



**93RD GENERAL ASSEMBLY**  
**State of Illinois**  
**2003 and 2004**  
**SB2136**

Introduced 1/6/2004, by James A. DeLeo

**SYNOPSIS AS INTRODUCED:**

New Act  
30 ILCS 105/5.625 new

Creates the Legal Document Preparer Act. Provides that, beginning July 1, 2005, 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.

LRB093 14929 LCB 40497 b

FISCAL NOTE ACT  
MAY APPLY

**A BILL FOR**

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  
8 regarding the denial of initial or renewal certification or a  
9 complaint regarding alleged misconduct of a certificate  
10 holder.

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

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

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

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

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

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

36 "Trainee" means a person who would qualify for

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

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

9 Section 13. Applicability. Beginning July 1, 2005, no  
10 person shall engage in the preparation of legal documents  
11 unless that person is certified as a legal documents preparer  
12 pursuant to this Act. No person shall represent himself or  
13 herself as a certified legal document preparer unless that  
14 person holds a valid certificate as a certified legal document  
15 preparer. A certified legal document preparer shall also comply  
16 with the requirements of this Act.

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

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

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

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

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

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

33 (1) Administer the Legal Document Preparer

1 Certification Program.

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

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

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

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

18 Section 25. Board of Legal Document Preparers.

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

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

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

25 (3) one judge or court administrator;

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

28 (5) one attorney; and

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

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

1 original appointment.

2 (c) The Board shall:

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

10 (2) issue certificates to qualified applicants;

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

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

17 Section 30. Requirements for certification.

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

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

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

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

26 (3) be of good moral character;

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

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

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

1 following situations:

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

4 (ii) providing services in preparation of  
5 legal documents prior to July 1, 2005;

6 (iii) under the supervision of a certified  
7 legal document preparer after July 1, 2005; or

8 (iv) as a court employee;

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

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

16 (ii) providing services in preparation of  
17 legal documents prior to July 1, 2005;

18 (iii) under the supervision of a certified  
19 legal document preparer after July 1, 2005; or

20 (iv) as a court employee;

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

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

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

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

36 (G) a degree from a law school that is

1           institutionally accredited but not approved by the  
2           American Bar Association.

3           Section 35. Procedures for initial individual  
4           certification.

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

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

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

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

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

34          (b) The owner of a legal document preparer business is not



1 required to hold certification provided the owner has a  
2 designated principal who holds valid certification as a legal  
3 document preparer.

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

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

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

19 Section 45. Procedures for initial business certification.

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

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

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

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

8 Section 50. Standard certification.

9 (a) Beginning July 1, 2007, all applicants for individual  
10 certification, in addition to meeting the requirements set  
11 forth in Section 30, shall meet the examination requirements of  
12 this Section.

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

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

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

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

30 (f) The applicant shall have one year from the date of the  
31 application to complete the requirements for standard  
32 certification. The Board shall treat an applicant who does not  
33 complete the process within one year as a new applicant and  
34 require the applicant to retake the examination and pay all  
35 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

1 action involving fraud, intentional misrepresentation,  
2 misappropriation, theft, or conversion.

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

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

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

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

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

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

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

35 (4) make legal forms and documents available to a

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

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

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

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

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

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

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

23 Section 75. Identification. Beginning July 1, 2005, a  
24 certified legal document preparer shall include the legal  
25 document preparer's name, the title "Illinois Certified Legal  
26 Document Preparer" or the abbreviation "ILCLDP," and the legal  
27 document preparer's certificate number on all documents  
28 prepared by the legal document preparer that are filed in any  
29 Illinois court. The legal document preparer shall also provide  
30 his or her title and certificate number upon request.

31 Section 80. Notification of changes.

32 (a) A certificate holder shall inform the Program

1 Coordinator, in writing, of any change in name, address,  
2 employment, or phone number within 30 days after the change  
3 occurs.

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

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

12 Section 85. Supervision of trainees.

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

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

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

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

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

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

35 (4) provide the certificate holder's name and

1 certificate number, as required by Section 75, on any  
2 documents filed in a court that were prepared by the  
3 trainee under the certificate holder's supervision.

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

6 (a) All initial certifications expire at midnight on June  
7 30th of each year. The Board may not, except in extenuating  
8 circumstances, renew an initial certificate beyond June 30,  
9 2005. All standard certifications expire at midnight on June  
10 30th of each odd-numbered year. All certificates shall continue  
11 in force until expired, suspended, revoked, or terminated. If  
12 the Board receives the request for renewal and prescribed fees  
13 after the established deadline, the Board shall determine the  
14 certificate expired on June 30th.

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

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

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

1 renewal of certification.

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

8 Section 95. Decision regarding renewal.

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

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

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

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

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

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



1 certificate holder has:

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

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

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

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

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

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

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

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

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

32 Section 110. Cease and desist order. A hearing officer or  
33 a circuit court judge, upon petition by the Board, may enter an  
34 order for an individual to immediately cease and desist from

1 conduct that constitutes engaging in the practice of legal  
2 document preparation without the required certification.

