



## 94TH GENERAL ASSEMBLY

### State of Illinois

2005 and 2006

SB0335

Introduced 2/15/2005, by Sen. James A. DeLeo

#### SYNOPSIS AS INTRODUCED:

New Act  
30 ILCS 105/5.640 new

Creates the Legal Document Preparer Act. Provides that, beginning July 1, 2006, no person shall engage in the preparation of legal documents unless the person is certified. Establishes the Board of Legal Document Preparers and outlines its duties and powers. Provides eligibility requirements for certification. Sets out the services that may be provided by a legal document preparer. Provides guidelines for the application process and the renewal of certification. Provides for disciplinary actions. Provides for a code of conduct for legal document preparers. Sets out a fee schedule. Amends the State Finance Act to provide for the Legal Document Preparer Fund.

LRB094 10548 LCB 40831 b

FISCAL NOTE ACT  
MAY APPLY

1 An ACT concerning legal document preparers.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the Legal  
5 Document Preparer Act.

6 Section 5. Purpose. The Illinois Supreme Court has  
7 inherent regulatory power over all persons providing legal  
8 services to the public regardless of whether they are lawyers  
9 or nonlawyers. The Court recognizes, however, that the need to  
10 protect the public from possible harm caused by nonlawyers  
11 providing legal services must be balanced against the public's  
12 need for access to legal services. Accordingly, this Act is  
13 intended to: (i) protect the public through the certification  
14 of legal document preparers to ensure conformance to the  
15 highest ethical standards and performance of responsibilities  
16 in a professional and competent manner, in accordance with all  
17 applicable statutes and court rules; and (ii) result in the  
18 effective administration of the Legal Document Preparer  
19 Program.

20 Section 10. Definitions. As used in this Act:

21 "Board" means the Board of Legal Document Preparers  
22 appointed by the Chief Justice of the Supreme Court.

23 "Certification" means a certificate issued by the Program  
24 Coordinator, upon decision of the Board, to a person or entity  
25 when the person or entity meets the requirements of this Act.

26 "Day" means any calendar day except Saturday, Sunday, or a  
27 federal or State holiday.

28 "Director" means the Director of the Administrative Office  
29 of the Illinois Courts (AOIC).

30 "Formal charges" means the document setting forth specific  
31 acts of misconduct by a certified legal document preparer or

1 violations of this Act, including any amendments, authorized by  
2 the Board upon a determination of probable cause.

3 "Formal disciplinary proceedings" means filing of formal  
4 charges specifying misconduct by a certified legal document  
5 preparer.

6 "Hearing officer" means an individual appointed pursuant  
7 to this Act to preside over an administrative hearing regarding  
8 the denial of initial or renewal certification or a complaint  
9 regarding alleged misconduct of a certificate holder.

10 "Informal disciplinary proceedings" means resolution of a  
11 complaint prior to the filing of formal charges.

12 "Legal document preparer" means an individual who is  
13 certified pursuant to this Act to prepare or provide legal  
14 documents, without the supervision of an attorney, for an  
15 entity or a member of the public who is engaging in self  
16 representation in any legal matter. An individual whose  
17 assistance consists merely of secretarial or receptionist  
18 services is not a legal document preparer.

19 "Letter of concern" means a communication from the Board  
20 notifying a certificate holder of the Board's determination the  
21 certificate holder has violated a provision of this Act and  
22 that informal discipline is appropriate. A letter of concern is  
23 not appealable.

24 "Program Coordinator" means the staff appointed by the  
25 Director to administer the program.

26 "Revoked" means a certificate is permanently invalidated  
27 or canceled as a result of proceedings brought by the Board,  
28 after a finding of probable cause, pursuant to a statement of  
29 formal charges.

30 "Suspended" means a certificate is not revoked, but the  
31 certificate holder is not permitted to exercise the privileges  
32 of the certificate for a set period of time as a result of  
33 proceedings brought by the Board, after a finding of probable  
34 cause, pursuant to a statement of formal charges.

35 "Trainee" means a person who would qualify for  
36 certification as a legal document preparer but for the lack of

1 required experience and who is seeking to gain the required  
2 experience to qualify as a certified legal document preparer by  
3 working under the supervision of a certificate holder to  
4 perform authorized services, as set forth in this Act.

5 "Valid" means currently in effect, issued, and signed by  
6 authorized staff of the applicable program and not suspended or  
7 revoked.

8 Section 13. Applicability. Beginning July 1, 2006, no  
9 person shall engage in the preparation of legal documents  
10 unless that person is certified as a legal document preparer  
11 pursuant to this Act. No person shall represent himself or  
12 herself as a certified legal document preparer unless that  
13 person holds a valid certificate as a certified legal document  
14 preparer. A certified legal document preparer shall also comply  
15 with the requirements of this Act.

16 Section 15. Responsibilities of the Supreme Court. The  
17 Supreme Court shall:

18 (1) Administer the legal document preparer  
19 certification program.

20 (2) Adopt rules for the implementation and  
21 administration of the program. At a minimum, the rules  
22 shall include a code of conduct, minimum qualifications,  
23 and procedures for certification.

24 (3) Establish and collect fees, costs, and fines  
25 necessary for the implementation and enforcement of the  
26 program.

27 (4) Establish a Legal Document Preparer Fund  
28 consisting of monies received for certification fees,  
29 costs, and fines.

30 Section 20. Responsibilities of the Program Coordinator.  
31 The Program Coordinator, designated by the Director, shall:

32 (1) Administer the Legal Document Preparer  
33 Certification Program.

1           (2) Forward all certification fees, costs, and fines  
2 imposed and received pursuant to this Act to the State  
3 Treasurer for deposit into the Legal Document Preparer  
4 Fund.

5           (3) Provide updates to the Board and make  
6 recommendations regarding matters pertaining to  
7 certification, complaints, investigations, and all other  
8 matters relevant to certified legal document preparers.

9           (4) Maintain a list of certified legal document  
10 preparers. The Program Coordinator shall distribute the  
11 list to the Supreme Court and make it available to the  
12 public.

13           The Program Coordinator may charge for the costs of  
14 providing copies of the certification list or any other public  
15 records of the program pursuant to the Rules of the Supreme  
16 Court.

17           Section 25. Board of Legal Document Preparers.

18           (a) The Board of Legal Document Preparers shall be  
19 established and shall consist of the following 11 members:

20           (1) five certified legal document preparers who have  
21 each worked as a legal document preparer for at least 5  
22 years;

23           (2) the Director or his or her designee;

24           (3) one judge or court administrator;

25           (4) one clerk of the circuit court or his or her  
26 designee;

27           (5) one attorney; and

28           (6) two public members not affiliated with any lawyer,  
29 judge, certified legal document preparer, or court system.

