

MEETING AGENDA

October 17, 2025, at 10:00 A.M.

Held Remotely Via Zoom (Public Session):

<https://wsba.zoom.us/j/82741411644?pwd=Aa0Z8q8l3bL4yRcaI73K0LUamIWDx1.1>

Meeting ID: 827 4141 1644

Passcode: 914912

OPEN SESSION 10:00 a.m.

1. Welcome and Introductions
2. Review/Approval of Minutes from August 8, 2025
3. MCLE Board Orientation
4. MCLE Board Goals Discussion
5. MCLE Updates

Adjourn

Draft Minutes

August 8, 2025

The meeting of the Mandatory Continuing Legal Education (MCLE) Board was called to order by **Board Member Darryl Colman** at 10:01 a.m. on Friday, August 8, 2025. The meeting was held via videoconference.

Board members in attendance:

Katie Denmark (Chair) *while in transit*

Chris Bueter

Darryl Colman

Merri Hartse

Efrem Krisher

Henry Phillips

Liaisons and Staff in attendance:

Kevin Fay	WSBA Board of Governors Liaison
Adelaine Shay	MCLE Board Staff Liaison
Suzi Segulja	MCLE Analyst
Ransom Smith	MCLE Analyst

Guest Speakers in attendance:

Honorable Jill Sasser, Commissioner – Clark County

Chris Swanson, Program Director – YMCA, Youth & Government Programs

MCLE Board Members Acknowledgement

The MCLE Board, liaisons and staff members took a moment to thank Board members **Chris Bueter** and **Merri Hartse** for their contributions to the MCLE Board. Their terms ended and today was their last day as MCLE Board members.

Review of Minutes

The MCLE Board reviewed and unanimously approved the minutes from the April 11, 2025, meeting.

MCLE Board Goals - Overview

The Board provided a brief overview of the MCLE Board goals – including:

- Completion of at least two CLE course audit reviews by each Board member per year with a focus on accredited sponsor courses and courses with an Equity Ethics focus. (Accredited sponsor list to be sent to Board Members.)
- Continued outreach to diversify MCLE Board recruitment.
- Continued research on improving member accessibility, engagement and MCLE awareness.
- Continued research on the expansion of comity states.

Comity Discussion

The MCLE Staff Liaison presented and reviewed, with the Board, the *Comity Research Report* and detailed its parameters. The Board discussed the report and requested additional information regarding the MCLE requirements for Washington's existing comity states (*i.e.*, Idaho, Oregon and Utah). The Board also expressed interest in ascertaining details on Colorado's MCLE comity program.

The MCLE Staff Liaison noted Washington's original comity agreement was based on the Boise Protocol. The MCLE Staff Liaison will provide the language of the Boise Protocol, MCLE requirement details for Idaho, Oregon and Utah as well as comity details for Colorado at the next MCLE Board meeting, scheduled for October 17, 2025.

Other Goal Updates

The MCLE Staff Liaison:

- Reported the materials to increase MCLE awareness were sent to WSBA Communications for design formatting.
- Noted the recruitment of a public Board member is ongoing.
- Shared the research for free online CLE resources continues. Accredited sponsors were contacted. The aim is to have the online resources posted by the next MCLE Board meeting, scheduled for October 17, 2025.

YMCA Mock Trial Program Update and Discussion

Guest speakers, **Honorable Jill Sasser**, Clark County Court Commissioner, and **Chris Swanson**, YMCA Youth & Government Programs Program Director, discussed the YMCA's current high school mock trial program and its positive impact on attorney volunteers as well as its youth participants. **Chris Swanson** noted, as long as resources and volunteers are available, the program will continue to grow. **Chris Swanson** surmised, awarding CLE credit to attorney volunteers, would provide an additional incentive resulting in increased attorney volunteer participation.

Hon. Jill Sasser emphasized the YMCA's continued commitment to the promotion of equity and diversity causes and reflected that the program attracts youth from diverse backgrounds. Youth participants overwhelmingly have a positive experience with the program. This favorable introduction to the practice

of law may influence them to pursue a future legal career – a benefit to the individual and ultimately, the legal profession.

Hon. Jill Sasser stated the volunteer attorneys (program “raters” and “judges”) must have a solid command of the applicable law and facts of the mock case. The volunteer attorneys conduct a significant amount of legal analysis. Raters scores are based on trial advocacy skills – not – someone’s acting skills.

Hon. Jill Sasser clarified, if the rule were amended, they are requesting that only the amount of time rating or judging (*e.g.*, approximately 2-3 hours) would be claimed for CLE credit by volunteer attorneys.

Chris Swanson will provide the Board with a program video sample as well as the link attorney volunteers use to register for the program.

The MCLE Board committed to exploring the suggested amendment. A subcommittee was formed by motion. **Efrem Krisher** and **Katie Denmark** agreed to assist with the subcommittee tasks – including, the proposal of draft language by the next Board Meeting for the suggested amendment.

Decision Matrix - Updated Draft Language

MCLE staff provided updated draft language for the Decision Matrix. The MCLE Board reviewed and discussed the revisions. The Board unanimously approved all proposed draft changes to the Decision Matrix.

MCLE Updates

- MCLE Certification
 - As of July 30, 2025, only one attorney remains MCLE non-compliant.
- MCLE Planning Materials
 - Materials to increase MCLE awareness were sent to WSBA Communications for design formatting.
- WSBA Licensure Pathways
 - Board Member, **Efrem Krisher**, to deliver full report at next MCLE Board Meeting, scheduled for October 17, 2025.
- Staff Meeting with the Court, July 9, 2025
 - Several WSBA regulatory staff went to the Temple of Justice for a meeting with members of the Supreme Court Clerk’s office, as well as some AOC staff and the Chief Justice. WSBA staff were tasked with proposing a schedule and potential format for annual reports and meetings between the Court and WSBA Court appointed Boards moving forward.
- FY 26 MCLE Board Meeting Schedule
 - October 17, 2025 (in-person)
 - January 9, 2026
 - April 17, 2026 (in-person)
 - June 5, 2026
 - August 14, 2026

- Budget
 - The MCLE Board Staff Liaison provided a brief overview of the current MCLE Budget Summary.

(Public session ended at 11:40 a.m. Closed session started at 11:50 a.m.)

Activity Review

The MCLE Board reviewed and decided by motion an activity accreditation. No listing of this motion is included to protect member confidentiality.

Petitions

The MCLE Board reviewed and decided by motion on an undue hardship petition. No listing of this motion is included to protect member confidentiality.

Adjournment

There being no further business at hand, the meeting was adjourned at 12:26 PM. The next regularly scheduled MCLE Board meeting will be held in-person on October 17, 2025.

Respectfully submitted,

Adelaine Shay
MCLE Board Staff Liaison



MCLE BOARD BOARD MEMBER ORIENTATION

WSBA, THE COURT & THE BOARD

WSBA makes decisions about administrative procedures; the MCLE Board guides the policies of the MCLE program under the supervision of the Court.

Supreme Court

The Supreme Court appoints the MCLE Board and maintains authority over interpretation and application of APR 11



MCLE Board

The MCLE Board deals primarily with current and longer-term MCLE policy issues.



