



**VERMONT SUPREME COURT
OFFICE OF THE STATE COURT ADMINISTRATOR
BOARD OF MANDATORY CONTINUING LEGAL EDUCATION**

RULES FOR MANDATORY CONTINUING LEGAL EDUCATION

As of January 1, 2018

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BOARD’S NOTES – 2014 AMENDMENT

Since the institution of the requirement of continuing legal education for attorneys admitted to practice law in Vermont, separate rules and regulations have governed. These rules and regulations defined the minimal educational requirements, how they could be met, and the process a sponsoring agency must follow in order to offer courses for CLE credit, among other things. The rules often overlapped with the regulations and some topics were discussed in both the rules and regulations. This created an often cumbersome process for attorneys seeking information on the requirements for continuing legal education. There is no distinction to be made between the rules and regulations, as the Vermont Supreme Court must approve of and administer both. Therefore, the Board of Mandatory Continuing Legal Education has consolidated the rules and regulations into one document, the Rules for Mandatory Continuing Legal Education. There have been no substantive changes to the rules or regulations during this rewrite. The change has been made in an effort to achieve simplicity and for the convenience of those governed by the rules.

§ 1 Purpose.

It is of primary importance to members of the Bar of the Supreme Court of Vermont and to the public that attorneys continue their legal education throughout the period of their active practice of law. These rules establish minimum requirements for continuing legal education.

§ 2 Definitions.

As used in these Rules, the following definitions shall apply:

- (a) The “Board” shall mean the Vermont Board of Mandatory Continuing Legal Education.
- (b) The “Director” shall mean an employee of the Board.
- (c) “Rules” shall mean Rules for Mandatory Continuing Legal Education together with any subsequent amendments thereto, as adopted by the Supreme Court of the State of Vermont.

§ 3 Board of Continuing Legal Education.

(a) The Court shall appoint a Board to be known as the Board of Continuing Legal Education, consisting of seven members as follows:

- (1) One shall be a judge, active or retired, or a retired justice of the Supreme Court;
- (2) Four shall be attorneys admitted to the Bar of the Supreme Court; and
- (3) Two shall be laypersons, not admitted to the practice of law in this state.

For purposes of these rules, a quorum shall consist of four members, or all members not disqualified, whichever is the lesser.

(b) Each term of office shall be four years and until a successor is appointed. Whenever a member resigns, or the office is otherwise vacant, the Court shall appoint a successor to fill the unexpired term. Appointments shall be made annually on June first. No member shall serve for more than two consecutive terms or parts thereof.

(c) The chairperson and vice-chairperson shall be members designated by the Court annually on June first and shall so serve until their successors are designated.

(d) In the performance of their duties, the members of the Board shall be reimbursed for reasonable and necessary expenses and shall receive per diem compensation equivalent to that provided by law for comparable boards and commissions. The commissioner of finance and information support shall issue a warrant for the compensation and expenses of each member of the Board when submitted on vouchers approved by the court administrator.

(e) The Board shall have general supervisory authority over the administration of these rules. The Board shall accredit activity, within and without the state, which will satisfy the educational requirements of these rules; shall encourage the offering of such activity; shall determine and keep records of attorney compliance with these rules; shall report in writing to the Court the names of those who fail to meet the requirements of these rules; shall evaluate the effectiveness of mandatory continuing legal education in maintaining and improving the competence of members of the Bar; and shall monitor the continuing legal competence of members of the Bar and policies and procedures to maintain and improve that competency. The Board shall annually report in writing to the Court on December first its activities during the prior year and its recommendations, if any, relating to these

rules and the maintenance of professional competence of attorneys admitted to the Bar of the Supreme Court.

§ 4 Minimum Educational Requirements.

(a) Every licensed attorney admitted to the Bar of the Supreme Court shall complete twenty hours of accredited continuing legal education during each two-year compliance period established by these rules.

(b) At least two of the twenty hours required by paragraph (a), above, shall be devoted to continuing legal education specifically addressed to legal ethics. Courses that qualify for ethics credits should focus specifically on the Rules of Professional Conduct and their applicability to specific problems and situations lawyers face in their practice.