30           (b) The Chief Justice of the Supreme Court shall appoint  
31 Board members to initial terms of one, 2, and 3 years.  
32 Thereafter, all terms shall be 3 years. If a vacancy occurs in  
33 a Board member position, the Chief Justice shall fill the  
34 vacancy expeditiously in the manner provided for in the  
35 original appointment.

1 (c) The Board shall:

2 (1) make recommendations to the Supreme Court  
3 regarding rules, policies, and procedures to implement and  
4 enforce the requirements regarding certified legal  
5 document preparers, including applicant testing,  
6 administrative fees, a code of conduct, continuing  
7 education, and any other matter pertaining to certified  
8 legal document preparers;

9 (2) issue certificates to qualified applicants;

10 (3) direct the Program Coordinator to conduct  
11 investigations into alleged violations of this Act by  
12 certified legal document preparers; and

13 (4) adjudicate and make all final decisions regarding  
14 alleged violations by certified legal document preparers  
15 pursuant to Section 100 of this Act.

16 Section 30. Requirements for certification.

17 (a) Any individual person, if eligible pursuant to  
18 subsection (b) of this Section, or any business entity, if  
19 eligible pursuant to Section 40, may apply for certification.

20 (b) The Board shall grant an initial certificate to an  
21 individual applicant who meets the each of the following  
22 qualifications. The applicant shall:

23 (1) be a citizen or legal resident of this country;

24 (2) be at least 18 years of age;

25 (3) be of good moral character;

26 (4) comply with the laws, court rules, and orders  
27 adopted by the Supreme Court governing legal document  
28 preparers in this State; and

29 (5) possess one of the following combinations of  
30 education or experience:

31 (A) a high school diploma or a general equivalency  
32 diploma evidencing the passing of the general  
33 education development test and a minimum of 2 years of  
34 law-related experience in one or a combination of the  
35 following situations:

1 (i) under the supervision of a licensed  
2 attorney;

3 (ii) providing services in preparation of  
4 legal documents prior to July 1, 2006;

5 (iii) under the supervision of a certified  
6 legal document preparer after July 1, 2006; or

7 (iv) as a court employee;

8 (B) a four-year bachelor of arts or bachelor of  
9 science degree from an accredited college or  
10 university and a minimum of one year of law-related  
11 experience in one or a combination of the following  
12 situations:

13 (i) under the supervision of a licensed  
14 attorney;

15 (ii) providing services in preparation of  
16 legal documents prior to July 1, 2006;

17 (iii) under the supervision of a certified  
18 legal document preparer after July 1, 2006; or

19 (iv) as a court employee;

20 (C) a certificate of completion from a paralegal or  
21 legal assistant program that is institutionally  
22 accredited but not approved by the American Bar  
23 Association, that requires successful completion of a  
24 minimum of 24 semester units, or the equivalent, in  
25 legal specialization courses;

26 (D) a certificate of completion from an accredited  
27 educational program designed specifically to qualify a  
28 person for certification as a legal document preparer  
29 under this Act;

30 (E) a certificate of completion from a paralegal or  
31 legal assistant program approved by the American Bar  
32 Association;

33 (F) a degree from a law school accredited by the  
34 American Bar Association; or

35 (G) a degree from a law school that is  
36 institutionally accredited but not approved by the

1 American Bar Association.

2 Section 35. Procedures for initial individual  
3 certification.

4 (a) Applicants shall file a completed application, signed  
5 and verified under oath, with the Program Coordinator. An  
6 applicant for individual certification shall submit with the  
7 application one color passport-size photograph, 2 inches by 2  
8 inches.

9 (b) The applicant shall pay the fees for initial  
10 application, as established in Section 225, at the time the  
11 application is submitted. The Program Coordinator shall not  
12 accept an application without payment of the fees.

13 (c) The applicant shall have one year from the date of the  
14 initial application to complete the certification process. The  
15 Board shall treat an applicant who does not complete the  
16 process within one year as a new applicant and require the  
17 applicant to submit a new application and certification fees.

18 Section 40. Eligibility for certification as a business  
19 entity.

20 (a) A corporation, limited liability company, partnership,  
21 or sole proprietorship that employs certified legal document  
22 preparers shall obtain certification as a business entity. The  
23 business entity shall execute and submit a principal form  
24 designating one or more principals who are certified as  
25 individual legal document preparers pursuant to this Act. The  
26 principal shall have the duties and responsibilities set forth  
27 in Section 65 of this Act. In the event a designated principal  
28 is no longer able or willing to serve as the principal, a  
29 certified business entity shall immediately designate another  
30 certified legal document preparer as the new principal and  
31 within 20 days file an executed principal form with the Program  
32 Coordinator.

33 (b) The owner of a legal document preparer business is not  
34 required to hold certification provided the owner has a



1 designated principal who holds valid certification as a legal  
2 document preparer.

3 (c) A corporation, limited liability company, or  
4 partnership that essentially operates as a sole proprietorship  
5 is not required to hold certification as a business provided  
6 the individual operating the business holds valid  
7 certification as a legal document preparer and the business  
8 entity has applied for and obtained a business entity  
9 certification exemption.

10 (e) No person who has been disbarred by the highest court  
11 in any state, and who has not been reinstated, may retain any  
12 ownership interest in a certified legal document preparer  
13 business.

14 (f) No person whose certificate has been revoked by the  
15 Board of Legal Document Preparers or a comparable entity in  
16 another state may retain any ownership interest in a certified  
17 legal document preparer business.

18 Section 45. Procedures for initial business certification.

19 (a) An applicant for certification as a legal document  
20 preparer shall file a completed application, signed and  
21 verified under oath by the person completing the application,  
22 with the Program Coordinator. The executed principal form and a  
23 list of all certified legal document preparers acting for or on  
24 behalf of the business entity shall accompany the application.

25 (b) The applicant shall pay the nonrefundable fees for  
26 initial certification as a business, as established in Section  
27 225, at the time the application is submitted. The Program  
28 Coordinator shall not accept an application without payment of  
29 fees.

30 (c) The applicant shall have one year from the date of the  
31 initial application to complete the certification process. The  
32 Board shall treat an applicant that does not complete the  
33 process within one year as a new applicant and require the  
34 applicant to submit a new application and certification fees.