Washington State Bar Association

The WSBA staffs the program, performing regulatory functions and providing administrative support to the MCLE Board.

BRIEF HISTORY OF MCLE

- The MCLE Board was formed in 1977, the year that the mandatory CLE rule was adopted in Washington.
- The Board consists of seven members, one of whom is a public member. Members are selected by a nomination team comprising the staff liaison, Board of Governors (BOG) liaison, and chair. The BOG nomination committee sends the nomination to the Supreme Court, along with any alternate nominations.
- The Board has some delegated independent adjudicative authority, for which it is solely answerable to the Supreme Court.

PHILOSOPHY OF THE MCLE BOARD

- The MCLE Board is committed to protecting the public by ensuring that members continue their legal education throughout the period of their active practice of law.
- The Board is also committed to creating conditions which promote the accessibility and affordability of continuing legal education courses.
- The Board treats members with respect and courtesy while enforcing the MCLE requirements.

MCLE BOARD SCHEDULE

- The MCLE Board typically meets five times a year (October, January, April, June and August).
- Meetings
 - Fridays from 10am-Noon, with a longer meeting April.
 - All meetings are held virtually.
 - Three meetings include optional in-person attendance at the Washington State Bar Association.

APR 11(d) MCLE BOARD. 2) POWERS AND DUTIES.

- (i) Rules and Regulations. The MCLE Board shall review and suggest amendments or make regulations to APR 11 as necessary to fulfill the purpose of MCLE and for the timely and efficient administration of these rules and for clarification of education requirements, approved activities, and approved course subjects. Suggested amendments are subject to review by the Board of Governors and approval by the Supreme Court.
- (ii) Policies. The MCLE Board may adopt policies to provide guidance in the administration of APR 11 and the associated regulations. The MCLE Board will notify the Board of Governors and the Supreme Court of any policies that it adopts. Such policies will become effective 60 days after promulgation by the MCLE Board.
- (iii) Approve Activities. The MCLE Board shall approve and determine the number of credits earned for all courses and activities satisfying the requirements of these rules. The MCLE Board shall delegate this power to the Bar subject to MCLE Board review and approval.
- (iv) Review. The MCLE Board shall review any determinations or decisions regarding approval of activities made by the Bar under these rules that adversely affect any lawyer, LLLT, or LPO or sponsor upon request of the lawyer, LLLT, or LPO, sponsor, or Bar. The MCLE Board may take appropriate action consistent with these rules after any such review and shall notify the lawyer, LLLT, or LPO or sponsor in writing of the action taken. The MCLE Board's decision shall be final.
- (v) Fees. The MCLE Board shall determine and adjust fees for the failure to comply with these rules and to defray the reasonably necessary costs of administering these rules. Fees shall be approved by the Board of Governors.
- (vi) Waive and Modify Compliance. The MCLE Board shall waive or modify a lawyer's, LLLT's, or LPO's compliance with the education or reporting requirements of these rules upon a showing of undue hardship filed in accordance with these rules. The MCLE Board may delegate this power to the Bar subject to (1) parameters and standards established by the MCLE Board and (2) review by the MCLE Board.
- (vii) Approve Mentoring Programs. The MCLE Board shall approve mentoring programs that meet requirements and standards established by the MCLE Board for the purposes of awarding MCLE credit under these rules. (viii) Audits for Standards Verification. The MCLE Board may audit approved courses to ensure compliance with the standards set forth in these rules.

MCLE BOARD MEMBER ROLE AND RESPONSIBILITIES

- Familiarity with and understanding of Admission and Practice Rule (APR) 11.
- Attendance at most or all meetings (remote or in person).
- Advance review of meeting materials.
- Timely compliance with expense reimbursement policy. Submit expense reports within 60 days of incurring the expense.
- Willingness to audit courses and provide written feedback based on APR 11.
- The ability to disagree respectfully.
- A commitment to collaboration with other Board members and WSBA staff.

MCLE BOARD CHAIR ROLE & RESPONSIBILITIES

Board Chair

- Lead the MCLE Board to pursue and develop its goals.
- Maintain expectations regarding MCLE Board culture and ensure that work is accomplished between meetings.
- Draft documents and other MCLE Board work product
- Collaborate with staff liaison to develop meeting agendas and materials and facilitate meetings.
- Participate in new member recruitment. Participate in nomination team (along with staff liaison and Board of Governors liaison) to nominate new MCLE Board members for Court appointment.
- Represent the MCLE Board (or identify who will) at Board of Governors meetings, and/or at meetings with the Court.
- Collaborate with staff liaison to draft the MCLE Board's annual report to the WSBA Board of Governors and the Court.

BOARD GOV. LIAISON ROLE & RESPONSIBILITIES

- Read minutes and attend meetings when available to do so.
- Relay Board of Governors decisions or discussions that impact the MCLE Board's work.
- Serve as a conduit between Board of Governors and the MCLE Board. Assist in preparing for presentations to the Board of Governors, taking into consideration anticipated questions and setting expectations.
- In concert with the staff liaison, bring the MCLE Board's attention to WSBA policies that are relevant to its work.
- Assist with outreach and recruitment efforts. Participate in nomination team (along with chair and staff liaison) to nominate new MCLE Board members for appointment.
- "The Board of Governor Liaison is not a member of the Board. They will not vote on matters before a Board that require Board approval. The presence or absence of the Board of Governors Liaison does not affect the quorum for a meeting" (Joint Administration Policy Between the Washington State Bar Association and the Supreme Court Boards Section 4.5.)
- "BOG liaisons must not be excluded but will not participate in those entities' executive sessions or confidential deliberations except when requested to do so as a resource" (WSBA Bylaws IV(A)(2)(e)).

STAFF LIAISON ROLES AND RESPONSIBILITIES

- Advise on goals to ensure they are consistent with the WSBA mission, priorities and commitments, and/or directives from the Supreme Court.
- Develop and manage the corresponding budget.
- Provide expertise as appropriate and advise the entity on WSBA policies and procedures and Supreme Court rules.
- Connect the entity to WSBA resources and departments, as needed
- Ensure administrative support.
- Collaborate with chair to develop meeting agendas and materials. Manage and track ongoing and potential agenda items. Distribute meeting notices, agenda, materials and other communication needed by the entity in a timely manner.
- Oversee logistics of entity recruitment and appointment processes, ensuring WSBA procedures and Supreme Court rules are followed and deadlines met.
- Participate in nomination team (along with chair and Board of Governors liaison) to propose new entity members for appointment.
- Collaborate with the chair to draft the entity's reports.

WSBA VALUES

WSBA VALUES (adopted January 28, 2016)

Through a collaborative process, the WSBA Board of Governors and Staff have identified these core values that shall be considered by the Board, Staff, and WSBA volunteers (collectively, the “WSBA Community”) in all that we do.

