
IN THE SUPREME COURT

STATE OF UTAH

STATE OF UTAH	:	PETITION TO AMEND
SUPREME COURT	:	RULE 14-404 (a) OF THE
BOARD OF CONTINUING	:	RULES AND REGULATIONS
LEGAL EDUCATION	:	GOVERNING MANDATORY
	:	CONTINUING LEGAL
	:	EDUCATION

Pursuant to Article II, Section 1(d) of the By-Laws of the State of Utah Supreme Court Board of Continuing Legal Education, as amended, the Board of Continuing Legal Education (the “Board”) hereby petitions the Court to amend Rule 14-404 (a) of the Rules and Regulations Governing Mandatory Continuing Legal Education for the State of Utah (the “Rules”) to read as follows:

Rule 14-404

(a) Active status lawyers.

(1) Commencing with calendar year 2008, each lawyer admitted to practice in Utah shall complete, during each two-calendar year period, a minimum of 24 hours of accredited CLE which shall include a minimum of three hours of accredited ethics or professional responsibility. One of the three hours of ethics or professional responsibility shall be in the area of professionalism and civility. Lawyers on inactive status are not subject to the requirements of this rule.

The Board believes that with the modification of Rule 14-404 (a), over time the change will improve a lawyer’s conduct, which should be

characterized at all times by personal courtesy and professional integrity.

The Board believes that professionalism, civility and ethics are related.

Ethics define the practice of law as a profession and not a common trade;

civility drives the ability to act in an ethical manner yet allows lawyers to

enthusiastically represent their clients' interests.

A copy of the Court's May 31, 2007 letter, requesting modification of the

Rules is attached as Exhibit "1". A copy of the current Rule 14-404 is

attached as Exhibit "2". A copy of the redline Rule 14-404 is attached as

Exhibit "3" and a copy of the proposed final Rule is attached as "Exhibit

"4".

For the reasons set forth above, the Board respectfully requests the modifications to become effective January 1, 2008.

Respectfully submitted this _____ day of October 2007.

Chair

Supreme Court of Utah

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May 31, 2007

Mary C. Corporon, Chair
Utah Supreme Court Board of Continuing
Legal Education
Utah Law & Justice Center
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Re: MCLE in Area of Professionalism/Civility

Dear Mary:

The Supreme Court's Advisory Committee on Professionalism recently recommended to the Court that it require one of the three MCLE hours of accredited ethics or professional responsibility to be in the area of professionalism and civility. The justices support this recommendation, and request that its Board of Continuing Legal Education review the MCLE rules and propose the specific amendments necessary to implement the recommendation. Once the recommended amendments are received from the Board, the Court will have them published for comment.

Thank you for your assistance in this regard.

Sincerely,



Christine M. Durham
Chief Justice

cc: Hon. Jill N. Parrish
Sydnie Kuhre