35 (d) A business entity that has filed an application for

1 certification may file a written request with the Board to be  
2 exempted from the requirements of this Act. The Board shall  
3 review each exemption request individually. If the Board  
4 approves a business entity certification exemption, the Board  
5 shall refund the fees submitted with the exempted entity's  
6 business application.

7 Section 50. Standard certification.

8 (a) Beginning July 1, 2008, all applicants for individual  
9 certification, in addition to meeting the requirements set  
10 forth in Section 30, shall meet the examination requirements of  
11 this Section.

12 (b) The examination for standard certification shall  
13 consist of a written knowledge test of the rules of the Supreme  
14 Court relating to legal document preparers.

15 (c) The Board shall administer the examination and shall  
16 specify a date and place for the examination. An applicant must  
17 pass with a final score on the test that meets the guidelines  
18 established by the Board.

19 (d) An applicant who fails to pass the written examination  
20 may retake the examination one time within 6 months of the date  
21 of the failed examination, provided the applicant has not been  
22 disqualified. An applicant who fails to pass the second and any  
23 subsequent examinations may not take the examination again for  
24 a period of 6 months.

25 (e) The Board shall disqualify an applicant from taking any  
26 future examination if the Board determines the applicant  
27 engaged in fraud, dishonesty, material misrepresentation, or  
28 corruption while taking the examination.

29 (f) The applicant shall have one year from the date of the  
30 application to complete the requirements for standard  
31 certification. The Board shall treat an applicant who does not  
32 complete the process within one year as a new applicant and  
33 require the applicant to retake the examination and pay all  
34 standard certification and examination fees.

1 Section 55. Certification.

2 (a) If the Board is satisfied that an applicant meets the  
3 requirements of this Act, the Board shall issue a certificate  
4 to the applicant designating the status of the legal document  
5 preparer as associated with a business or as acting  
6 independently. Upon instruction from the Board, the Program  
7 Coordinator shall promptly notify a successful applicant of  
8 certification and provide the applicant with a document, in a  
9 form determined by the Board, stating the applicant's name,  
10 date of certification, and certificate number.

11 (b) The Board may refuse to issue a certificate if the  
12 Board finds that any of the following applies:

13 (1) the applicant does not meet the requirements for  
14 certification;

15 (2) the applicant has not submitted the applicable  
16 documents and fees;

17 (3) the applicant engaged in fraud, dishonesty,  
18 corruption, or material misrepresentation in applying for  
19 a certificate or on a certificate examination in this State  
20 or another state;

21 (4) the applicant has a record of a conviction by final  
22 judgment of a felony or any other offense involving moral  
23 turpitude;

24 (5) the applicant is currently on probation, parole, or  
25 community supervision for a felony offense or is named in  
26 an outstanding warrant for a felony;

27 (6) a court has ordered treatment for the applicant  
28 pursuant to the Mental Health and Developmental  
29 Disabilities Code or has found the applicant incapacitated  
30 pursuant to the Probate Act of 1975;

31 (7) the applicant is subject to revocation or  
32 suspension of a certificate pursuant to this Act or has had  
33 any occupational or professional license denied, revoked,  
34 or suspended; or

35 (8) the applicant has been found civilly liable in an  
36 action involving fraud, intentional misrepresentation,

1 misappropriation, theft, or conversion.

2 (c) An applicant's failure to disclose information on the  
3 application that is subsequently revealed through the  
4 fingerprint background check may constitute good cause for  
5 automatic denial of the certification if the nondisclosed  
6 information is relevant to the practice of legal document  
7 preparation.

8 (d) On instruction from the Board, the Program Coordinator  
9 shall promptly notify an applicant who is denied certification,  
10 in accordance with this Act, of the reasons for the denial and  
11 of the applicant's right to a hearing.

12 (e) An applicant may exercise the right to a hearing on the  
13 decision to deny certification by filing a written request  
14 within 15 days after receipt of notice of the denial. The  
15 applicant is the moving party at the hearing and has the burden  
16 of proof. The provisions of Sections 165 through 200 of this  
17 Act concerning hearings and Section 215 of this Act concerning  
18 judicial review apply regarding the procedures for the hearing  
19 and review.

20 Section 60. Authorized services. A certified legal  
21 document preparer may:

22 (1) prepare or provide legal documents, without the  
23 supervision of an attorney, for an entity or a member of  
24 the public in any legal matter when that entity or person  
25 is not represented by an attorney;

26 (2) provide general legal information, but may not  
27 provide any kind of specific advice, opinion, or  
28 recommendation to a consumer about possible legal rights,  
29 remedies, defenses, options, or strategies;

30 (3) provide general factual information pertaining to  
31 legal rights, procedures, or options available to a person  
32 in a legal matter when that person is not represented by an  
33 attorney;

34 (4) make legal forms and documents available to a  
35 person who is not represented by an attorney; and

1           (5) file and arrange for service of legal forms and  
2 documents for a person in a legal matter when that person  
3 is not represented by an attorney.

4           Section 65. Designated business principal. The designated  
5 principal of a certified business entity shall:

6           (1) prepare and submit, with the initial business  
7 application, a list of all certified legal document  
8 preparers acting for or on behalf of the business entity;

9           (2) file with the Program Coordinator, by June 30th of  
10 each year, a list of all certified legal document preparers  
11 and a list of all trainees acting for or on behalf of the  
12 business entity as of June 1st of that year;

13           (3) actively and directly supervise all other  
14 certified legal document preparers, trainees, and staff  
15 working for the certified business entity; and

16           (4) represent the business entity, at the discretion of  
17 the entity, in any proceeding under this Act.

18           Section 70. Code of conduct. Each certified legal document  
19 preparer shall adhere to the code of conduct provided for in  
20 Section 220 of this Act and any code of conduct set forth in  
21 Supreme Court Rules.

22           Section 75. Identification. Beginning July 1, 2006, a  
23 certified legal document preparer shall include the legal  
24 document preparer's name, the title "Illinois Certified Legal  
25 Document Preparer" or the abbreviation "ILCLDP," and the legal  
26 document preparer's certificate number on all documents  
27 prepared by the legal document preparer that are filed in any  
28 Illinois court. The legal document preparer shall also provide  
29 his or her title and certificate number upon request.

30           Section 80. Notification of changes.

31           (a) A certificate holder shall inform the Program  
32 Coordinator, in writing, of any change in name, address,

1 employment, or phone number within 30 days after the change  
2 occurs.