(c) As required by Rules 12, 13 and 15 of the Rules of Admission, every attorney admitted to the Vermont Bar, either by examination, transferred UBE score, or satisfaction of the requirements for admission without examination, must attend at least 15 hours of continuing legal education on Vermont practice and procedure in courses approved by the Board of Continuing Legal Education and certified by the Board of Bar Examiners as satisfying the requirements of this rule. A minimum of 6 of the 15 CLE hours must be earned by attendance at live courses. The credit hours and courses completed pursuant to this rule can be applied toward satisfaction of the general requirements set forth in subdivisions (a) and (b) of this rule. For attorneys admitted by examination or transferred UBE score, the requirement must be completed no earlier than 6 months before sitting for the bar examination and no later than 1 year after admission. For attorneys admitted without examination, the attorney must satisfy this requirement within one year before or one year after admission to the Vermont Bar. For good cause, the Board of Bar Examiners may extend the time necessary to complete this CLE requirement.

(d) As required by Rules 12 and 13 of the Rules of Admission to the Bar, every attorney admitted by examination or transferred UBE score must complete at least 40 hours of activities authorized by the Board of Continuing Legal Education and certified by the Board of Bar Examiners to satisfy the requirements of the Mentorship Program. The attorney must certify completion of this requirement within one year after admission to the Vermont Bar or the attorneys license will be suspended.

BOARD'S NOTES – 2016 AMENDMENT

Rule 4 is amended to reflect the additional educational requirements for newly admitted attorneys required by Rules 12, 13 and 15 of the Rules of Admission to the Bar of the Vermont Supreme Court. The purpose of the requirements set forth in subdivision (c) is to expose all newly admitted lawyers to a somewhat uniform CLE curriculum on Vermont specific subjects.

Subdivision (d) pertains to the new post-admission mentorship program that replaces the three-month preadmission clerkship requirement for admission to the Vermont Bar described in Rule 12(a)(2) of the Rules of Admission. The mentorship program requires attorneys to perform certain legal tasks or attend certain legal proceedings or functions to become acclimated to the practice of law in Vermont. The Board of Continuing Legal Education and Board of Bar Examiners will approve, and

periodically revise, a recommended activities list for the mentorship program. The list affords substantial flexibility for new lawyers to develop an individualized program that assures broad and relevant exposure to Vermont law, legal practice, and the legal culture. Failure to timely certify completion with these requirements will trigger the procedures set forth in Rule 9(d)-(k).

§ 5 Accreditation.

(a) Educational activity shall be eligible for accreditation to satisfy the requirements of these rules if it has significant intellectual and practical content directed at increasing the professional competence of attorneys and is of the nature listed below:

(1) Law school or other classroom instruction or educational seminars with substantial written material available, whether conducted by live speakers, lecturers, panel members, video or audio tape presentation, in a classroom setting with a group of not fewer than three individuals. For the purposes of these rules, in order for a course to qualify as live credit, the instructor and attendee must participate simultaneously. For video replays or computer generated courses to count as live credit, an expert moderator needs to be monitoring to answer questions and/or lead discussion; or

(2) Self-study meaning individually viewing prerecorded presentations and is limited to 10 hours per reporting period; or

(3) With prior approval, independent study in supervised and graded courses.

(b) In addition to the general standard described above, the following specific standards shall also be met by any course or activity for which credit is sought:

(1) The course shall constitute an organized program of learning dealing with matter directly relating to the practice of law or to the professional responsibility and ethical obligations of a lawyer;

(2) Each faculty member shall be qualified by practical or academic experience to teach the subject he or she covers;

(3) Thorough, high quality, readable and carefully prepared written or printable materials should be distributed to all attendees at or before the time the course is presented. It is recognized that such materials are not suitable or readily available for some types of subjects; the absence of such materials should, however, be the exception and not the rule. Such material may be offered as an optional purchase by the course provider;

(4) Courses should be conducted in a setting physically suitable to the educational activity of the program. A suitable writing surface should be provided where feasible and appropriate;

(5) With prior approval supervised and graded self-study courses may be granted up to 10 hours of CLE credit per reporting period. Video, telephonic, audiotape and computer program courses may be approved up to 10 CLE credit hours per reporting period. In the event of unusual hardship or extenuating circumstances, additional credit may be granted for such activities at the Board's discretion;

(6) Activities which involve the crossing of disciplinary lines, such as a medicolegal symposium or an accounting-tax law seminar, may be approved;

(7) An in-house course is one sponsored by a private law firm, a corporate law department or a federal, state or local governmental agency primarily for lawyers who are members or employees of the firm, department or agency, and must meet all of the following requirements:

(i) It must meet all of the requirements of the standards for approval of this Section of the Rules;

(ii) It must be approved prior to its presentation;

(iii) Matters pending in the firm or agency will not be the focus of the in-house course;

