

1 **Rule 14-404. Active status lawyers: MCLE, NLTP and, admission on motion, multi-state**
2 **compliance reciprocity, house counsel and UBE requirements.**

3 (a) Active status lawyers. Commencing with calendar year 2009 12, each lawyer admitted to practice in
4 Utah shall must complete, during each two fiscal year period (July 1 through June 30), a minimum of 24
5 hours of Utah accredited CLE which shall must include a minimum of three hours of accredited ethics or
6 professional responsibility. One of the three hours of ethics or professional responsibility shall must be in
7 the area of professionalism and civility. Lawyers on inactive status are not subject to the requirements of
8 this rule, ~~including or the~~ NLTP requirements.

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

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

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

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

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

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

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

30 ~~(e)(b) NLTP. A lawyer who is obligated to and who successfully does fulfill~~ will receive the requirements of the NLTP
31 ~~shall be deemed to have satisfied~~ will receive 12 accredited MCLE hours for the reporting period ending
32 June 30 of the second complete fiscal year following the lawyer's year of admission to the Bar. Twelve
33 additional MCLE hours must also be completed ~~under this rule~~ during the lawyer's first compliance cycle,
34 not including the New Lawyer Ethics program.

35 (b)(1) New Lawyer Ethics Program. New lawyers are required to attend the New Lawyer Ethics
36 Program. This program satisfies the ethics requirement for the new lawyer's first compliance cycle.

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

44 ~~(d)(c)~~(1) Nine credit hours must be comprised of accredited CLE courses on Utah practice and procedure.

45 ~~(d)(c)~~(2) Six credit hours must be comprised of the professional ethics course presented in OPC's ethics
46 school.

47 ~~(d)(c)~~(3) Twelve of the 15 hours may be completed through self-study through the Bar's online CLE
48 system. ~~The above 15 hours from (c)(1) and (c)(2) will apply towards the 24 hours required per two-year~~
49 ~~compliance period cycle. The Board of Bar Commissioners may specify the number of the required 15~~
50 ~~hours that must be in particular areas of practice, procedure and ethics.~~

51 (d) Multi-State Reciprocity Compliance. An active lawyer whose principal practice of law is in a Multi-State
52 Compliance Reciprocity State may elect to meet the MCLE requirements in that other state and use that
53 state's MCLE compliance as compliance in Utah by filing a "Comity Certificate" for Utah CLE compliance.

54 (e) House Counsel lawyers. House Counsel lawyers must pay the designated filing fee and file with the
55 MCLE Board by July 31 of each year a House Counsel Certificate signed by the jurisdiction where House
56 Counsel maintains an active license evidencing that the lawyer has completed the hours of continuing
57 legal education required of active lawyers in the jurisdiction where House Counsel is licensed. House
58 Counsel lawyers that do not have a CLE requirement from the jurisdiction where House Counsel
59 maintains an active license must complete 12 hours annually (July 1 – June 30) of Utah approved CLE
60 to include 1 hour of legal ethics and 1 hour of professionalism/civility. At least half of the hours must be
61 completed by attending live, in-person CLE.

62 (f) UBE Applicants. A lawyer who gains admission by transferring a UBE score and has less than two
63 years of legal practice will comply with the New Lawyer Training Program. If the lawyer gains admission
64 by transferring a UBE score and has less than two years of legal practice and receives a waiver of the
65 New Lawyer Training Program because the lawyer lives out of the state, the lawyer will comply with the
66 same rules as admission on motion lawyers. A lawyer who gains admission by transferring a UBE score
67 and has more than 2 years of active practice will comply with the same rules as admission on motion
68 lawyers. These lawyers must pay the designated filing fee and are required to complete and certify no
69 later than six months following the lawyer's admission that he or she has attended at least 15 hours of
70 accredited CLE hours on Utah practice and procedure and ethics requirements including the OPC's
71 ethics school.

72 (e)(g) Out-of-state CLE activities. CLE credit may be awarded for out-of-state activities that the Board
73 determines meet ~~certain~~ standards in furthering a lawyer's legal education. The Board ~~shall~~ determines
74 whether to accredit the activities and, if ~~so~~ accredited, the number of hours of credit to allow for such
75 activities. Out-of-state activities cannot substitute for the 15 mandatory CLE hours described in paragraph
76 (c) and Rules 14-705~~(d)(b)~~ and 14-705~~(d)(3)(b)(1)~~.

77 (f) (h) Activities that may be regarded as equivalent to state-sponsored self-study CLE may include, but
78 are not limited to, viewing of approved CLE audio and video, and webcast presentations, computer
79 interactive telephonic programs, writing and publishing an article in a legal periodical, part-time teaching
80 in an approved law school, or delivering a paper or speech on a professional subject at a meeting
81 primarily attended by lawyers, legal assistants, or law school students.

82 (g) (i) A lawyer's application for accreditation of a CLE activity must be submitted in writing to the Board if
83 the activity has not been previously approved for CLE credit in Utah.