

Approved effective January 1, 2009 as an expedited amendment under Rule 11-101(6)(F). Subject to change after the comment period.

1 **Rule 14-404. Active status lawyers: MCLE, NLTP and admission on motion**
2 **requirements.**

3 (a) Active status lawyers. Commencing with calendar year ~~2004~~ 2009, each lawyer
4 admitted to practice in Utah shall complete, during each two-~~calendar~~ fiscal year period,
5 (July 1 through June 30), a minimum of 24 hours of accredited CLE which shall include
6 a minimum of three hours of accredited ethics or professional responsibility. One of the
7 three hours of ethics or professional responsibility shall be in the area of
8 professionalism and civility. Lawyers on inactive status are not subject to the
9 requirements of this rule, including NLTP requirements.

10 (a)(1) Lawyers on active status who reside in Utah and who are subject to the NLTP
11 under Rule 14-808 must complete the NLTP requirements within a 12 month period
12 after admission to the Bar.

13 (a)(2) A new lawyer or mentor who successfully completes the requirements of the
14 Model Mentoring Plan or an approved plan, shall receive up to three hours of ethic or
15 professional responsibility credit.

16 (b) Adjustment to compliance periods. Commencing with 2009, MCLE compliance
17 periods will comport with the Bar's licensing renewal periods.

18 (b)(1) Each lawyer who complies on the even year compliance period, for the first
19 reporting cycle only, is required to complete the mandatory CLE hours by June 30,
20 2010. The CLE requirement will be reduced to 18 hours of accredited CLE which shall
21 include a minimum of 2 hours of accredited ethics or professional responsibility. One of
22 the hours of ethics or professional responsibility shall be in the area of professionalism
23 and civility.

24 (b)(2) Commencing with July 1, 2010, each lawyer shall complete during each two
25 fiscal year period a minimum of 24 hours of accredited CLE.

26 (b)(3) Commencing with January 1, 2010, each lawyer who complies on the odd
27 year compliance period, for the first reporting cycle only, is required to complete the
28 mandatory CLE hours by June 30, 2011. The CLE requirement will be reduced to 18
29 hours of accredited CLE which shall include a minimum of 2 hours of accredited ethics
30 or professional responsibility. One of the hours of ethics or professional responsibility
31 shall be in the area of professionalism and civility.

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32 (b)(4) Commencing with July 1, 2011, each lawyer shall complete during each two
33 fiscal year period a minimum of 24 hours of accredited CLE.

34 (c) NLTP. A lawyer who is obligated to and who successfully does fulfill the
35 requirements of the NLTP shall be deemed to have satisfied 12 accredited MCLE hours
36 for the reporting period ending ~~December 31~~ June 30 of the second complete year
37 following the lawyer's year of admission to the Bar. Twelve additional MCLE hours must
38 also be completed under this rule.

39 (ed) Admission on motion lawyers. A lawyer who fulfills the requirements by
40 admission on motion as prescribed in Rule 14-705 shall be deemed to have satisfied
41 the accredited MCLE requirements of this rule for the reporting ~~period~~ cycle ending
42 ~~December 31~~ June 30 of the second complete ~~calendar~~ fiscal year following the
43 lawyer's year of admission. In addition, the lawyer must complete and certify no later
44 than six months following the lawyer's admission that he or she has attended at least 15
45 hours of accredited CLE hours on Utah practice and procedure and ethics requirements
46 as follows.

47 (ed)(1) Nine credit hours must be comprised of accredited CLE courses.

48 (ed)(2) Six credit hours must be comprised of the professional ethics course
49 presented in OPC's ethics school.

50 (ed)(3) Twelve of the 15 hours may be completed through self-study through the
51 Bar's online CLE system. The above 15 hours will apply towards the 24 hours required
52 per two-year compliance period. The Board of Bar Commissioners may specify the
53 number of the required 15 hours that must be in particular areas of practice, procedure
54 and ethics.

55 (de) Out-of-state CLE activities. CLE credit may be awarded for out-of-state activities
56 that the Board determines meet certain standards in furthering a lawyer's legal
57 education. The Board shall determine whether to accredit the activities and, if so, the
58 number of hours of credit to allow for such activities. Out-of-state activities cannot
59 substitute for the 15 mandatory CLE hours described in paragraph (c) and Rules 14-
60 705(d)(2) and 14-705(d)(3).

61 (ef) Activities that may be regarded as equivalent to state-sponsored CLE may
62 include, but are not limited to, viewing of approved CLE audio and video presentations,

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63 writing and publishing an article in a legal periodical, part-time teaching in an approved
64 law school, or delivering a paper or speech on a professional subject at a meeting
65 primarily attended by lawyers, legal assistants, or law school students.

66 (fg) A lawyer's application for accreditation of a CLE activity must be submitted in
67 writing to the Board if the activity has not been previously approved for CLE credit in
68 Utah.

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