

NOTICE OF DENIAL

Date:

To:

From:

We are returning UNFILED your application for registration as:

Legal Document Assistant Unlawful Detainer Assistant

for the following reason(s):

Your application indicates you have not met the requisite requirements of Business & Professions Code Section 6402 or Section 6402.1 (see back of page).

Reason(s) _____

Your application indicates you have a disqualifying event as described in Business & Professions Code Section 6406(b)(1) – (5) (see back of page).

Disqualifying event(s) _____

You may have the denial of your registration reviewed by the Director of the Department of Consumer Affairs by submitting the following documents to:

Department of Consumer Affairs, Director

400 R Street Ste 1080

Sacramento CA 95814

(Phone) 1-800-952-5210

1. The application you submitted to the County Clerk
2. The County Clerk's notice specifying the reason(s) for the denial of registration or renewal of registration (a copy of this letter).
3. A certified copy of the following documents for any disqualifying event you checked:
 - (a) Each final judgment or stipulated judgment for each civil judgment, if applicable.
 - (b) Each conviction and disposition for each criminal conviction, if applicable.
 - (c) Each revocation of registration for each revocation of registration that is disclosed in your application or cited in the County Clerk's notice of denial, if applicable.
 - (d) The order disbaring or suspending you from the practice of law if a disbarment or suspension is disclosed in your application or is cited in the County Clerk's notice of denial, if applicable.
 - (e) You may also submit any other relevant written information that you want the director to consider.

The director of the Dept. of Consumer Affairs shall review the documents submitted by you under California Code of Regulations Section 3920 and shall apply the criteria stated in that section to determine whether to order that your certificate of registration be granted or denied pursuant to Section 6406(e) of the Business & Professions Code.

Within 30 days of your submission of your request for review under Section 3920, the director shall complete the review and determination process prescribed by Section 3930 and shall send to you and the County Clerk a written decision listing the reason(s) that the registration shall be granted or denied.

Business and Professions Code Section 6402

A legal document assistant or unlawful detainer assistant shall be registered pursuant to this chapter by the county clerk in the county in which his or her principal place of business is located (deemed primary registration), and in any other county in which he or she performs acts for which registration is required (deemed secondary registration). Any registration in a county, other than the county of the person's place of business, shall state the person's principal place of business and provide proof that the registrant has satisfied the bonding requirement of Section 6405. No person who has been disbarred or suspended from the practice of law pursuant to Article 6 (commencing with Section 6100) of Chapter 4 may, during the period of any disbarment or suspension, register as a legal document assistant or unlawful detainer assistant. The Department of Consumer Affairs shall develop the application required to be completed by a person for purposes of registration as a legal document assistant. The application shall specify the types of proof that the applicant shall provide to the county clerk in order to demonstrate the qualifications and requirements of Section **6402.1**.

Business and Professions Code Section 6402.1

To be eligible to apply for registration under this chapter as a legal document assistant, the applicant shall possess at least one of the following:

- (a) A high school diploma or general equivalency diploma, and either a minimum of two years of law-related experience under the supervision of a licensed attorney, or a minimum of two years experience, prior to January 1, 1999, providing self-help service.
- (b) A baccalaureate degree in any field and either a minimum of one year of law-related experience under the supervision of a licensed attorney, or a minimum of one year of experience, prior to January 1, 1999, providing self-help service.
- (c) A certificate of completion from a paralegal program that is institutionally accredited but not approved by the American Bar Association, that requires successful completion of a minimum of 24 semester units, or the equivalent, in legal specialization courses.
- (d) A certificate of completion from a paralegal program approved by the American Bar Association.

Business and Professions Code Section 6406

(b) Except as provided in subdivisions (d) to (f), inclusive, an applicant shall be denied registration or renewal of registration if the applicant has been any of the following:

- (1) Convicted of a felony, or of a misdemeanor under Section 6126 or 6127, or found liable under Section 6126.5.
 - (2) Held liable in a civil action by final judgment or entry of a stipulated judgment, if the action alleged fraud, or the use of an untrue or misleading representation, or the use of an unfair, unlawful, or deceptive business practice.
 - (3) Convicted of a misdemeanor violation of this chapter.
 - (4) Had a civil judgment entered against him or her in an action arising out of the applicant's negligent, reckless, or willful failure to properly perform his or her obligation as a legal document assistant or unlawful detainer assistant.
 - (5) Had his or her registration revoked pursuant to Section 6413.
- (c) If the county clerk finds that the applicant has failed to demonstrate having met the requisite requirements of Section **6402** or **6402.1**, or that any of the paragraphs of subdivision (b) apply, the county clerk, within three business days of submission of the application and fee, shall return the application and fee to the applicant with a notice to the applicant indicating the reason for the denial and the method of appeal.