3 (b) If the status of a certificate holder changes from  
4 being associated with a business entity, the certificate holder  
5 shall, within 30 days after the change, notify the Program  
6 Coordinator in writing.

7 (c) A business entity shall notify the Program Coordinator  
8 in writing within 30 days after the termination of employment  
9 when an employee who is a certified legal document preparer  
10 leaves the employment of the business entity.

11 Section 85. Supervision of trainees.

12 (a) If a certificate holder employs a person who would  
13 qualify for certification as a legal document preparer but for  
14 the lack of required experience, the certificate holder may  
15 train the employee to perform legal document preparer services  
16 authorized by this Act for a period not to exceed 2 1/2 years.

17 (b) The trainee may perform authorized legal document  
18 preparer services, as set forth in Section 60 of this Act, only  
19 under the supervision of the certificate holder. Neither the  
20 trainee nor the certificate holder may represent that the  
21 trainee is a certified legal document preparer.

22 (c) Any certificate holder who undertakes to train an  
23 employee as a legal document preparer shall:

24 (1) assume personal professional responsibility for  
25 the trainee's guidance in any legal document preparation  
26 work undertaken and for supervising, generally or  
27 directly, as necessary, the quality of the trainee's legal  
28 document preparation work;

29 (2) assist the trainee in activities to the extent the  
30 certificate holder considers it necessary;

31 (3) ensure that the trainee is familiar with and  
32 adheres to the provisions of this Act and the code of  
33 conduct set forth in Supreme Court Rules; and

34 (4) provide the certificate holder's name and  
35 certificate number, as required by Section 75, on any

1 documents filed in a court that were prepared by the  
2 trainee under the certificate holder's supervision.

3 Section 90. Expiration; surrender; renewal of  
4 certification; continuing education requirements.

5 (a) All initial certifications expire at midnight on June  
6 30th of each year. The Board may not, except in extenuating  
7 circumstances, renew an initial certificate beyond June 30,  
8 2006. All standard certifications expire at midnight on June  
9 30th of each odd-numbered year. All certificates shall continue  
10 in force until expired, suspended, revoked, or terminated. If  
11 the Board receives the request for renewal and prescribed fees  
12 after the established deadline, the Board shall determine the  
13 certificate expired on June 30th.

14 (b) An applicant may voluntarily surrender a certificate.  
15 The surrender is not valid until accepted by the Board. The  
16 Board may require additional information reasonably necessary  
17 to determine whether the certificate holder has violated this  
18 Act. The Board shall, within 120 days after the voluntary  
19 surrender of the certification, either file a notice of hearing  
20 regarding a complaint and disciplinary action or accept the  
21 surrender.

22 (c) The certificate holder is responsible for applying for  
23 a renewal certificate. To remain eligible to serve as a legal  
24 document preparer in this State, a certified legal document  
25 preparer shall submit a completed renewal application,  
26 applicable fees, and documentation by the renewal application  
27 deadlines established by the Board.

28 (d) All certified legal document preparers shall attend 10  
29 hours of continuing education every year, consisting of  
30 Board-approved continuing education relevant to the  
31 preparation of legal documents. The certified legal document  
32 preparer shall provide documentation on an approved form of  
33 completion of at least 10 hours of continuing education and  
34 shall submit this documentation with the application for  
35 renewal of certification.

1           (e) The Board may, before granting a renewal of  
2 certification, require additional information reasonably  
3 necessary to determine whether the applicant continues to meet  
4 the qualifications specified in this Act. This may include  
5 background information, fingerprinting, a signed affidavit, or  
6 any other reasonable information that the Board may require.

7           Section 95. Decision regarding renewal.

8           (a) On receipt of the renewal application and the renewal  
9 fee, the Board shall issue the applicant a new standard  
10 certificate for 2 years, unless the Board finds that the  
11 applicant does not meet the requirements for renewal.

12           (b) The Board may deny renewal of a certificate for any of  
13 the reasons specified in subsection (b) of Section 55 of this  
14 Act.

15           (c) On instruction from the Board, the Program Coordinator  
16 shall promptly notify qualified applicants of the renewal of  
17 their certification and provide them with a document in a form  
18 determined by the Board, stating the applicant's name, date of  
19 certification, and certificate number.

20           (d) On instruction from the Board, the Program Coordinator  
21 shall promptly notify an applicant denied renewal of  
22 certification of the reasons for the denial and of the  
23 applicant's right to a hearing.

24           (e) An applicant is entitled to a hearing on the decision  
25 to deny renewal if the applicant files a written request with  
26 the Board within 15 days after receipt of notice of the denial.  
27 The applicant is the moving party at the hearing and has the  
28 burden of proof. The provisions of Sections 165 through 200 of  
29 this Act concerning hearings and Section 215 of this Act  
30 concerning judicial review apply regarding the procedures for  
31 the hearing and review.

32           Section 100. Grounds for discipline. A certificate holder  
33 is subject to disciplinary action if the Board finds that the  
34 certificate holder has:



1 (1) willfully violated or willfully failed to comply  
2 with applicable laws, court orders, orders of the Board, or  
3 provisions of the Illinois Supreme Court Rules or with this  
4 Act;

5 (2) violated or failed to discharge any obligation  
6 required by this Act;

7 (3) exhibited gross negligence or incompetence in the  
8 performance of his or her duties as a legal document  
9 preparer;

10 (4) engaged in fraud, dishonesty, or corruption;

11 (5) aided or assisted another person to engage in  
12 independent preparation of legal documents if the other  
13 person is not a certified legal document preparer;

14 (6) been convicted by final judgment of a felony  
15 offense or any other offense involving moral turpitude;

16 (7) been the subject of court-ordered treatment  
17 pursuant to the Mental Health and Developmental  
18 Disabilities Code or been found to be incapacitated  
19 pursuant to the Probate Act of 1975; or

20 (8) engaged in any other activity or omission for which  
21 the Board is authorized to revoke or suspend a certificate  
22 under this Act.

23 Section 105. Effect of expiration of certification on  
24 discipline. The expiration provisions described in Section 90  
25 and Section 95 of this Act do not affect the right of the Board  
26 to investigate and take disciplinary action regarding the  
27 certification of a certificate holder if a complaint or  
28 investigation is pending prior to the expiration date.  
29 Non-renewal of the certification by the certificate holder does  
30 not affect this provision.

31 Section 110. Cease and desist order. A hearing officer or  
32 a circuit court judge, upon petition by the Board, may enter an  
33 order for an individual to immediately cease and desist from  
34 conduct that constitutes engaging in the practice of legal

1 document preparation without the required certification.