(iv) At least three learners must be present for the in-house course, not including the presenter;

(v) The presenter may be eligible for teaching credit under this section but may not also seek credit under any other applicable section of the Rules for the same in-house course, such as credit for preparation of the in-house course;

(8) A video or audio tape presentation by an accredited sponsor shall not be considered an in-house course. An attorney, whether in-house in a law firm, corporate law department or whatever, may, for CLE credit, listen to and/or watch audio and/or video cassettes, accompanied by substantial written material, created by an accredited sponsor without the need to invite or have present any "outside" attorneys;

(9) Credit will be allowed for non-paid scholarly writing and publication as follows:

(i) Two and a half hours for 1000 published words;

(ii) Five hours for 3000 published words. Earned hours may be prorated among multiple authors.

(10) Credit is also allowed as follows:

(i) service as acting judge - up to 3 hours per reporting period (no credit for preparation);

(ii) reviewing small claims cases in superior court - up to 3 hours per reporting period (no credit for preparation); and this subsection cannot be used in conjunction with credit derived from section 5(b)(10)(i) for the same acting judicial appointment for reviewing small claims cases in the superior court;

(iii) service as judge at moot court - up to 2 hours per reporting period (no credit for preparation);

(iv) volunteer committee work - up to 2 hours per reporting period for approved committees (no credit for preparation); except that members and associate members of the

Board of Bar Examiners shall receive up to 10 hours for work on behalf of the Board.

(v) service as mentor in the mentorship program for newly admitted attorneys described in Rule 12(a)(2) of the Rules of Admission to the Bar of the Vermont Supreme Court – up to 5 hours per reporting period (no credit for preparation).

(vi) No more than 10 hours of credit per reporting period shall be allowed for all credit hours being claimed under paragraph (b)(10) of this rule.

(c) In the event that unusual circumstances render it a hardship for an attorney to engage in a sufficient quantity of continuing legal education activity accreditable pursuant to subdivisions (1) or (2) of paragraph (a) above, the Board, in its discretion, may approve any alternate plan for continuing legal education which it finds satisfies the objectives of these rules.

(d) Activity may be accredited upon an application made to the Board, containing such information as the Board in its discretion requires. Applications may be filed by a sponsoring agency or group, or by any participant. Applications for the accreditation of activity described above must be filed no later than 30 days after the course has ended. Applications for the accreditation of activity described in paragraph (c) above must be filed and approved before the educational activity has occurred. The following requirements shall apply:

(1) A member or sponsoring agency desiring approval of a continuing legal education activity not previously approved shall submit to the Board complete information concerning:

- (i) The name and address of the sponsoring agency;
- (ii) Title, date, location and fee of the course;
- (iii) A list of faculty and their qualifications;
- (iv) A description of course content and length of presentation;
- (v) An indication as to any portion pertaining to legal ethics;
- (vi) A description of the materials.

(2) Applications shall be in writing and required course information may be supplied by attaching a copy of the course brochure. The application must be received by the Director's office no later than thirty (30) days after the course has ended. An attorney who files a request for credit more than 30 days after the date of attendance must pay a \$50.00 fee pending approval of the out-of-time request.

(3) Approval shall be granted or denied in accordance with the procedures set out herein.

(4) Approval may be granted for a specific course or a series of courses. Courses given annually may be approved on an ongoing basis subject to revocation after notice by the Board. A list of specifically approved courses shall be maintained by the Director.

(e) The Board shall assign a maximum number of credit hours to each accredited activity.

(f) The Board may refuse to accredit any activity which it finds is not eligible for accreditation pursuant to paragraphs (a) or (b) of this section or which it finds is sponsored by a group or individual lacking the ability or intention to produce continuing legal educational activity of the kind proposed of sufficiently high quality to improve or maintain an attorney's professional competence, or which it finds is not offered in a sufficiently organized fashion or under otherwise adequate circumstances to fulfill the objectives of these rules.

(g) In the event that an activity has been approved by the Board, the sponsor shall be entitled to so state and to state the maximum number of credit hours for which the activity has been approved.

(h) The Board may delegate the authority to determine applications for accreditation. In the event said authority is delegated, a denial of accreditation by the Board's delegate shall be subject, upon request of the grievant, to de novo review by the Board.

