

1 **Rule 14-402. Definitions.**

2 As used in this article:

3 (a) "Active emeritus" or "active emeritus lawyer" means a lawyer who has been a
4 ~~[member of the]~~ Bar member for 50 years or who is 75 years of age as of July 1 of the
5 current year and who qualifies for active emeritus status as defined under the Bar's
6 rules, regulations and policies;

7 (b) "Active status" or "active status lawyer" means a lawyer who ~~[has elected]~~ elects to
8 be on active status as defined under the Bar's rules, regulations and policies; ~~state~~
9 ~~judges, federal judges and magistrates, court commissioners, active senior judges and~~
10 ~~active justice court judges, both full and part time, meet CLE requirements through the~~
11 ~~Administrative office of the Courts;~~

12 (c) "Admission on motion applicant or lawyer" means a lawyer who has ~~[applied or]~~
13 been admitted for reciprocal admission as defined under Rule 14-705 ~~[or has been~~
14 ~~admitted as such];~~

15 (d) "Accredited" means:

16 (d)(i) as it relates to a lawyer, that CLE is approved by the Board as CLE that counts
17 towards the 12 hour CLE requirement per Compliance Cycle; or

18 (d)(2) as it relates to a paralegal practitioner, that CLE is approved by the Board as CLE
19 that counts towards the 6 hour CLE requirement per Compliance Cycle

20 ~~[(d)]~~ (e) "Approved law school" means an ABA approved law school as defined under
21 Rule 14-701;

- 22 ~~[(e)]~~ (f) "Bar" means the Utah State Bar;
- 23 ~~[(f)]~~ (g) "Bar Examination" means the Bar Examination as defined in Rules 14-710 and
24 14-711 and includes the UBE, regardless of where the UBE was taken;
- 25 ~~[(g)]~~ (h) "Board" means the Utah ~~[State]~~ Supreme Court Board of Mandatory Continuing
26 Legal Education as set forth in Rule 14-403;
- 27 ~~[(h)]~~ (i) "Board of Bar Commissioners" means the governing board of the Bar;
- 28 ~~[(i)]~~ (j) "Certificate of Compliance" means a ~~[written]~~ report evidencing a lawyer's or
29 paralegal practitioner's completion of Accredited CLE as required and defined under
30 Rule 14-414;
- 31 ~~[(j)]~~ (k) "CLE" means continuing legal education, including Live CLE and Self-Study CLE;
- 32 ~~[(j)(1)]~~ "Live CLE" means a CLE program presented in a classroom setting where the
33 lawyer is in the same room as the presenter;]
- 34 ~~[(j)(2)]~~ "Live Attendance" means in person attendance at a Utah state courthouse where
35 a course is streamed by live audio-visual communication from another Utah state
36 courthouse or from the Law and Justice Center;]
- 37 ~~[(j)(3)]~~ "Self-Study CLE Program" means a program presented in a suitable setting where
38 the lawyer can view approved self-study activities;]
- 39 ~~[(k)]~~ (l) "Comity Certificate" is a Certificate ~~[that is]~~ filed by a Utah lawyer to show
40 ~~[MCLE]~~ CLE compliance with ~~[a]~~ an approved reciprocal jurisdiction (Idaho, Oregon, or
41 Washington) where the lawyer practices law;

42 ~~[(f)]~~ (m) "Compliance Cycle" ~~means the period of 2 years beginning July 1 through~~
43 ~~June 30;~~ means the fiscal year period (July 1 through June 30) during which:

44 (m)(1) an active status lawyer admitted to practice in Utah is required to complete a
45 minimum of 12 hours of Accredited CLE; or

46 (m)(2) a paralegal practitioner licensed in Utah is required to complete a minimum of 6
47 hours of Accredited CLE;

48 ~~[(m)]~~ (n) "Ethics CLE" means [standards set by] CLE regarding compliance with the
49 Utah Rules of Professional Conduct with which a lawyer must comply to remain
50 authorized to practice law in Utah and remain in good standing[;], including:

51 (n)(1) instruction on the Utah Rules of Professional Responsibility; and

52 (n)(2) instruction on general ethical conduct or any other matter (such as law practice
53 management or the use of technology) that, as part of the CLE, significantly relates to
54 and discusses compliance with one or more of the Utah Rules of Professional
55 Responsibility;

56 ~~[(n)]~~ (o) "Full exam" means all components of the Bar Examination as defined under
57 Rule 14-710;

58 ~~[(e)]~~ (p) "House Counsel" means a lawyer admitted with a restricted House Counsel
59 license as defined in Rule 14-719, which is required and limits [his or her] the lawyer's
60 practice of law to the business of [his or her] the lawyer's employer;

61 (q) "In-person CLE" means CLE presented in a classroom setting where the lawyer or
62 paralegal practitioner is in the same room as the presenter.

63 ~~[(p)]~~ (r) "Inactive status" ~~[or "inactive status lawyer"]~~ means a lawyer or paralegal
64 practitioner who has elected to be on inactive status as defined under the Bar's rules,
65 regulations and policies;

66 (s) "Live CLE" means In-person CLE, Remote Group CLE, or Verified E-CLE.