3 Section 115. Subpoenas; oaths; evidence.

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

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

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

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

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

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

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

20 Section 135. Complaint.

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

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

33 Section 140. Initial screening. Upon receipt of a

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

13 Section 145. Preliminary investigation; recommendation.

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

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

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

27 Section 150. Review of complaint and investigation.

28 (a) The Director shall review the Program Coordinator's  
29 recommendation regarding a complaint and may direct program  
30 staff to conduct further investigations or may concur with the  
31 Program Coordinator's recommendation. If the Director concurs  
32 with the Program Coordinator's recommendation, the Program  
33 Coordinator shall provide the Board with a copy of the  
34 complaint, written summary, and recommended disposition. If

1 the Director does not concur with the Program Coordinator's  
2 recommendation, the Director may submit his or her  
3 recommendation to the Board along with a statement explaining  
4 the recommendation and the reasons for the rejection of the  
5 Program Coordinator's recommendation. The Director shall  
6 notify the Program Coordinator of his or her decision regarding  
7 the recommendation

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

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

13 (2) order further investigation;

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

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

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

35 Section 155. Formal proceedings.

1           (a) The Board may commence formal proceedings if the  
2 Board finds reasonable cause to believe the certificate  
3 holder has violated this Act and the complaint is not  
4 appropriate for resolution by an informal disciplinary  
5 proceeding or a letter of concern.

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

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

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

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

18           (4) a statement of the requirements for responding to  
19 formal charges, as specified in subsection (c) of Section  
20 165 of this Act.

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

31           Section 160. Discovery.

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

34           (b) Within 15 days after the filing of an answer to a  
35 statement of formal charges, the parties shall exchange the

1 names, addresses, and telephone numbers of all persons known to  
2 have knowledge of the relevant facts, designating those persons  
3 the parties intend to call at the hearing and summarizing their  
4 anticipated testimony.

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

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

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

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

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

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

26 Section 165. Hearings.

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

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

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

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

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

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

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

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



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

8 Section 180. Procedure at hearing.

9 (a) The hearing officer shall preside over the hearing. The

10 hearing officer has the authority to decide all motions,

11 conduct prehearing conferences, determine the order of proof

12 and manner of presentation of other evidence, issue subpoenas,

13 place witnesses under oath, question witnesses, recess or

14 adjourn the hearing, and prescribe and enforce general rules of

15 conduct and decorum. Informal disposition of any case by

16 stipulation, agreed settlement, consent order, or default is

17 permissible.

18 (b) A party is entitled to enter an appearance, introduce

19 evidence, examine and cross examine witnesses, make arguments,

20 and generally participate in the conduct of the hearing.

21 (c) A party may represent himself or herself or appear at a

22 hearing through counsel. An attorney who intends to appear on

23 behalf of a party shall promptly notify the hearing officer and

24 the Board, providing the name, address, and telephone number of

25 the party represented and the name, address, and telephone

26 number of the attorney. A corporate officer may represent a

27 business entity in any proceeding under this Act.

28 (d) All persons appearing before a Board or hearing officer

29 in any proceeding shall conform to the conduct expected in the

30 Illinois Circuit Court.

31 (e) The hearing officer may conduct the hearing in an

32 informal manner and without strict adherence to the rules of

33 pleading or evidence. The hearing officer shall require that

34 evidence supporting a decision is substantial, reliable, and

35 probative and shall exclude irrelevant, immaterial, or unduly

1       repetitious evidence.

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

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

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

15       Section 185. Record of hearing.

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

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

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

33           The recommendations shall include findings of fact, based  
34 on a preponderance of the evidence introduced at the hearing,

1 and conclusions of law separately stated.

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

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

10 Section 200. Rehearing. Any party to a hearing may request  
11 a rehearing or reargument of the matters involved in the  
12 hearing by filing a written request with the hearing officer  
13 within 15 days after receipt by the party of the order at  
14 issue. The request shall conform to the requirements of Article  
15 III of the Code of Civil Procedure. Any party served with a  
16 request for rehearing may file a response within 15 days after  
17 service. The hearing officer shall rule on the request within  
18 30 days after its filing date.

19 Section 205. Disciplinary actions.

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

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

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

29 (3) place restrictions on the certificate holder;

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

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

1           (6) order revocation or suspension of certification  
2           for violations of this Act; or

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

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

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

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

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

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

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

1 Section 220. Code of conduct.

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

6 (b) Ethics.

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

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

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

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

26 (c) Professionalism.

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

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

1 products or services offered by any other legal document  
2 preparer or attorney.

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

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

11 (d) Fees and services.

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

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

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

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

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

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

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

33 (e) Skills and practice.

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

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

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

13 (f) Performance in accordance with law.

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

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

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

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

8 Section 225. Fee Schedule.

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

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

15 (b) Standard certification.

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

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

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

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

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

34 (4) Reregistration - \$50 (For any applicant who  
35 registers for an examination date and fails to appear at



1 the designated site on the scheduled date and time.)

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

7 Section 800. The State Finance Act is amended by adding  
8 Section 5.625 as follows:

9 (30 ILCS 105/5.625 new)

10 Sec. 5.625. The Legal Document Preparer Fund.