To serve the public and our members and to promote justice, the WSBA Community values the following:

- Trust and respect between and among Board, Staff, Volunteers, Members, and the public
- Open and effective communication
- Individual responsibility, initiative, and creativity
- Teamwork and cooperation
- Ethical and moral principles
- Quality customer-service, with member and public focus
- Confidentiality, where required
- Diversity and inclusion
- Organizational history, knowledge, and context
- Open exchanges of information

MCLE REQUIREMENTS OVERVIEW

Certification

- MCLE reporting and certification are based on a three-year reporting period, MCLE analysts review and verify that the MCLE requirements are completed for one-third of active licensed legal professionals each year.
- MCLE Certification and Licensing typically opens for licensed legal professionals on or around November 1st.

MCLE Deadlines

- Earn credits by Dec. 31 of the third year of your reporting period.
- Certify credits by Feb. 1 of the year following your reporting period.

LATE FEES

- A late fee will be assessed if you complete your credit requirements after Dec. 31, or if you certify after Feb. 1. The MCLE late fee starts at \$150 and increases in increments of \$300 for each consecutive late reporting period.

UNDUE HARDSHIP PETITIONS

- Per APR 11(i)(5): “a lawyer, LLLT, or LPO may file with the MCLE Board an undue hardship petition for an extension, waiver, and/or modification of the MCLE requirements.” All petitions are first reviewed by the MCLE staff liaison and approved, denied, or forwarded to the MCLE Board based on the Board-approved decision matrix, which defines applicable hardships.
- At each meeting, the MCLE Board reviews undue hardship petitions that have been submitted requesting a waiver or modification of the requirements.
- If a petition is denied, a licensed legal professional may request a hearing before the Board and, if still denied, may appeal to the Washington Supreme Court

MCLE BOARD GOALS

Annual Goals

- Each Board member will commit to conducting two CLE course audits per fiscal year with a focus on accredited sponsors and CLE courses that cover the topic of Equity Ethics.
- The Board will continue to advance diversity in recruitment efforts for any MCLE Board openings.

Long-Term Goals

- Pursue research regarding improving accessibility, engagement, and awareness for MCLE.
- Explore the possibility of extending comity to other jurisdictions and commit to researching this topic.
- Explore creating a rule amendment to the APR 11(e) approved activities subsection that would allow for attorneys evaluating high school and undergraduate competitions (such as those hosted by the YMCA) to earn MCLE credit.

ESSENTIAL PREPARATION FOR SERVICE

Required Training

- [On-Demand Regulatory School Training](#) presented in 2024.
 - If you have already viewed the training, you are not required to do so again.

Court Rule

- [Admission and Practice Rule 11](#)

Policies

- [Joint Administration Policy Between the Washington State Bar Association and the Supreme Court Boards](#)
- [WSBA AI Use Policy for External Parties](#)

MCLE Board Documents

- 2024 Annual Report to the Supreme Court
- Decision Matrix
- MCLE Board Roster
- MCLE Late Fee Info Sheet

SUPPLEMENTAL MATERIALS

- MCLE website: www.wsba.org/mcle
- [WSBA Expense Report](#)
- [Bar Records for Committees and Boards](#)
- [WSBA Entity Chart](#)
- [WSBA Entity Chairs and Liaisons: Roles and Responsibilities](#)
- [Volunteer Toolbox](#)
- [WSBA AI Use Policy for External Parties](#)
- CLE Video: [Building Inclusion in your WSBA Bar Entity and Beyond](#) (1.0 Ethics Credit)
Instructions: Add this video product to your cart and go through the checkout process. No promo code needed. After purchase, the video product can be found under: [My CLE Purchase](#) > My On-Demand Seminars

MCLE Annual and Long-Term Goals Discussion Summary

Discussion Summary: The MCLE Board has set out several annual and long-term goals. The Board has discussed each goal and commenced work to advance each one. Below describes the latest efforts on each initiative.

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Long-Term Goals

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MCLE Board Subcommittee on Increasing Diversity in Board Recruitment

- To date, the MCLE Board has engaged in various methods of outreach with minority and regional bar associations to amplify interest in future opportunities to work with or serve on the Board.

Awareness Regarding MCLE

- Staff continues to work on designing and implementing a webpage with information regarding free and low-cost CLE opportunities online.

Comity

- At the MCLE Board's direction, staff has explored the prospect of treating Colorado as comity jurisdiction given the proximity of their CLE requirements to our own. Specifically, Colorado also a 3-year reporting period, requires 45 credits to be earned within that period, and have established a equity, diversity, and inclusivity credit requirement that is similar to our Ethics-Equity credit in substance and intent. Given these compatibilities, the Board expressed interest in the possibility of recognizing Colorado as a comity jurisdiction.

To this end, MCLE staff has reviewed Colorado Rule 250 and attendant rules and regulations to gain an understanding of how Colorado currently treats comity jurisdiction. In doing so, staff learned that Colorado has an all-inclusive comity policy, where attorneys who are complaint in their home jurisdictions and meet certain conditions can use comity from any state to satisfy Colorado requirements. Put another way, Washington and Colorado already have an implied comity relationship due to Colorado's broadly accepting comity policy.

The particulars on what is needed to qualify for comity in Colorado are clearly laid out in Colorado Supreme Court and Judicial Education Committee's Regulations Governing Legal and Judicial Education for the State of Colorado. Specifically Regulation 102(3) states that in order to comply via comity, an attorney must (1) have an active license issued by another state that has continuing legal education requirements and is the state of primary residence; (2) that attorney's primary residence and business address in the other state have been on file with the Colorado Office of Attorney Registration for a minimum of 45 days before the end of the attorney's CLE compliance period; (3) the attorney must complete credits in order to comply with their resident state's requirements; and (4) the attorney provides a certificate of good standing establishing CLE compliance in the resident

state along with a copy of their CLE transcript that reflects the activities undertaken during their Colorado compliance period. Given these criteria, a Washington LLP who primarily lives in Washington, has had their Washington address on file with Colorado Office of Attorney registration for the minimum time period, completes and complies with Washington requirements, and provides a certificate of good standing and Washington MCLE transcript as proof of that compliance, could attain Colorado compliance via Washington comity. Since this type of relationship already exists, it may not be necessary for Colorado to make any rule adjustment in response to our allowance of comity with Colorado.

- As a broader extension of the Board's interest in expanding comity, MCLE staff have also provided the Board with the below table summarizing the current CLE requirements for those states that we have already recognized as comity jurisdictions (Oregon, Idaho, and Utah), so that the Board has the opportunity consider other jurisdictions that are potentially comity candidates with the benefit of knowing just how much variance has been permitted with our already recognized comity states.

This table is intended to be considered in conjunction with Comity Research Report provided at the last meeting (which is again enclosed). The purpose of that table is to record a count of currently active lawyers who reported being licensed in a state(s) other than Washington at the time of WSBA admission, a count of active WSBA members with a state other than Washington listed as their primary address, and the requirements of each state with significant attorney count based on the aforementioned measures. The Board now has the opportunity to compare and contrast both tables to determine whether further exploration of comity possibilities is desirable.