BOARD'S NOTES – 2016 AMENDMENT

Rule 5 is amended in response to the new Rule 12 of the Rules of Admission to the Bar of the Vermont Supreme Court. Rule 5(b)(10)(v) grants credit for participation as a mentor in the new post-admission mentorship program that replaces the three-month clerkship requirement for admission to the Vermont Bar. The new mentorship program requires a newly licensed lawyer to be mentored in the first year of practice by a judge or experienced attorney practicing law in Vermont. Mentors must have been admitted to the Vermont Bar for at least three years when the mentorship begins. The mentorship must last at least six months. Mentors must meet regularly with the newly licensed attorney, no less than ten times, to discuss the new attorney's practice and issues relevant to Vermont practice and procedure. Mentors may only claim credit for hours actually spent working with the newly admitted attorney on the mentorship program. See Rule 6(e) of the Rules for Mandatory Continuing Legal Education. Rule 5(b)(10)(vi) is added to cap at 10 hours the amount of CLE credit an attorney may claim for performing work for various committees and the mentorship program, thus requiring some credit to be earned by more traditional CLE learning programs for each reporting period.

BOARD'S NOTES – 2015 AMENDMENT

Section 5(b)(10)(ii) is amended to clarify that an attorney cannot receive credit for both reviewing small claims cases in the superior court and serving as the judge for these same small claim cases in the superior court. The current rules do not allow credit for preparation in either case, but the language of the rules led to some confusion as to the correct interpretation when an attorney served as an acting judge in the superior court reviewing small claims cases. This language change clarifies that an attorney cannot receive more than 3 CLE credits for acting as a judge in small claims cases.

Section 5(b)(10)(iv) is amended to allow for greater CLE credit for members and associate members of the Board of Bar Examiners given the unusually lengthy amount of time they spend on the work of the Board and the unusually broad nature of the substantive legal work they do in preparing and grading bar exams, often in areas of the

law unfamiliar to the members and associate members of the Board.

§ 6 Accumulation and Computation of Credit.

(a) Credit will be given only for participation in accredited activities, up to the maximum number of hours assigned by the Board to each activity.

(b) Credit will be given for any course attended in preparation for admission to the practice of law in any jurisdiction.

(c) Credit may be earned by teaching in accredited activities; however, no credit will be given for teaching which is part of an attorney's regular occupational activity, such as full-time instruction at a law school or college.

(d) Credit may be earned by presenting formal education and/or informational programs to non-lawyers, including but not limited to student groups, which are designed to broaden public knowledge and understanding of the law, and/or increase public support and respect for the legal system – up to two (2) hours per reporting period. This section is not intended to award credit for instruction primarily aimed at the marketing of the presenter.

(e) One (1) hour of credit shall consist of not less than sixty (60) minutes of attendance or teaching at an approved activity. Credit hours will be rounded to the nearest quarter hour. Coffee breaks, keynote speeches and business meetings will not be allowed credit. Credit will not be given for speeches presented at and attendance at luncheons and banquets. Where a provider combines an educational program with a business meeting or other non-creditable program, it is the responsibility of the provider to indicate what portion of the program is intended to be educational and what portion is business or other non-creditable activity.

(f) A teacher shall receive credit only for teaching at a course approved under these Rules. No credit shall be given for any teaching for which the attorney receives compensation other than for expenses. One hour of actual preparation time will be allowed for each actual hour of approved teaching, up to a maximum of five (5) hours of preparation time.

(g) No CLE credit is allowed for any activity which an attorney received financial remuneration exceeding out-of-pocket expenses.

§ 7 Accreditation of Sponsoring Agencies.

(a) The Board may extend approval to a sponsoring agency for any of the continuing legal education activities sponsored by such agency which conform to the standards for approval. A sponsoring agency to which such general approval has been extended shall be known as an “accredited sponsor”. A list of “accredited sponsors” shall be maintained by the Director.

(b) An organization or person which desires accreditation as an “accredited sponsor” shall apply for accreditation to the Board stating its legal education history for the preceding two calendar years, including dates, subjects offered, total hours of instructions presented, and the names and qualifications of speakers. A primary consideration in the evaluation of such a request for status as an accredited sponsor shall be the previous experience of an agency in sponsoring and presenting

continuing legal education activities.

(c) Once a sponsoring agency has been granted the status of an “accredited sponsor,” it shall be exempt from the requirement for prior approval set out above with respect to courses or activities which comply with the Board’s standards for approval.

(d) An accredited sponsor may seek an advisory opinion from the Director in any case where there is a question of whether an activity may be accredited or the amount of credit to be given. The Board may at any time reevaluate an accredited sponsor. If the Board finds there is a basis for consideration of revocation of the accreditation as an accredited sponsor, the Board shall give notice by certified mail to that sponsor of a hearing on possible revocation within 30 days prior to the hearing. The decision of the Board after the hearing will be final.