2 Section 115. Subpoenas; oaths; evidence.

3 (a) For the purposes of investigations or hearings under  
4 this Act, the Board or a hearing officer may administer oaths  
5 and affirmations, subpoena witnesses, take evidence, and  
6 require the production of documents, records, or information,  
7 whether kept in original form or electronically stored or  
8 recorded, or other items relevant or material to the inquiry.

9 (b) If a person fails to obey a subpoena issued pursuant to  
10 this Section, the Board or a hearing officer may request that  
11 the circuit court issue an order that requires the appearance  
12 by a person or the production of documents or other items, or  
13 both to the same extent as provided in the subpoena. The court  
14 may treat the failure to obey the order as contempt of court  
15 and may punish the contempt.

16 (c) Subpoenas shall be issued in the same manner and served  
17 as provided by the Code of Civil Procedure.

18 Section 120. Immunity. Persons appointed by the Supreme  
19 Court to serve in an advisory capacity to the Legal Document  
20 Preparer Program, staff of the Legal Document Preparer Program,  
21 hearing officers, and employees of the Administrative Office of  
22 the Illinois Courts who participate in the Legal Document  
23 Preparer Program are immune from civil liability for good faith  
24 conduct that relates to the performance of their official  
25 duties under the program.

26 Section 125. Confidentiality. The Board, program staff,  
27 and court employees shall keep information or documents  
28 obtained or generated by the Board, program staff, or court  
29 employees in the course of an open investigation under this Act  
30 or received in an initial report of misconduct under this Act  
31 confidential except as mandated by public record rules adopted  
32 by the Supreme Court or adopted pursuant to this Act. Upon  
33 determination by the Board, if the alleged violations are

1 sufficiently serious to warrant the filing of formal charges,  
2 then the complaint and all records of proceedings and actions  
3 by the Board pertaining to the complaint shall be open to  
4 public inspection. Any complaint dismissed by the Board  
5 pursuant to Section 140 or subdivision (b)(1) of Section 150 of  
6 this Act is confidential and not subject to public inspection.  
7 Documents relating to other actions shall be open to public  
8 inspection upon final disposition of the action by the Board.

9 Section 130. Service. The Board shall serve notice of  
10 formal proceedings by personal service upon the certificate  
11 holder or the certificate holder's counsel or by certified  
12 mail, return receipt requested, to the certificate holder's  
13 address of record with the Board. Service by mail is complete  
14 upon deposit in the United States mail. Proof of service shall  
15 be made by filing with the hearing officer a verified statement  
16 that service was made. Delivery of all other papers or notices,  
17 including a request for a response to a complaint, shall be  
18 made by first class mail unless otherwise ordered by the Board.

19 Section 135. Complaint.

20 (a) All judicial officers or their designees and all  
21 certified legal document preparers shall, and any other person  
22 may, notify the Program Coordinator if they have personal  
23 knowledge that a certificate holder has violated this Act. A  
24 complainant shall make the complaint in writing with sufficient  
25 specificity to warrant further investigation. The complaint  
26 shall include the name and telephone number of the complainant.

27 (b) On receipt of a complaint, the Program Coordinator and  
28 program staff shall investigate and prosecute, and the Board  
29 shall adjudicate, alleged violations of this Act as necessary  
30 for the enforcement of this Act. The Board may initiate a  
31 complaint on its own motion.

32 Section 140. Initial screening. Upon receipt of a  
33 complaint, the Program Coordinator shall conduct an initial

1 screening to determine whether the complaint warrants further  
2 investigation and evaluation. If the Program Coordinator  
3 believes the complaint is outside the jurisdiction of this Act,  
4 the Program Coordinator shall recommend that the Board dismiss  
5 the complaint. If the Board concurs, the Board shall dismiss  
6 the complaint. The Board may refer the complaint to another  
7 State agency or entity with jurisdiction, if appropriate. If  
8 the Program Coordinator determines that the complaint is within  
9 the jurisdiction of the Board, the Program Coordinator shall  
10 conduct a preliminary investigation pursuant to Section 145 of  
11 this Act.

12 Section 145. Preliminary investigation; recommendation.

13 (a) The Program Coordinator and program staff shall conduct  
14 all investigations promptly, discreetly, and confidentially.

15 (b) The Program Coordinator shall deliver the complaint to  
16 the certificate holder within 15 days after commencement of the  
17 investigation and shall require that the certificate holder  
18 provide a written response within 10 days of delivery of the  
19 complaint. The Program Coordinator and the Board shall not  
20 proceed with disciplinary action under this Act without  
21 providing this notice and opportunity to respond.

22 (c) Upon completion of the preliminary investigation, the  
23 Program Coordinator shall prepare a written summary and shall  
24 present it to the Director. The summary shall include the staff  
25 recommendation for disposition of the alleged violation.

26 Section 150. Review of complaint and investigation.

27 (a) The Director shall review the Program Coordinator's  
28 recommendation regarding a complaint and may direct program  
29 staff to conduct further investigations or may concur with the  
30 Program Coordinator's recommendation. If the Director concurs  
31 with the Program Coordinator's recommendation, the Program  
32 Coordinator shall provide the Board with a copy of the  
33 complaint, written summary, and recommended disposition. If  
34 the Director does not concur with the Program Coordinator's

1 recommendation, the Director may submit his or her  
2 recommendation to the Board along with a statement explaining  
3 the recommendation and the reasons for the rejection of the  
4 Program Coordinator's recommendation. The Director shall  
5 notify the Program Coordinator of his or her decision regarding  
6 the recommendation.

7 (b) Upon completion of the investigation, the Board shall  
8 review the complaint and the staff summary and recommendation.  
9 The Board may dispose of the matter as follows:

10 (1) determine that no violation exists and dismiss the  
11 complaint;

12 (2) order further investigation;

13 (3) determine that the complaint is appropriate for  
14 resolution without proceeding to formal proceedings; or

15 (4) determine that the alleged violations warrant the  
16 filing of formal charges, and direct program staff to  
17 prepare the notice of formal charges and right to hearing  
18 and proceed as provided in subsection (b) of Section 155 of  
19 this Act.

