

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

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

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 ethics 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.~~

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

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

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

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

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

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

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

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

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

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

85 (e)(g) Out-of-state CLE activities. CLE credit may be awarded for out-of-state  
86 activities that the Board determines meet ~~certain~~ standards in furthering a lawyer's legal

87 education. The Board ~~shall~~ determines whether to accredit the activities and, if ~~so~~  
88 accredited, the number of hours of credit to allow for such activities. Out-of-state  
89 activities cannot substitute for the 15 mandatory CLE hours described in paragraph (c)  
90 and Rules ~~14-705(d)(b)~~ and ~~14-705(d)(3)(b)(1)~~.

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

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