

NOTICE OF REVOCATION OF:
 LEGAL DOCUMENT ASSISTANT REGISTRATION
AND / OR
 UNLAWFUL DETAINER ASSISTANT REGISTRATION

Filed in the County of: _____

Date:

To:

From:

Please be advised that pursuant to Business & Professions Code Section 6413, the County Clerk's Office has been given notice regarding the disposition of the following Court action(s): _____

In which you were:

- Found guilty of the unauthorized practice of law pursuant to B&P Section 6125, 6126 or 6127.
- Found guilty of a misdemeanor violation of this chapter (B&P Sections 6400, et. Seq).
- Had a civil judgment entered against you in an action arising out of your negligent, reckless, or willful failure to properly perform your obligation as a legal document assistant or unlawful detainer assistant.

Based on the above disposition, you are hereby notified that effective immediately the following registration(s) is/are hereby **REVOKED** and you are ordered to return your identification card(s) issued by this office within 5 days from receipt of this notice. Failure to return the identification card(s) will result in our office asking for the issuance of an order to show cause against you by a Judge of the Superior Court.

- Legal Document Assistant Registration # _____
- Unlawful Detainer Assistant Registration # _____

Business & Professions Code Section 6413 also states "A registrant whose registration is revoked pursuant to this section may reapply for registration after three years."

Business & Professions Code Section 6414 states "A registrant whose certificate is revoked shall be entitled to challenge the decision in a court of competent jurisdiction." The County Clerk's Office is unable to provide you with legal advice regarding the process used to challenge the revocation of your registration. Please seek legal counsel if you wish to proceed and are unsure of the process used to challenge the revocation.

This notification is sent by certified mail to the address listed on the registration certificate. A copy of the notice upon which this revocation is based is enclosed.

Business & Professions Code Sections 6413 & 6414

6413 The County Clerk shall revoke the registration of a legal document assistant or unlawful detainer assistant upon receipt of an official document or record stating that the registrant has been found guilty of the unauthorized practice of law pursuant to Section 6125, 6126, or 6127, has been found guilty of a misdemeanor violation of this chapter, or that a civil judgment has been entered against the registrant in an action arising out of the registrant's negligent, reckless, or willful failure to properly perform his or her obligation as a legal document assistant or unlawful detainer assistant. The county clerk shall be given notice of the disposition in any court action by the city attorney, district attorney, or plaintiff, as applicable. A registrant whose registration is revoked pursuant to this section may reapply for registration after three years.

This section shall remain in effect only until January 1, 2003, or the date the director suspends the requirements of this chapter applicable to legal document assistants pursuant to Section 6416, whichever first occurs, and as of that date is repealed, unless a later enacted statute, that is enacted before that date, deletes or extends that date.

6414 A registrant whose certificate is revoked shall be entitled to challenge the decision in a court of competent jurisdiction.

**Clerks instructions for processing a Notice of Revocation of
Legal Document Assistant and/or Unlawful Detainer Assistant (B&P Section 6413)**

1. The County Clerk shall revoke the registration of a Legal Document Assistant and/or Unlawful Detainer Assistant upon receipt of an official document or record (ie., certified copy of a judgment, etc.), indicating that a person registered as either a legal document assistant or an unlawful detainer assistant (or both):

- Has been found guilty of the unauthorized practice of law pursuant to B&P Section 6125, 6126, or 6127.

OR

- Has been found guilty of a misdemeanor violation of this chapter (B&P Section 6400, et seq.).

OR

- That a civil judgment has been entered against the registrant in an action arising out of the registrant's negligent, reckless, or willful failure to properly perform his or her obligation as a legal document assistant or unlawful detainer assistant.
- a. Prepare a notice of revocation of Legal Document Assistant and/or Unlawful Detainer Assistant registration.
 - b. Make a copy of the notice of revocation for your records and the bonding company.
 - c. Mail the original notice (with a copy of the official document or record you received) by certified mail to the address of the registrant listed in their legal document assistant and/or unlawful detainer assistant registration.
 - d. Pull the application for registration and attach the notice of revocation with the certified mail receipt and the official document or record you received requiring you to issue the notice of revocation.
 - e. Indicate on all index cards and/or cross reference cards you have that the registration was revoked and the date of revocation.
 - f. **(The law does not specifically allow for this provision and it is therefore optional.** However, it is included in B&P Code 22351.5(b) for Process Servers and we should be able to follow that same procedure if needed). Keep a tickler file to verify you receive the identification card back from the applicant. If the identification card is not received back within 5 days of the date the applicant receives the certified letter, contact your presiding judge to see if they will issue an order to show cause against the legal document assistant and/or unlawful detainer assistant to get the identification card returned.
 - g. Make sure that you clearly mark all indexes so that if the applicant tries to reapply before the three years is up, you do not allow them to do so.
 - h. Mail a copy of the revocation notice to the bonding company.