20 (c) If the Board finds that the public health, safety, or  
21 welfare requires emergency action and incorporates a finding to  
22 that effect in the order disposing of the matter, the Board  
23 may, with the consensus of a majority of the members of the  
24 full Board, order the summary suspension of a certificate  
25 pending a proceeding for certificate revocation or other  
26 disciplinary action. The Board shall provide notice to the  
27 certificate holder of its intent to seek summary suspension at  
28 least 3 days prior to commencing summary suspension  
29 proceedings. The Board shall ensure that disciplinary  
30 proceedings are promptly instituted within 20 days after its  
31 order disposing of the matter. The Program Coordinator shall  
32 immediately notify all presiding judges of the circuit court of  
33 any summary suspension under this Section.

34 Section 155. Formal proceedings.

35 (a) The Board may commence formal proceedings if the Board

1 finds reasonable cause to believe the certificate holder has  
2 violated this Act and the complaint is not appropriate for  
3 resolution by an informal disciplinary proceeding or a letter  
4 of concern.

5 (b) The Board shall serve a statement of formal charges on  
6 the certificate holder with a notice advising the certificate  
7 holder of the certificate holder's rights pursuant to this Act.  
8 The notice shall include the following information:

9 (1) a short and plain statement of the allegations and  
10 factual basis supporting the relief requested; amendments  
11 to the statement are permissible;

12 (2) a reference to the particular Sections of this Act  
13 involved;

14 (3) a statement that the certificate holder has the  
15 right to a hearing, upon request in writing within 15 days  
16 after receipt of the notice; and

17 (4) a statement of the requirements for responding to  
18 formal charges, as specified in subsection (c) of Section  
19 165 of this Act.

20 (c) The certificate holder shall file an answer to the  
21 notice and statement of formal charges within 15 days after the  
22 date the notice is served unless otherwise ordered by the  
23 Board. Answers shall comply with the Supreme Court Rules and  
24 Code of Civil Procedure. Any defenses not raised in the answer  
25 are waived. If a certificate holder fails to file an answer  
26 within the time provided, the certificate holder is in default,  
27 the factual allegations in the formal charges are deemed  
28 admitted, and the Board may determine the matter against the  
29 certificate holder.

30 Section 160. Discovery.

31 (a) Discovery is permitted as provided in this Act, as the  
32 parties mutually agree, or as the hearing officer permits.

33 (b) Within 15 days after the filing of an answer to a  
34 statement of formal charges, the parties shall exchange the  
35 names, addresses, and telephone numbers of all persons known to

1 have knowledge of the relevant facts, designating those persons  
2 the parties intend to call at the hearing and summarizing their  
3 anticipated testimony.

4 (c) The parties shall exchange other evidence relevant to  
5 the formal charges that is not otherwise confidential.

6 (d) The parties have a continuing duty to supplement  
7 information required to be exchanged under this Act.

8 (e) Parties may take depositions of other parties or any  
9 witnesses expected to be called. Depositions of document  
10 custodians are permissible to secure production of documents  
11 and to establish an evidentiary foundation. No other  
12 depositions shall be taken except upon the agreement of all  
13 parties, an order of the hearing officer following a motion  
14 demonstrating good cause, or an order of the hearing officer  
15 following a prehearing conference.

16 (f) To the extent practicable, all discovery shall be  
17 completed within 30 days after the filing of the answer or 15  
18 days before the hearing, whichever is longer.

19 (g) The hearing officer may preclude any party from calling  
20 a witness or presenting evidence at the hearing if the witness  
21 or evidence has not been disclosed as required under this  
22 Section.

23 (h) The hearing officer shall resolve all discovery  
24 disputes. These rulings are final except on review.

25 Section 165. Hearings.

26 (a) A certificate holder subject to formal charges or an  
27 applicant denied initial or renewal certification may request a  
28 hearing within 15 days after receipt of the notice of formal  
29 charges or notice of denial of certification. Hearing requests  
30 must specify the provision of this Act that entitles the person  
31 to a hearing, the factual basis supporting the request for a  
32 hearing, and the relief demanded.

33 (b) Upon written demand by a person entitled to a hearing  
34 pursuant to this Act or at the direction of the Board, the  
35 Program Coordinator may select a hearing officer,

1 knowledgeable in conducting hearings, to hold a hearing  
2 regarding the initial or renewal certification of an applicant  
3 or alleged misconduct by a certificate holder. The Board may  
4 request that the presiding judge of the circuit court in the  
5 county where the alleged violation took place, if applicable,  
6 supply a hearing room and any other necessary resources.

7 (c) The hearing officer shall prepare and give to the  
8 parties a notice of the hearing at least 15 days prior to the  
9 date set for the hearing. The notice shall include a statement  
10 of the time, place, and nature of the hearing and a statement  
11 of the legal authority and jurisdiction for conduct of the  
12 hearing.

13 (d) The hearing officer shall hold the hearing within 45  
14 days after receipt of an applicant's or certificate holder's  
15 request for a hearing unless postponed by mutual consent for  
16 good cause. If the Board has requested a hearing, the hearing  
17 officer shall hold the hearing as soon as practicable at the  
18 discretion of the hearing officer, but no sooner than 15 days  
19 after service of the notice of hearing, as required by  
20 subsection (c) of this Section.

21 Section 170. Prehearing motions. Parties shall file  
22 prehearing motions at least 5 days prior to the scheduled  
23 hearing date unless otherwise ordered by the hearing officer.  
24 Parties shall file responses within 5 days after the filing of  
25 the motion. Copies of all motions and other filings shall be  
26 delivered to the hearing officer and all parties to the  
27 proceeding.

28 Section 175. Prehearing conference. The hearing officer  
29 may order a prehearing conference at the request of any party  
30 or on the hearing officer's own initiative. The purpose of the  
31 conference is to consider any or all of the following actions:

- 32 (1) to reduce or simplify the issues for adjudication;  
33 (2) to dispose of preliminary legal issues, including  
34 ruling on prehearing motions;



- 1           (3) to stipulate to the admission of uncontested  
2 evidence, facts, and legal conclusions;  
3           (4) to identify witnesses;  
4           (5) to resolve discovery issues, if any; and  
5           (6) to consider any other matters that will aid in the  
6 expeditious conduct of the hearing.

7           Section 180. Procedure at hearing.

8           (a) The hearing officer shall preside over the hearing. The  
9 hearing officer has the authority to decide all motions,  
10 conduct prehearing conferences, determine the order of proof  
11 and manner of presentation of other evidence, issue subpoenas,  
12 place witnesses under oath, question witnesses, recess or  
13 adjourn the hearing, and prescribe and enforce general rules of  
14 conduct and decorum. Informal disposition of any case by  
15 stipulation, agreed settlement, consent order, or default is  
16 permissible.