State	Reporting Period	Total Credits Required	Required credit types	Considerations of note
Oregon (Title 8 – Minimum Continuing Legal Education (MCLE)-OSB Rules of Licensure).	Three-year reporting period	45 credits	Ethics Abuse Reporting Mental Health and Substance Use Education Access to Justice	Recognizes credit for service as a Pro Temp Judge, Bar Examiner, member of the Oregon State Bar Legal Ethics Committee, Client Security Fund Committee, Commission on Judicial Fitness & Disability, Oregon Judicial Conference Judicial Conduct Committee, State Professional Responsibility Board, or Disciplinary Board Allows for a variation of the read-and-test format to be eligible for credit as long as it is an accepted activity type in another jurisdiction where the applying attorney is licensed. Such a format does not comply with our live or recorded instruction requirements.
Idaho (Rule 402 of the Idaho State Bar Commission Rules).(MCLE)	Three-year reporting period	30 credits	Legal ethics in the only specifically required credit type	Places cap on legal writing credits Specific new admittee education requirements

Requirements - Idaho State Bar				
Utah (Utah Code of Judicial Administration 11-604).	1-year reporting period	12 credits (36 total in three years).	Legal ethics and professionalism/civility are the only specifically mandatory credit types	<p>Requires new lawyers to attend the New Lawyer Ethics Program</p> <p>Allows credit for community outreach lecturing (mainly on constitutional law) if certain conditions are met.</p> <p>Appears to allow for a format akin to read-and-test. Such a format does not comply with our live or recorded instruction requirements.</p>

MCLE Credit for High School or Undergraduate Mock Trial/ Moot Court Volunteers

- On September 9th, the MCLE Board Subcommittee exploring MCLE credit for High School of Undergraduate Mock Trial/Moot Court Volunteers met and drafted language that could serve as a launch point for proposing a suggested amendment to create a new activity type.

Discussion

- Does the Board want to move forward with pursuing comity with Colorado? If so, does the Board want to consider additional states for the same treatment?
- Does the Board want to move forward with suggested amendment language provided by the mock trial subcommittee?
- Does the MCLE Board wish to further develop their outreach strategy? Would any Board members serving on the subcommittee like propose next steps in advancement of this goal?
- Would the MCLE Board like to revise or add to their current annual or long term goals for the 2026 fiscal year?

Attachments

- Comity Research Report
- Title 8 – Minimum Continuing Legal Education (MCLE)-OSB Rules of Licensure
- Rule 402 of the Idaho State Bar Commission Rules
- Utah Code of Judicial Administration 11-604
- Colorado Rule 250
- Draft Language for Suggested Mock Trial/Moot Court Volunteer Amendment

Comity Research Report

State	# Licensed at time of WA Admission	# of Active WSBA members with state listed as primary address	States Near WA	MCLE Requirements
CA	2,933	1,447	X	Reporting Period: 3 year reporting period Total Credits: 25 Required Credit Types: 4 ethics, 2 elimination of bias, 2 competence (one of which must be focused on detection and prevention), 1 technology, and 1 civility. Considerations of Note: -Self-administered test taking is eligible for credit if graded and evaluated by a provider -Allows for self-study activities that do not require attendance verification and do not conform to our live or recorded instruction format.
OR	2,660	2,274		Already a Comity State
NY	1,435	191		Reporting Period: 2 year reporting period Total Credits: 24 Required Credit Types: 4 Ethics, 1 Diversity, Inclusion and Elimination of Bias , and 1 Cybersecurity, Privacy and Data Protection Considerations of Note: -Maintain very exact standards and curriculum requirements for newly admitted attorneys
DC	1,050	257		No Requirements
TX	645	343		Reporting Period: Annually Total Credits: 15 Required Credit Types: 3 Ethics Considerations of Note: -Three of the total fifteen hours, including one of the ethics/professional responsibility hours can be completed as self-study (including self-paced reading). Attorneys are directed to self-compute credits amount of time spent on a self-paced activity .

Comity Research Report

State	# Licensed at time of WA Admission	# of Active WSBA members with state listed as primary address	States Near WA	MCLE Requirements
IL	628	136		Reporting Period: 2 year reporting period Total Credits: 30 Required Credit Types: 6 Ethics, 1 Diversity & Inclusion, and 1 mental health and substance abuse Considerations of Note: -No credit for reading -Can receive credit for serving as in the Illinois General Assembly for qualifying legislative sessions -Also can receive credit for attending meetings of certain boards, commissions, committees, and task forces of the Supreme Court of Illinois
CO	458	208		Reporting Period: 3 year reporting period Total Credits: 45 Required Credit Types: 7 of which must be in ethics (2 of the 7 must be in the area of equity, diversity, and inclusivity) Considerations of Note: -CLE credit is available for performing research under a qualified committee
ID	407	374		Already a Comity State
FL	388	201		Reporting Period: 3 year Reporting Period Total Credits: 30 (50 min = 1 credit) Required Credit Types: 3 technology, 5 Ethics, professionalism, substance abuse, or mental health and wellness courses (including 2-credit hour Florida Bar Legal Professionalism course) Considerations of Note: -Excess credits cannot be carried over to the next reporting cycle. -Full-time government employees will receive credit for courses put on by governmental agencies.

Comity Research Report

State	# Licensed at time of WA Admission	# of Active WSBA members with state listed as primary address	States Near WA	MCLE Requirements
AZ	328	259	X	Reporting Period: Annually Total Credits: 15 Required Credit Types: 3 hours must be in professional responsibility/ethics. Considerations of Note: -Allows credit for qualifying service as an arbitrator
MA	326	69		
PA	293	53		
MN	267	74		
NJ	249	36		
VA	249	165		Reporting Period: Annually Total Credits: 12 (4 hours must be live-interactive credit). Required Credit Types: 2 Ethics Every 3 years, at least one (1) credit hour of lawyer well-being education related to the practice of law. Considerations of Note: -Has a very strict definition of ethics that excludes topics that we would normally consider as falling into the purview of ethics (for example ethics for government employees which apply to attorneys in such positions).
MD	223	96		
NV	215	120	X	Reporting Period: Annually Total Credits: 13 Required Credit Types: 2 ethics credits, and 1 credit in the area of substance abuse, addictive disorders and/or mental health issues that impair professional competence

Comity Research Report

State	# Licensed at time of WA Admission	# of Active WSBA members with state listed as primary address	States Near WA	MCLE Requirements
AK	205	97	X	Reporting Period: Annually Total Credits: 12 Required Credit Types: 3 ethics <input type="checkbox"/> Considerations of Note: -Provides credit for participating in a member in specified bar committees and divisions -Maintains a separate category of CLE called Voluntary Continuing Legal Education that is not mandated but highly encouraged through a system of incentives and penalties
GA	200	69		
MO	199	55		
WI	193			
UT	186	126		Already a Comity State
MT	185	110	X	Reporting Period: Annually Total Credits: 15 (10 must be Live courses) Required Credit Types: 2 Professional Fitness and Integrity Considerations of Note: *Up to 5 credits can be in a different format and read-and-test appears to be legitimate.
OH	175	55		
MI	152	44		

RULE 250. MANDATORY CONTINUING LEGAL AND JUDICIAL EDUCATION

Rule 250.1	Definitions
Rule 250.2	CLE Requirements
Rule 250.3	The Supreme Court Advisory Committee and the Continuing Legal and Judicial Education Committee Rule
Rule 250.4	Attorney Regulation Counsel
Rule 250.5	Immunity
Rule 250.6	Accreditation
Rule 250.7	Compliance
Rule 250.8	Access to Information
Rule 250.9	Representation in Pro Bono Legal Matters
Rule 250.10	Participation in the Colorado Attorney Mentoring Program (CAMP)

PREAMBLE: STATEMENT OF PURPOSE

As society becomes more complex, the delivery of legal services likewise becomes more complex. The public rightly expects that lawyers, in their practice of law, and judges, in the performance of their duties, will continue their professional development throughout their legal careers. The purpose of mandatory continuing legal and judicial education requirements is to promote and sustain competence and professionalism and to ensure that lawyers and judges remain current on the law, law practice management, and technology in our rapidly changing society.