67 ~~[(q)]~~ (t) "MCLE" ~~[means]~~ or mandatory continuing legal education ~~[as defined under]~~
68 means CLE required by this article;

69 ~~[(r)]~~ "Multi-State Compliance Reciprocity" ~~means Utah has established that MCLE~~
70 ~~compliance in certain states (Idaho, Oregon, Washington) may be used as MCLE~~
71 ~~compliance in Utah by an active lawyer whose principal practice is in one of the~~
72 ~~established reciprocal states;]~~

73 ~~[(s)]~~ (u) "New admittee" means a lawyer newly admitted to the Utah State Bar;

74 ~~[(t)]~~ (v) "NLTP" means the New Lawyer Training Program as set forth in Rule 14-404
75 and Rule 14-808;

76 ~~[(x)]~~ (w) "OPC" means the ~~[Bar's]~~ Office of Professional Conduct;

77 ~~[(y)]~~ (x) "OPC ethics school" means the OPC biannual seminar on the Utah Rules of
78 Professional Conduct which provides six CLE credit hours;

79 (y) "Paralegal practitioner" means a person licensed by the Utah Supreme Court to
80 provide limited legal representation in the areas of (1) temporary separation, divorce,
81 parentage, cohabitant abuse, civil stalking, and custody and support; (2) forcible entry
82 and detainer and unlawful detainer; or (3) debt collection matters in which the dollar
83 amount in issue does not exceed the statutory limit for small claims cases.

84 ~~[(u)]~~ (z) "Presumptively approved sponsor" means ~~[these CLE sponsors or providers~~
85 ~~who qualify]~~ a CLE sponsor or provider who qualifies under the standards ~~[set forth]~~
86 prescribed in Rule 14-412;

87 ~~[(v)]~~ (aa) "Presumptive CLE Accreditation" means ~~[these CLE courses or activities that~~
88 ~~qualify]~~ CLE that qualifies under the standards ~~[set forth]~~ prescribed in Rule 14-412;

89 ~~[(w)]~~ (bb) "Professionalism and Civility CLE" means CLE on conduct consistent with the
90 tenets of the legal profession by which a lawyer demonstrates civility, honesty, integrity,
91 character, fairness, competence, ethical conduct, public service, and respect for the
92 rules of law, the courts, clients, other lawyers, witnesses and unrepresented parties~~;~~,
93 including:

94 (bb)(1) instruction on the Utah Standards of Professionalism and Civility; or

95 (bb)(2) instruction on general professional and civil conduct or another matter (such as
96 wellness or substance abuse) that, as part of the CLE, significantly relates to and
97 discusses compliance with one or more of the Utah Standards of Professionalism and
98 Civility;

99 (cc) "Remote Group CLE" means CLE, sponsored or cosponsored by the Bar, that is
100 presented from a location in Utah, via a live streaming audio-visual presentation, to
101 another location in Utah where the lawyer or paralegal practitioner is present, in
102 accordance with Rule 14-418;

103 (dd) "Self-Study CLE" means CLE, other than Live CLE, credited for a number of hours
104 determined by the Board on a case-by-case basis, including:

105 (dd)(1) viewing an audio, video, or webcast presentation, computer interactive program,
106 or a telephonic program;

107 (dd)(2) writing and publishing an article in a legal periodical, part-time teaching in an
108 approved law school, or delivering a paper or speech on a professional subject at a
109 meeting primarily attended by lawyers, paralegal practitioners, legal assistants, or law
110 school students; or

111 (dd)(3) community outreach, as described in Rule 14-409.

112 ~~[(z)]~~ (ee) "Supreme Court" means the Utah Supreme Court; and

113 ~~[(aa)]~~ (ff) "UBE Transfers" means applicants who gain admission by transferring a
114 uniform bar exam score;

115 (gg) "Verified E-CLE" means CLE presented via a computer program or over the
116 Internet where active participation by the lawyer or paralegal practitioner in the CLE is
117 verified by responding to scenarios during the CLE or answering knowledge-based
118 questions during or after presentation of the CLE.

119 (hh) "Wellness" means well-being or mindfulness programs or topics, intended for
120 attorneys and paralegal practitioners rather than a general audience, that are designed
121 to:

122 (hh)(1) sustain or increase the capacity of attorneys and paralegal practitioners to strive
123 for and achieve the highest aspirational levels of professionalism, including programs
124 aimed at increasing attorney and paralegal practitioner well-being, optimism, resilience,
125 relationship skills, and energy and engagement in their practices;

126 (hh)(2) help lawyers and paralegal practitioners re-connect with, strengthen, and apply
127 their values, strength of character, and sense of purpose toward achieving outstanding
128 professionalism;

129 (hh)(3) educate lawyers and paralegal practitioners about gender bias, diversity and
130 inclusion, and unlawful harassment, including sexual harassment;

131 (hh)(4) protect lawyers and paralegal practitioners, or help lawyers and paralegal
132 practitioners recover, from the deleterious effects on professionalism of stress, mental
133 health concerns, substance abuse, and poor staff management, financial management,
134 or time management; or

135 (hh)(5) support the development of organizational cultures within firms, law
136 departments, and legal agencies that recognize, support, and encourage outstanding
137 professionalism.