17           (b) A party is entitled to enter an appearance, introduce  
18 evidence, examine and cross examine witnesses, make arguments,  
19 and generally participate in the conduct of the hearing.

20           (c) A party may represent himself or herself or appear at a  
21 hearing through counsel. An attorney who intends to appear on  
22 behalf of a party shall promptly notify the hearing officer and  
23 the Board, providing the name, address, and telephone number of  
24 the party represented and the name, address, and telephone  
25 number of the attorney. A corporate officer may represent a  
26 business entity in any proceeding under this Act.

27           (d) All persons appearing before a Board or hearing officer  
28 in any proceeding shall conform to the conduct expected in the  
29 Illinois Circuit Court.

30           (e) The hearing officer may conduct the hearing in an  
31 informal manner and without strict adherence to the rules of  
32 pleading or evidence. The hearing officer shall require that  
33 evidence supporting a decision is substantial, reliable, and  
34 probative and shall exclude irrelevant, immaterial, or unduly  
35 repetitious evidence.

1 (f) The hearing officer shall require that all testimony  
2 considered be under oath or affirmation, except matters of  
3 which judicial notice is taken or entered by stipulation. The  
4 hearing officer may administer oaths and affirmations.

5 (g) In all matters brought at the request of the Board,  
6 evidence in support of the Board's action shall be presented  
7 first and the Board has the burden of proof. In matters brought  
8 at the request of someone other than the Board, including  
9 requests for a hearing on the denial of certification or  
10 renewal of certification, the person seeking the hearing shall  
11 present evidence first and carries the burden of proof.

12 (h) There is no right to a jury. All hearings shall be open  
13 to the public.

14 Section 185. Record of hearing.

15 (a) The hearing officer shall ensure that all portions of  
16 the hearing are electronically recorded and transcribed at the  
17 request of any party. The party making the request shall pay  
18 the cost of the transcript.

19 (b) A certified competent court reporter shall make a full  
20 stenographic record of the proceedings if requested by a party  
21 within 5 days prior to a hearing. The cost of the transcript is  
22 the responsibility of the requesting party. The hearing officer  
23 may require prepayment or a monetary deposit to cover the cost  
24 of the transcript. If transcribed, the record is a part of the  
25 court's record of the hearing, and any other party with a  
26 direct interest is entitled to receive a copy of the  
27 stenographic record, at the request and expense of the party.

28 Section 190. Recommendations of hearing officer. If  
29 applicable, the hearing officer shall, within 30 days after the  
30 closing of the record of a hearing, prepare written  
31 recommendations and deliver the recommendations to the Board.

32 The recommendations shall include findings of fact, based  
33 on a preponderance of the evidence introduced at the hearing,  
34 and conclusions of law separately stated.

1           Section 195. Decisions; orders. The Board shall render the  
2 final decision in writing and shall include findings of fact  
3 and conclusions of law separately stated. The Board shall make  
4 findings of fact by a preponderance of the evidence based  
5 exclusively on the evidence introduced at the hearing and on  
6 matters officially noticed.

7           The Board shall notify the parties of the decision either  
8 personally or by mail to their last known addresses.

9           Section 200. Rehearing. Any party to a hearing may request  
10 a rehearing or reargument of the matters involved in the  
11 hearing by filing a written request with the hearing officer  
12 within 15 days after receipt by the party of the order at  
13 issue. The request shall conform to the requirements of Article  
14 III of the Code of Civil Procedure. Any party served with a  
15 request for rehearing may file a response within 15 days after  
16 service. The hearing officer shall rule on the request within  
17 30 days after its filing date.

18           Section 205. Disciplinary actions.

19           (a) Whether or not the investigation concerning an alleged  
20 violation by a certificate holder results in the filing of  
21 formal charges, which may or may not include a hearing, the  
22 Board shall do one or more of the following, as it determines  
23 appropriate:

24                 (1) determine that no violation exists and dismiss the  
25 complaint;

26                 (2) resolve the violation by consent order or other  
27 negotiated settlement between the parties;

28                 (3) place restrictions on the certificate holder;

29                 (4) mandate additional training for the certificate  
30 holder;

31                 (5) issue cease-and-desist orders, letters of concern,  
32 or warnings;

33                 (6) order revocation or suspension of certification

1 for violations of this Act; or

2 (7) impose restitution for substantiated economic  
3 damages.

4 The Board may assess costs and impose civil penalties  
5 associated with these violations, after a formal hearing,  
6 provided that a civil penalty may not exceed \$2,000 for each  
7 violation of this Act and may not exceed an aggregate of  
8 \$15,000. The Attorney General shall bring an action in the  
9 circuit court to enforce the collection of any monetary penalty  
10 imposed. The Program Coordinator shall deposit these costs and  
11 civil penalties in the Legal Document Preparer Fund.

12 (b) The Board shall issue an order specifying the  
13 violations found, the facts supporting the findings, and any  
14 sanctions imposed pursuant to this Act.

15 Section 210. Notice of suspension or revocation;  
16 reinstatement.

17 (a) The Board shall promptly serve notice of suspension or  
18 revocation of any certification upon the certificate holder.

19 (b) A legal document preparer whose certificate has been  
20 suspended or revoked may apply in writing for a reinstatement  
21 of the certificate on a showing of good cause and payment of  
22 the renewal fee. The Board may grant or deny the request, may  
23 require the applicant to take or retake the examination for  
24 certification, and may impose other appropriate conditions for  
25 reinstatement.

26 Section 215. Judicial review. All final administrative  
27 decisions of the Board pursuant are subject to judicial review  
28 under Article III of the Code of Civil Procedure and its rules.  
29 The term "administrative decision" is defined as in Section  
30 3-101 of the Code of Civil Procedure. Proceedings for judicial  
31 review shall be commenced in the circuit court of any county  
32 permitted by Section 3-104 of the Code of Civil Procedure.

33 Section 220. Code of conduct.

1 (a) Preamble. This code of conduct shall apply to all  
2 certified legal document preparers in this State. The purpose  
3 of this code is to establish minimum standards for performance  
4 by certified legal document preparers.

5 (b) Ethics.

6 (1) A legal document preparer shall avoid impropriety  
7 and the appearance of impropriety in all activities, shall  
8 respect and comply with the laws, and shall act at all  
9 times in a manner that promotes public confidence in the  
10 integrity and impartiality of the legal and judicial  
11 systems.

