instructor, speaker, or panel member of an instructional seminar directly related to the profession of legal document preparation. A legal document preparer may receive continuing education credit for the presentation time and up to two hours of preparation time for each hour of presentation. The maximum hours of continuing education credits earned as faculty credit shall not exceed 50 percent of the total number of continuing education hours required for renewal and a legal document preparer shall not receive duplicate credit for repeating a presentation during the certificate period.
5. Minimum time. Each continuing education activity shall consist of at least 30 minutes of actual clock time spent by a legal document preparer in actual attendance at and completion

of a continuing education activity. "Actual clock time" includes the total number of hours attended, minus the time spent for introductory remarks, breaks, meals, and business meetings. After completion of the first 30 minutes of a continuing education activity, credit shall be recognized in fifteen minute increments.

6. Maximum credit. Unless the board otherwise determines a continuing education activity is directly related to the legal document preparer profession, a legal document preparer shall not receive more than 50 percent of the credit requirement for the certificate period through one activity. Continuing education which qualifies as continuing legal education for an attorney or is provided by the Arizona Association of Independent Paralegals is predetermined by the board to be directly related to the legal document preparer profession.
7. Non-Qualifying Activities.
 - a. The following activities shall not qualify for continuing education credit for legal document preparers:
 - (1) Educational course work and training completed to qualify for certification;
 - (2) Trainee supervision activities. A legal document preparer shall not receive continuing education credit for trainee supervision;
 - (3) Attendance or participation at professional or association business meetings, general sessions, elections, policymaking sessions or program orientation;
 - (4) Serving on committees or councils or as officers in a professional organization; and
 - (5) Activities completed as required by the board as part of a disciplinary action.
 - b. Repeat of an Activity. Continuing education activities repeated during a certificate period do not qualify for credited duplicate hours.
 - c. If a legal document preparer attends part, but not all of a continuing education course, the legal document preparer holder is not eligible to claim partial credit completion unless the certificate specifically states how much credit is awarded based upon the legal document preparer's actual attendance.
8. Documentation of attendance or completion. When attending or completing a continuing education activity, each legal document preparer shall obtain documentation of attendance or completion from the sponsoring entity. At a minimum, this documentation shall include the:
 - a. name of the sponsor;
 - b. name of the participant;
 - c. topic of the subject matter;
 - d. number of hours actually attended or the number of credit hours awarded by the sponsoring entity;

- e. date and place of the program; and
- f. signature of the sponsor or an official document from the sponsoring entity.

9. Compliance and Non-Compliance.

- a. Affidavit of compliance. A legal document preparer shall submit an affidavit of continuing education compliance when applying for renewal of certification. The affidavit shall be in the format provided by division staff.
- b. Proration of continuing education requirement. A legal document preparer whose certificate expires less than one year from the effective date of certification shall complete no less than ten hours of continuing education credit during the balance of the certification period. In subsequent certification periods, the legal document preparer shall complete the biannual twenty hour continuing education requirement. Proration of the continuing education requirement does not apply to a legal document preparer who previously held certification and allowed their certification to lapse.
- c. Extension or waiver of continuing education requirements. A legal document preparer seeking renewal of certification who has not fully complied with the CE requirements may request an extension or waiver of the CE requirements under the following conditions:
 - (1) The legal document preparer submits a notarized written statement to the board, explaining the facts regarding non-compliance and requesting an extension or waiver of the requirements no later than the May 15th preceding the June 30th expiration of the certificate. Upon a showing of extenuating circumstances, the board may grant an extension of a maximum of 90 days for the legal document preparer to complete the continuing education requirement.
 - (2) The board shall determine whether extenuating circumstances exist. In reviewing the request, the board shall consider if the legal document preparer has been unable to devote sufficient hours to fulfill the requirements during the certificate period because of:
 - (a) full-time service in the armed forces of the United States during a substantial part of the certificate period;
 - (b) an incapacitating illness documented by a statement from a currently licensed health care provider;
 - (c) a physical inability to travel to the sites of approved programs documented by a statement from a currently licensed health care provider; or
 - (d) any other special circumstances the board deems appropriate.
 - (3) A legal document preparer whose certificate has been suspended or revoked by the board is not eligible to request a waiver or extension of the continuing education requirement.

- (4) The board or division staff may request documentation or additional information from a legal document preparer applying for renewal to verify compliance with the continuing education requirements. If the legal document preparer fails to provide the requested documentation or additional information, the board may deem the application for renewal incomplete and deny renewal of certification.
- d. Random audits of continuing education compliance. During each renewal review period, the board shall direct division staff to randomly select a specified number of legal document preparers to demonstrate continuing education requirement compliance through submission of proof of continuing education participation. Refusal or failure to respond to a board or division staff request for audit documentation of continuing education compliance may result in denial of renewal of certification or disciplinary action pursuant to ACJA § 7-201(H) and this section.
- e. A legal document preparer who fails to complete the continuing education requirement, completes any portion of the continuing education requirement after April 30th of ~~each~~ the odd numbered year prior to renewal, falsifies documents, or misrepresents attendance or an activity is subject to any or all of the following actions of the board;
- (1) Assessment of the delinquent continuing education fee;
 - (2) Denial of renewal of certification; and
 - (3) Disciplinary action pursuant to ACJA § 7-201(H) and this section.