Source: Adopted March 15, 2018, effective July 1, 2018.

RULE 250.1 – DEFINITIONS

(1) An "accredited" CLE activity is an educational endeavor that meets the criteria in these Rules and the CLJE Committee's Regulations Governing Mandatory Continuing Legal and Judicial Education and satisfies the requirements of C.R.C.P. 250.6.

(2) "CLE" stands for "Continuing Legal Education," which is any legal, judicial, or other educational activity that meets the criteria in these Rules and the Continuing Legal and Judicial Education (CLJE) Committee's Regulations Governing Mandatory Continuing Legal and Judicial Education and, therefore, satisfies the requirements of C.R.C.P. 250.2.

(3) A "CLE credit" or a "CLE credit hour" is a measurement unit combining time and quality assigned by the CLJE Office to all or part of a particular continuing legal educational activity. A CLE credit hour will be the equivalent of attending 50 minutes of an accredited program with accompanying textual material unless otherwise specified in these rules.

(4) "CLE transcript" means the official record maintained by the CLJE Office of a registered lawyer's or judge's CLE credit hours earned during a CLE compliance period and will be used to verify a registered lawyer's or judge's compliance with the CLE requirements.

(5) The "CLJE Committee" is the Colorado Supreme Court's Continuing Legal and Judicial Education Committee.

(6) "Compliance period" means the three years during which a registered lawyer or judge is required to earn the minimum number of CLE credits.

(7) "Court" means the Colorado Supreme Court.

(8) "Judge" is a judicial officer who is subject to the jurisdiction of the Commission on Judicial Discipline or the Denver County Court Judicial Discipline Commission.

(9) "Office of Continuing Legal and Judicial Education" (CLJE Office) is the central office of the Office of Attorney Regulation Counsel that administers and implements these rules and the CLJE Committee's Regulations Governing Mandatory Continuing Legal and Judicial Education.

(10) "Provider" means any individual or organization that offers continuing legal education activities.

(11) "Registered lawyer" is a lawyer who has paid the registration fee required by C.R.C.P. 227 for the current year and who is not on inactive status, or suspended, disbarred, or placed on disability inactive status by the Court.

(12) "Teaching" means participating as a speaker, lecturer, presenter, or moderator in any accredited CLE activity.

(13) "These rules" refer to rules 250.1 through 250.10 of the Colorado Rules of Civil Procedure.

(14) "CLJE Regulations" refer to the Continuing Legal and Judicial Education Committee's Regulations Governing Mandatory Continuing Legal and Judicial Education.

Source: Amended and Adopted by the Court, En Banc, March 15, 2018, effective July 1, 2018; (14) adopted by the Court, En Banc, April 15, 2021, effective July 1, 2021.

RULE 250.2 – CLE REQUIREMENTS

(1) CLE Credit Requirement. Every registered lawyer and every judge must complete 45 credit hours of continuing legal education during each applicable CLE compliance period as provided in these rules. The 45 credit hours must include at least seven credit hours devoted to **professional responsibility**.

(a) Beginning January 1, 2023, the seven credit hours devoted to professional responsibility must include the following:

- i. At least two credit hours in the area of equity, diversity, and inclusivity, and
- ii. At least five credit hours in the areas of legal ethics or legal professionalism.

(b) Failure to comply with these requirements in a timely manner as set forth in these rules may subject the registered lawyer or judge to a fee, a penalty, and/or administrative suspension.

(2) Compliance Period. All registered lawyers and judges become subject to these rules on the date of their admission or certification to the bar of the State of Colorado. The first compliance period begins on the date of admission or certification and ends on the 31st of December of the third full calendar year following the year of admission or certification to practice law in Colorado. For non-lawyer judges, the first CLE compliance period begins on the date of appointment as a judge and ends on the 31st of December of the third full calendar year following the year of appointment as a judge. Subsequent CLE compliance periods begin on the 1st of January immediately following a previous compliance period and end on the 31st of December of the third full calendar year thereafter. Compliance periods that commenced under the previous C.R.C.P. 260 will continue without interruption under these rules.

(3) Reporting. All registered lawyers and judges must report compliance as set forth in C.R.C.P. 250.7.

(4) Lawyer Status and Compliance. Any registered lawyer who has been suspended under C.R.C.P. 227A(4), or who has elected to transfer to inactive status under C.R.C.P. 227A(6)(a), will, upon being reinstated pursuant to C.R.C.P. 227A(5) or (7), become subject to the minimum continuing legal educational requirements set forth in these rules on the date of reinstatement, pursuant to C.R.C.P. 250.2 and as set forth in paragraph (5) of this rule.

(5) Modification of Compliance Period. A registered lawyer's obligation to comply with these rules during a compliance period will be deferred if the lawyer has been suspended for any reason other than noncompliance with these rules, has elected to transfer to inactive status, or has been placed on disability inactive status by Court order. However, upon reinstatement or return to active status, the compliance period will be calculated as follows:

(a) If the registered lawyer remains on suspension, inactive status, or disability inactive status for one year or longer, the start of the compliance period will begin on the date of reinstatement from suspension or disability inactive status, or date of transfer to active status, and will end on the 31st of December of the third full calendar year following the start of the compliance period.

(b) If the registered lawyer is suspended, on inactive status, or on disability inactive status for less than one year, the compliance period will not be recalculated. However, upon reinstatement or return to active status, the lawyer will have 91 days from the date of reinstatement or return to active status, or the remainder of the original compliance period, whichever is longer, to complete and report all deferred CLE requirements as otherwise set forth under C.R.C.P. 250.7, and to pay any penalties or fees that accrued before the suspension or transfer to inactive status. Failure to complete deferred CLE requirements or to pay related penalties or fees during this 91 day period will subject the lawyer to suspension pursuant to C.R.C.P. 250.7(8).

(c) No registered lawyer will be permitted to change status to circumvent these rules.

(6) No Roll-Over Credits. CLE credit hours completed in excess of the required 45 credit hours in any applicable compliance period may not be used to meet the minimum educational requirements in any subsequent compliance period.

(7) Exemptions.

(a) Inactive or Suspended Status. A lawyer who is on inactive status, disability inactive status, or under suspension during his or her entire CLE compliance period is excused from the CLE requirements for that compliance period.