§ 8 Director’s Determinations and Review.

(a) Pursuant to guidelines established by the Board, the Director shall, in response to written requests for approval of courses or accreditation of sponsors, awarding of credit for attending, teaching or participating in approved courses, waivers, extensions of time deadlines and interpretations of these Regulations, make a written response describing the action taken. The Director may seek a determination of the Board before rendering a decision. At each meeting of the Board the Director shall report on all adverse determinations made since the last meeting of the Board.

(b) The Board shall review any adverse determination of the Director. The active member or the sponsoring agency affected may present information to the Board in writing. If the Board finds that the Director has incorrectly interpreted the facts or the provisions of the Rules, it may take such action as may be appropriate. The Board shall advise the active member or sponsoring agency affected of its findings and any action taken.

§ 9 Procedure.

(a) The continuing legal education requirement imposed by these rules shall be effective from and after June 1, 1999. For licensed attorneys admitted to practice after July 1, 1999, the reporting period shall commence on the date of admission and end on June 30th of the second full year following the year of admission. Continuing legal education courses taken as a requirement for admission to the Vermont bar will count toward the continuing legal education requirement during the first reporting period.

(b) Before June 1 of each subsequent year, the Board shall cause to be sent to each attorney subject to reporting for that period a compliance form for the recording and reporting of compliance with these rules. The compliance form shall also be available on the Vermont judiciary’s website.

(c) No later than July 1st following the end of each applicable reporting period, each licensed attorney shall submit the compliance form attesting to the total hours of continuing legal education (a minimum of twenty hours) that the attorney has completed during such period.

(d) In the event a licensed attorney fails to file the compliance form, files an incomplete compliance form, or files a form which does not demonstrate substantive compliance with the

requirements of these rules, the Board shall promptly notify such attorney of the fact and nature of noncompliance, by certified or registered mail, return receipt requested. Failure of the Board to send timely notice shall not relieve the attorney of his or her duty to comply with the rules. The statement of noncompliance shall advise the attorney that the attorney must respond within 14 days by:

- (1) filing the form which reflects compliance;
- (2) filing a makeup plan as described in § 10, below, along with the makeup plan filing fee; or
- (3) filing with the Board a written answer to the Board's notice of noncompliance.

(e) If an answer pursuant to subdivision (3) of paragraph (d) above is filed and the answer does not admit non-compliance; the Board shall schedule a hearing on the question of compliance within thirty days of the filing. Notice of the date, time and place of said hearing shall be given to the attorney at least 14 days prior thereto. The attorney shall bear the burden of establishing compliance with the substance of these rules. The attorney may be represented by counsel. Witnesses shall be sworn; and if requested by the attorney a complete electronic recording shall be made of all proceedings and all testimony taken. The chairperson, or other presiding member of the Board, shall have the authority to determine all motions, objections and other matters presented in connection with the hearing. The hearing shall be conducted in conformity with the Vermont Rules of Civil Procedure. The presiding officer of the Board and the attorney shall have the right to subpoena witnesses for said hearing. Application for a subpoena, including a subpoena duces tecum, shall be made to the Clerk of the Supreme Court, who shall issue the same.

(f) Within thirty days of the conclusion of a hearing, the members of the Board who conducted the hearing shall make findings of fact determining whether the attorney has complied with the requirements of these rules. If the Board finds that compliance has occurred, the matter shall be dismissed, and the Board's records shall be amended to reflect such compliance. If it is determined that the attorney has not complied with these rules, the Board shall recommend suspension. The Board shall promptly forward said findings and recommendation to the Supreme Court.

(g) In the event that an attorney fails to answer the Board's statement of noncompliance pursuant to paragraph (d), or files an answer which admits noncompliance, the Board shall promptly file a determination of noncompliance and a recommendation of suspension with the Supreme Court.

(h) Upon the recommendation of the Board, the Court may enter an order suspending an attorney for noncompliance, or, if it determines that the Board's finding of noncompliance is not supported by the record, reverse the finding of noncompliance and remand the matter to the Board for further consideration, or, find compliance and order the Board's records amended to reflect compliance.

(i) An attorney who has been suspended pursuant to order of the Court for noncompliance shall be deemed to be without a license to practice law pursuant to Administrative Order No. 41, Licensing of Attorneys, § 2 and, in the event the attorney should practice law during the period of suspension, the attorney may be punished for unauthorized practice of law.