12 (2) A legal document preparer shall be alert to  
13 situations that are conflicts of interest or that may give  
14 the appearance of a conflict of interest.

15 (3) A legal document preparer shall promptly make full  
16 disclosure to a consumer of any relationships that may give  
17 the appearance of a conflict of interest.

18 (4) A legal document preparer shall refrain from  
19 knowingly making misleading, deceptive, untrue, or  
20 fraudulent representations while assisting a consumer in  
21 the preparation of legal documents. A legal document  
22 preparer shall not engage in unethical or unprofessional  
23 conduct in any professional dealings that are harmful or  
24 detrimental to the public.

25 (c) Professionalism.

26 (1) A legal document preparer shall treat information  
27 received from the consumer as confidential, yet recognize  
28 and acknowledge that the privilege of confidential  
29 communications is not extended to certified legal document  
30 preparers.

31 (2) A legal document preparer shall be truthful and  
32 accurate when advertising or representing the legal  
33 document preparer's qualifications, skills, or abilities  
34 or the services provided, and shall refrain from  
35 denigrating or otherwise calling into disrepute the  
36 products or services offered by any other legal document

1 preparer or attorney.

2 (3) A legal document preparer shall maintain and  
3 observe the highest standards of integrity and  
4 truthfulness in all professional dealings.

5 (4) A legal document preparer shall keep abreast of  
6 current developments in the law as it relates to legal  
7 document preparation and shall fulfill ongoing training  
8 requirements to maintain professionalism and the skills  
9 necessary to perform his or her duties competently.

10 (d) Fees and services.

11 (1) A legal document preparer shall, upon request of a  
12 consumer at any time, disclose in writing an itemization of  
13 all rates and charges to that consumer.

14 (2) A legal document preparer shall determine fees  
15 independently, except when otherwise established by law,  
16 entering into no unlawful agreements with other legal  
17 document preparers on the fees to any consumer.

18 (3) A legal document preparer shall at all times be  
19 aware of and avoid impropriety or the appearance of  
20 impropriety, which may include, but is not limited to:

21 (A) establishing contingent fees as a basis of  
22 compensation;

23 (B) directly or indirectly receiving any gift,  
24 incentive, reward, or anything of value as a condition  
25 of the performance of professional services; or

26 (C) directly or indirectly offering to pay any  
27 commission or other consideration in order to secure  
28 professional assignments.

29 (4) A legal document preparer may consult with,  
30 associate with, collaborate with, and involve other  
31 professionals in order to assist the consumer.

32 (e) Skills and practice.

33 (1) A legal document preparer shall provide completed  
34 documents to a consumer in a timely manner. The legal  
35 document preparer shall make a good faith effort to meet  
36 promised delivery dates and make timely delivery of

1 documents when no date is specified. A legal document  
2 preparer shall meet document preparation deadlines in  
3 accordance with rules, statutes, court orders, or  
4 agreements with the parties. A legal document preparer  
5 shall provide immediate notification of delays.

6 (2) A legal document preparer shall accept only those  
7 assignments for which the legal document preparer's level  
8 of competence will result in the preparation of an accurate  
9 document. The legal document preparer shall decline an  
10 assignment when the legal document preparer's abilities  
11 are inadequate.

12 (f) Performance in accordance with law.

13 (1) A legal document preparer shall perform all duties  
14 and discharge all obligations in accordance with  
15 applicable laws, rules, or court orders.

16 (2) A legal document preparer shall not represent that  
17 he or she is authorized to practice law in this State, nor  
18 shall the legal document preparer provide legal advice or  
19 services to another by expressing opinions, either verbal  
20 or written, or by representing another in a judicial,  
21 quasi-judicial, or administrative proceeding, or other  
22 formal dispute resolution process, except as directed by  
23 the Supreme Court Rules or this Act. A legal document  
24 preparer shall not attend court with a consumer for the  
25 purpose of assisting the consumer in the court proceeding,  
26 unless otherwise ordered by the court.

27 (3) A legal document preparer shall not provide any  
28 kind of advice, opinion, or recommendation to a consumer  
29 about possible legal rights, remedies, defenses, options,  
30 or strategies. This shall not, however, preclude a  
31 certified legal document preparer from providing the type  
32 of information permitted in Section 60 of this Act. A legal  
33 document preparer shall inform the consumer in writing that  
34 a legal document preparer is not a lawyer, is not employed  
35 by a lawyer, and cannot give legal advice and that  
36 communications with a legal document preparer are not

1 privileged. A legal document preparer shall not use the  
2 designations "lawyer", "attorney at law", "counselor at  
3 law", "law office", "J.D.", "Esq.", or other equivalent  
4 words, the use of which is reasonably likely to induce  
5 others to believe the legal document preparer is authorized  
6 to engage in the practice of law in this State.

7 Section 225. Fee Schedule.

8 (a) Initial certification. The fees for initial  
9 certification shall be nonrefundable and shall be as follows:

- 10 (1) individual certification - \$300
- 11 (2) renewal of initial individual certification - \$300
- 12 (3) business entity certification - \$300
- 13 (4) renewal of initial business certification - \$300

14 (b) Standard certification.

- 15 (1) individual certification - \$250
- 16 (2) renewal of standard individual certification -  
17 \$500
- 18 (3) business entity certification - \$250
- 19 (4) renewal of standard business certification - \$500
- 20 (5) late renewal fee - \$50

21 (c) Examination fee for standard individual  
22 certifications.

23 (1) Certified Legal Document Preparers - \$0 (No fee is  
24 required for legal document preparers who hold a valid  
25 certificate at the time of application for examination.)

26 (2) Noncertified Legal Document Preparers - \$50 (For  
27 applicants who do not hold a valid Illinois legal document  
28 preparer certificate at the time of application for the  
29 examination.)

30 (3) Reexaminations - \$50 (For any applicant who does  
31 not pass the examination on the first attempt. The \$50 fee  
32 applies to each reexamination.)

33 (4) Reregistration - \$50 (For any applicant who  
34 registers for an examination date and fails to appear at  
35 the designated site on the scheduled date and time.)



1           Section 230. Fund. The Legal Document Preparer Fund is  
2           created as a special fund in the State treasury. Subject to  
3           appropriation by the General Assembly, all monies in the Legal  
4           Document Preparer Fund shall be used to further the objectives  
5           of this Act.

6           Section 800. The State Finance Act is amended by adding  
7           Section 5.640 as follows:

8           (30 ILCS 105/5.640 new)

9           Sec. 5.640. The Legal Document Preparer Fund.