(b) Age. A registered lawyer or judge will be exempt from the CLE requirements of these rules starting on the registered lawyer's or judge's 72nd birthday. On the effective date of these rules, all registered lawyers and judges who were exempt from the educational requirements under the previous C.R.C.P. 260.5 (Exemptions), will again become subject to the requirements in these rules. For all previously exempt registered lawyers and judges, the compliance period will begin on the effective date of these rules and end on December 31, 2021 (the end of the third full calendar year following the start of the compliance period). For all registered lawyers and judges who reach their 65th birthday in 2018, the compliance period will be extended through December 31, 2021. For all registered lawyers and judges who reach their 65th birthday in 2019, and whose compliance period otherwise would have ended in 2019 or 2020, the compliance period will be extended through December 31, 2021. Subsequent compliance periods will begin on the 1st of January of the year immediately following the end of the previous compliance period.

(8) Deferral.

(a) Inability to Comply. In cases of inability to comply with these rules for good cause shown, the CLJE Office may, in its discretion, defer individual compliance with the CLE requirements set forth in these rules. Good cause may include, for example, a registered lawyer or judge serving on full-time active duty in the armed forces of the United States who is deployed to a location outside the United States, and who provides to the CLJE Office a copy of military orders or other official paperwork listing the date, location, and duration of the deployment.

(b) No Waiver. Deferral does not constitute a waiver of the CLE requirements.

Source: Amended and Adopted by the Court, En Banc, March 15, 2018, effective July 1, 2018; (1) amended and adopted by the Court, En Banc, April 15, 2021, effective July 1, 2021.

RULE 250.3 – THE SUPREME COURT ADVISORY COMMITTEE AND THE CONTINUING LEGAL AND JUDICIAL EDUCATION COMMITTEE

(1) Advisory Committee. The Supreme Court Advisory Committee (Advisory Committee) is a permanent committee of the Court. See C.R.C.P. 242.3. The Advisory Committee oversees the coordination of administrative matters for all programs of the lawyer regulation process, including the continuing legal and judicial education program set forth in these rules. The Advisory Committee reviews the productivity, effectiveness, and efficiency of the continuing legal and judicial education program, and recommends to the Court proposed changes or additions to these rules and the CLJE Committee's Regulations Governing Mandatory Continuing Legal and Judicial Education.

(2) The Continuing Legal and Judicial Education Committee. The Continuing Legal and Judicial Education Committee (CLJE Committee) serves as a permanent committee of the Supreme Court.

(a) Members. The CLJE Committee consists of nine members appointed by the Court, and is subject to oversight by the Advisory Committee. With the exceptions of the chair and the vice chair, members will be appointed for one term of seven years. Diversity will be a consideration in making the appointments. The terms of the members will be staggered to provide, so far as possible, for the expiration each year of the term of one member. At least six of the members must be volunteer lawyers, at least one of whom must also be a judge, and at least two of the members must be volunteer non-lawyers (citizen members). All members serve at the pleasure of and may be dismissed at any time by the Court. A member of the CLJE

Committee may resign at any time. In the event of a vacancy, a successor will be appointed by the Court for the remainder of the unexpired term of the member whose office is vacated.

(b) Chair and Vice Chair. The Court will designate two members of the CLJE Committee to serve as its chair and vice-chair for unspecified terms. The chair will also be a member of the Advisory Committee. The chair and vice-chair serve at the pleasure of and may be dismissed at any time by the Court.

(c) Powers and Duties. The CLJE Committee will formulate regulations consistent with these rules, modify or amend the same from time to time, and perform CLJE Committee duties established by these rules. The CLJE Committee's Regulations Governing Mandatory Continuing Legal and Judicial Education will be submitted to the Advisory Committee for review and approval by the Court and will be published on the website of the Office of Attorney Regulation Counsel.

(3) Reimbursement. The CLJE Committee members are entitled to reimbursement for reasonable travel, lodging and other expenses incurred in the performance of official duties.

Source: Amended and Adopted by the Court, En Banc, March 15, 2018, effective July 1, 2018;(2)(a) amended and adopted by the Court, En Banc, effective January 14, 2021; (1) amended and adopted by the Court, En Banc, May 20, 2021, effective July 1, 2021.

RULE 250.4 – ATTORNEY REGULATION COUNSEL

The Attorney Regulation Counsel will maintain and supervise a permanent office, the CLJE Office, and will administer all mandatory CLE functions as part of a budget approved by the Court.

Source: Amended and Adopted by the Court, En Banc, March 15, 2018, effective July 1, 2018.

RULE 250.5 – IMMUNITY

All persons performing official duties under the provisions of these rules, including but not limited to the Advisory Committee and its members, the CLJE Committee and its members, the Attorney Regulation Counsel and staff, and other enlisted volunteers are immune from suit for all conduct performed in the course of their official duties.

Source: Amended and Adopted by the Court, En Banc, March 15, 2018, effective July 1, 2018.

RULE 250.6 – ACCREDITATION

(1) Objective. CLE must be an educational activity which has as its primary objective the promotion of professional competence of registered lawyers and judges, and must deal with subject matter directly related to the practice of law or the performance of judicial duties. The CLJE Committee will develop criteria for the accreditation of CLE activities as set forth in the Regulations Governing Mandatory Continuing Legal and Judicial Education, and the CLJE Office will accredit a broad variety of educational activities that meet these requirements.

(2) Criteria. For an activity to be accredited, the following criteria must be met: (1) the subject matter must directly relate to legal subjects and the performance of judicial duties or the practice of law, including professionalism, leadership, equity, diversity, inclusivity, wellness, ethics, and law practice

management, and (2) the activity must be directed to lawyers and judges. The CLJE Office will consider, in accrediting educational activities, the contribution the activity will make to the competent and professional practice of law or administration of justice.

(3) Professional Responsibility. For an activity or portion of any activity to be accredited as professional responsibility it must address legal ethics, legal professionalism, or equity, diversity, and inclusivity as these terms are defined in CLJE Regulation 103.1.

(4) Non-accredited Activities. The CLJE Office will not accredit activities completed in the ordinary course of the practice of law, in the performance of regular employment, or in a lawyer's or judge's service on a committee, section, or division of any bar-related organization except as provided in these rules.

(5) Assignment of Credit. The CLJE Office will assign an appropriate number of CLE credit hours to each educational activity it accredits.

(6) Provider Eligibility. The CLJE Committee may establish provider eligibility requirements consistent with these rules, as set forth in the Regulations Governing Mandatory Continuing Legal and Judicial Education.

(7) Published List. The CLJE Office will publish a list of all accredited programs, together with the approved CLE credit hours for each program on the website of the Office of the Attorney Regulation Counsel.

Source: Amended and Adopted by the Court, En Banc, March 15, 2018, effective July 1, 2018; (2) and (3) amended and adopted by the Court, En Banc, April 15, 2021, effective July 1, 2021.

RULE 250.7 – COMPLIANCE

(1) Reporting Requirement. Each registered lawyer and judge must report compliance with these rules. CLE credit hours must be reported by the online affidavit on the CLJE Office's website or other form approved by the CLJE Committee within a reasonable amount of time after the credit hours are earned. A registered lawyer or judge who is exempt from compliance under C.R.C.P. 250.2(7)(b) may nevertheless report CLE credit hours on a voluntary basis.