(j) Any attorney who has been suspended for noncompliance may be reinstated by order of the Court upon a showing that the attorney's continuing legal education deficiency has been made up. The attorney shall file with the Board a petition seeking reinstatement. The petition shall state with particularity the accredited continuing legal education activity which the attorney has completed including the dates of completion. The petition shall be accompanied by a reinstatement filing fee of \$100. The Board shall determine whether the petition shows that compliance has been made, in which event it shall, as soon as possible file the petition, together with its recommendation of reinstatement, with the Supreme Court. If the Court finds the attorney eligible for licensure, or exempt therefrom, and that the record supports the Board's recommendation of reinstatement, it shall order reinstatement; otherwise, it may deny reinstatement or remand the matter to the Board for further consideration.

(k) At any time when proceedings are pending, and before the Board makes a recommendation of suspension, the Board may, in its discretion, dismiss said proceedings upon the filing of a makeup plan by the attorney, if it finds that the makeup plan is in compliance with § 10 of these rules and that dismissal will serve the policy of these rules.

BOARD'S NOTES – 2018 AMENDMENT

Section 9(d) and (e) is amended to change its 10- and 15-day time periods to 14 days, consistent with the simultaneous "day is a day" amendments to V.R.C.P. 6, which adopts the day-is-a-day counting system from the Federal Rules. See Reporter's Notes to simultaneous amendments of V.R.C.P. 6.

§ 10 Makeup Plans.

(a) An attorney who has failed to comply with the substantive requirements of these rules within the applicable compliance period may file a makeup plan, on his or her own initiative, or in response to a statement of noncompliance.

(b) The makeup plan must contain a specific plan for correcting the attorney's noncompliance within 120 days from the date of filing. The plan shall be accompanied by a makeup plan filing fee of \$50.00. The plan shall be deemed accepted by the Board unless within 30 days after its receipt the Board notifies the attorney to the contrary. Full completion of the plan shall be reported by the compliance form filed with the Board not later than 14 days following the 120-day period. If the attorney shall fail to file an acceptable plan, or shall fail to complete and report completion of the plan within the aforementioned 135 days, the Board shall proceed as set forth in paragraphs (d) through (k) of § 9 of these rules.

BOARD'S NOTES – 2018 AMENDMENT

Section 10(b) is amended to change its 15-day time period to 14 days, consistent with the simultaneous "day is a day" amendments to V.R.C.P. 6, which adopts the day-is-a-day counting system from the Federal Rules. See Reporter's Notes to simultaneous amendments of V.R.C.P. 6.

BOARD'S NOTES – 2015 AMENDMENT

Section 10(b) is amended to correct a typographical error in the rules that were promulgated on December 18, 2013, effective February 18, 2014.

§ 11 Inactive Attorneys.

(a) An attorney who is exempt from licensure shall be relieved thereby from the requirements of these rules during the period of exemption of said attorney. Upon application for reinstatement and issuance of a license to practice law pursuant to Administrative Order No. 41, Licensing of Attorneys, the compliance period of the attorney shall commence on the date of reinstatement and end on June 30th of the same year as it would have been absent inactive status. No attorney shall be permitted to transfer from active status to inactive status and vice versa in order to circumvent the requirements of these rules.

(b) The provisions of paragraph (a) above notwithstanding, an attorney who has been in inactive status for a period of three years or more shall be required before reinstatement to file with the Board the compliance form reflecting the completion of not less than twenty hours of accredited continuing legal education, including two hours of legal ethics and limited to ten hours of self-study courses within two years before the date upon which reinstatement is sought.

(c) An attorney who does not complete the required twenty hours of continuing legal education while on active status prior to requesting to change to inactive status will be placed on "Special Waiver" status. Before an attorney who was placed on "Special Waiver" status can be reinstated to active status, the attorney must fulfill the previous continuing legal education obligation by demonstrating completion of twenty hours of continuing legal education credits within two years immediately prior to an application to be reinstated to active status. This is in addition to the requirement in § 11(b).

BOARD'S NOTES – 2015 AMENDMENT

Section 11(c) is new and is added to require an attorney who was on inactive status to complete any unfulfilled CLE obligations at the time the attorney filed for inactive status. This rule change fills a perceived gap in CLE requirements for attorneys who choose to go on inactive status.

§ 12 Fees.

All fees received pursuant to these rules shall be deposited in the General Fund.