(2) Verification Requirement. It is the responsibility of each registered lawyer and judge to verify CLE credit hours completed during a compliance period, and to confirm that his or her CLE transcript is accurate and complete by no later than the 31st of January following that compliance period. Failure to comply with these requirements in a timely manner as set forth in these rules may subject the registered lawyer or judge to a fee, a penalty, and/or administrative suspension.

(3) Make-up Plan. If a registered lawyer or judge fails to complete the required CLE credit hours by the end of the CLE compliance period, the registered lawyer or judge must do the following: (1) by the 31st of January following the end of the CLE compliance period, file a specific plan to make up the deficiency; and (2) complete the planned CLE credit hours no later than the 31st of May following the end of the CLE compliance period. The plan must be accompanied by a filing fee determined by the CLJE Committee. Such plan will be deemed accepted by the CLJE Office unless within 28 days after the receipt of the make-up plan the CLJE Office notifies the registered lawyer or judge to the contrary. Completion of the make-up plan must be reported by affidavit to the CLJE Office no later than the 14th of June following the end of the CLE compliance period. Failure of the registered lawyer or judge to complete the plan by the 31st of May or to

file an affidavit demonstrating compliance constitutes grounds for imposing administrative remedies set forth in paragraph (8) of this rule.

(4) Statement of Noncompliance. If any registered lawyer or judge fails to comply with these rules, or C.R.C.P. 203.1(8), the CLJE Office will promptly provide a statement of noncompliance to the registered lawyer or judge. The statement will advise the registered lawyer or judge that within 14 days of the date of the statement, either the noncompliance must be corrected, or the registered lawyer or judge must request a hearing before the CLJE Committee. Upon failure to do either, the CLJE Office will file the statement of noncompliance with the Court, which may impose the administrative remedies set forth in paragraph (8) of this rule.

(5) Failure to Correct Noncompliance. If the noncompliance is not corrected within 14 days, or if a hearing is not requested within 14 days, the CLJE Office will promptly forward the statement of noncompliance to the Court, which may impose the sanctions set forth in paragraph (8) of this rule.

(6) Hearing Before the CLJE Committee. If a hearing before the CLJE Committee is requested, the following apply:

(a) Notice of the time and place of the hearing will be given to the registered lawyer or judge by the CLJE Office at least 14 days prior thereto;

(b) The registered lawyer or judge may be represented by counsel;

(c) The hearing will be conducted in conformity with the Colorado Rules of Civil Procedure and the Colorado Rules of Evidence;

(d) The Office of Attorney Regulation Counsel will prosecute the matter and bear the burden of proof by a preponderance of the evidence;

(e) The chair will preside at the hearing, or will appoint another lawyer member of the CLJE Committee to act as presiding officer, and will appoint at least two other CLJE Committee members to the hearing panel;

(f) Upon the request of any party to the hearing, the chair or vice chair may issue subpoenas for the use of a party to compel attendance of witnesses and production of pertinent books, papers, documents, or other evidence, and any such subpoenas will be subject to the provisions of C.R.C.P. 45;

(g) The presiding officer will rule on all motions, objections, and other matters presented in connection with the hearing; and,

(h) The hearing will be recorded and a transcript may be provided to the registered lawyer or judge upon request and payment of the cost of the transcript.

(7) Determination by the CLJE Committee. Within 28 days after the conclusion of the hearing, the Panel will issue a written decision on behalf of the CLJE Committee setting forth findings of fact and the determination as to whether the registered lawyer or judge has complied with the requirements of these rules. A copy of such findings and determination will be sent to the registered lawyer or judge involved.

(a) If the Panel determines that the registered lawyer or judge complied, the registered lawyer's or judge's record will reflect compliance and any previously assessed fees may be rescinded.

(b) If the Panel determines the registered lawyer or judge was not in compliance, the written decision issued by the Panel will be promptly filed with the Court.

(8) Supreme Court Review.

(a) When the Court receives either a statement of noncompliance or the written decision of a CLJE Committee hearing, the Court will enter such order as it deems appropriate, which may include an order of administrative suspension from the practice of law in the case of registered lawyers or referral of the matter to the Colorado Commission on Judicial Discipline or the Denver County Court Judicial Discipline Commission in the case of judges.

(b) Orders suspending a lawyer for failure to comply with rules governing continuing legal education take effect on entry of the order, unless otherwise ordered.

(c) A lawyer who has been suspended under the rules governing continuing legal education need not comply with the requirements of C.R.C.P. 242.32(c) or C.R.C.P. 242.32(d) if the lawyer has sought reinstatement under the rules governing continuing legal education and reasonably believes that reinstatement will occur 14 days of the date of the order of suspension. If the lawyer is not reinstated within those 14 days, then the lawyer must comply with the requirements of C.R.C.P. 242.32(c) and C.R.C.P. 242.32(d).

(9) Notice. All notices given pursuant to these rules may be sent to any address provided by the registered lawyer or judge pursuant to C.R.C.P. 227.

(10) Reinstatement. Any lawyer who has been suspended for noncompliance pursuant to C.R.C.P. 250.7(8) may be reinstated by order of the Court upon a showing that the lawyer's CLE deficiency has been corrected. The lawyer must file with the CLJE Office a petition seeking reinstatement by the Court. The petition must state with particularity the CLE activities that the lawyer has completed, including dates of completion, which correct the deficiency that caused the lawyer's suspension. The petition must be accompanied by a reinstatement filing fee as determined by the CLJE Committee. The CLJE Office will file a properly completed petition with its recommendation with the Clerk of the Court within 14 days after receipt.

(11) Jurisdiction. All suspended and inactive lawyers remain subject to the jurisdiction of the Court as set forth in C.R.C.P. 242.1(a) and C.R.C.P. 243.1.

Source: Amended and Adopted by the Court, En Banc, March 15, 2018, effective July 1, 2018; (4) and (10) amended and effective January 24, 2019; 8(a)-(c) and (11) amended and adopted by the Court, En Banc, May 20, 2021, effective July 1, 2021.

RULE 250.8 – ACCESS TO INFORMATION

(1) Compliance Information.

(a) CLE Transcript Maintenance. For each registered lawyer or judge, the CLJE Office will maintain CLE transcripts for the current and immediately preceding compliance periods as reported pursuant to C.R.C.P. 250.7(1).

(b) Compliance Records--Confidential. Records maintained by the CLJE Office pertaining to a registered lawyer's or judge's compliance are confidential and will not be disclosed except upon written request or consent of the registered lawyer or judge affected or as directed by the Court.

(2) Accreditation Information--Public. All records submitted by a Provider to obtain accreditation pursuant to C.R.C.P. 250.6 will be available to the public.

(3) Expunction of Records.

(a) Expunction--Self-Executing. All records maintained by the CLJE Office pursuant to these rules, in paper or electronic form, will be expunged from the files of the CLJE Office as follows:

(i) All records pertaining to accreditation of CLE activities by approved Providers pursuant to C.R.C.P. 250.6 will be expunged one year after the end of the year in which the activity request was processed by the CLJE office;

(ii) All records pertaining to requests for accreditation of activities submitted by a registered lawyer or judge will be expunged three months following the date the submission was processed by the CLJE Office, including but not limited to activities under C.R.C.P. 250.9 and 250.10, self-study, graduate study, and teaching or writing accreditation requests;

(iii) Affidavits submitted in paper form to the CLJE Office by registered lawyers or judges relating to completion of an approved CLE activity will be expunged seven days after the claimed credits have been entered on the CLE Transcript by the CLJE Office;

(iv) All records pertaining to proceedings under C.R.C.P. 250.7(3)--(10) will be expunged three years after the expiration of the registered attorney's or judge's current compliance period or after reinstatement, whichever time period is longer; and,

(v) All records pertaining to requests for deferrals pursuant to C.R.C.P. 250.2(8) will be expunged three years after the expiration of the registered attorney's or judge's current compliance period.

Source: Adopted March 15, 2018, effective July 1, 2018.

RULE 250.9 – REPRESENTATION IN PRO BONO LEGAL MATTERS

(1) Maximum Credits. A registered lawyer may earn a maximum of nine CLE credit hours during each three-year compliance period for providing uncompensated pro bono legal representation to indigent or near-indigent persons, or supervising a law student providing such representation. **Professional responsibility** credit may not be earned under this rule.

(2) Eligibility. To be eligible for CLE credit hours, the pro bono legal matter in which a registered lawyer provides representation must have been assigned to the registered lawyer by: a court; a bar association or Access to Justice Committee-sponsored program; a law school; or an organized, non-profit entity, such as Legal Services Corporation, Metro Volunteer Lawyers, or Colorado Lawyers Committee, whose purpose is or includes the provision of pro bono representation to indigent or near-indigent persons. Prior to assigning the matter, the assigning court, program, law school, or entity will determine that the client is financially eligible for pro bono legal representation because (a) the client qualifies for participation in programs funded by the Legal Services Corporation, or (b) the client's income and financial resources are slightly above the guidelines utilized by such programs, but the client nevertheless cannot afford counsel.

(3) Computation of Credits. Subject to the reporting and review requirements specified herein, (a) a registered lawyer providing uncompensated, pro bono legal representation may receive one unit of credit for every five billable-equivalent hours of representation provided to the indigent client; and (b) a registered lawyer who acts as a supervisor to a law student may be awarded three CLE credit hours per completed matter.

(4) Claiming Credits. A registered lawyer wishing to receive CLE credit hours under this rule must submit to the assigning court, program, law school, or entity a completed form as designated by the CLJE Committee. As to supervising a law student, the registered lawyer will submit the form when the matter is fully completed. As to pro bono representation, if the representation will be concluded during a single three-year compliance period, then the registered lawyer will complete and submit the form when the representation is fully completed. If the representation will continue into another three-year compliance period, then the applying registered lawyer may submit an interim form seeking such credit as the lawyer may be eligible to receive during the three-year compliance period that is coming to an end. Upon receipt of an interim or final form, the assigning court, program, law school, or entity must in turn report to the CLJE Office the number of CLE credit hours that it recommends be awarded to the reporting registered lawyer under the provisions of this rule. The CLJE Committee has final authority to issue or decline to issue CLE credit hours to the registered lawyer providing representation or mentoring, subject to the other provisions of these rules.

(5) Law Student Supervision. A registered lawyer who acts as a supervisor to a law student who is eligible to practice law under C.R.C.P. 205.7(2) may claim CLE credits consistent with (1) and (3) above. The matter must be assigned to the law student by a court, program, law school, or entity as described in C.R.C.P. 250.9(2), or an organized student law office program administered by his or her law school, after such court, program, entity, or student law office determines that the client is eligible for pro bono representation in accordance with C.R.C.P. 250.9(2). The registered lawyer must be available to the law student for information and advice on all aspects of the matter and must directly and actively supervise the law student while allowing the law student to provide representation to the client. The registered lawyer must file or enter an appearance along with the law student in any legal matter pursued or defended for the client in any court. Lawyers may be acting as full-time or adjunct professors at the law student's law school at the same time they serve as supervising lawyers so long as it is not a primary, paid responsibility of that professor to administer the student law office and supervise its law-student participants.

Source: Adopted March 15, 2018, effective July 1, 2018; (1) amended and adopted by the Court, En Banc, April 15, 2021, effective July 1, 2021.

RULE 250.10 – PARTICIPATION IN THE COLORADO ATTORNEY MENTORING PROGRAM (CAMP)

(1) One-Year CAMP Program. A registered lawyer or judge may earn a maximum of nine CLE credit hours, two hours of which will count toward the legal ethics portion of the professional responsibility requirement of C.R.C.P. 250.2(1), for successful completion of the one-year CAMP program curriculum (pursuant to C.R.C.P. 255) as either a mentor or as a mentee.

(2) Six-Month CAMP Program. A registered lawyer or judge may earn a maximum of four CLE credit hours, one hour of which will count toward the legal ethics portion of the professional responsibility requirement of C.R.C.P. 250.2(1), for successful completion of the six-month CAMP program curriculum (pursuant to C.R.C.P. 255) as either a mentor or a mentee.

(3) CLE Credit Participation Criteria. To receive CLE credit hours as a mentor or mentee:

(a) The mentor must be a Colorado lawyer or judge in good standing with an active license or a Colorado lawyer or judge who retired from the practice of law in good standing. The mentor must be licensed for five years and must not be currently subject to lawyer discipline or the subject of a pending

disciplinary matter in any jurisdiction, and must be current with all CLE requirements. The mentor must be approved by the CAMP Director.

(b) The mentee must be a licensed, active Colorado lawyer, who is either practicing or is intending to practice law in Colorado. The CAMP Director may accept and approve petitions to participate from new lawyers not otherwise eligible to participate in CAMP programs. The mentee must be registered in a CAMP program.

(c) Mentors may participate in a CAMP program, one mentor relationship at a time, as often as they wish, but may receive a maximum of nine total CLE credit hours, including a maximum of two legal ethics credit hours of the professional responsibility requirements of C.R.C.P. 250.2(1), per compliance period.

(d) Mentees may receive CLE credits as a mentee only once in a CAMP program.

(e) The award of CLE credits will apply to the compliance period in which the CAMP program is completed.

(f) Any mentee or mentor who fails to complete the CAMP program will not receive CLE credit, partial or otherwise.

(g) Mentors and mentees who participate together in pro bono representation during or as a part of this program may not also receive CLE credit under C.R.C.P. 250.9 for the same representation.

(4) Verification by Director. All certificates and affidavits of completion of a CAMP program must be submitted to the CAMP Director for verification pursuant to C.R.C.P. 255. Following verification of substantial completion, the CAMP Director will recommend to the CLJE Office that the CLE hours be recorded as earned.

***Source:** Adopted March 15, 2018, effective July 1, 2018; (1), (2) and (3)(c) amended and adopted by the Court, En Banc, April 15, 2021, effective July 1, 2021.*



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MEMORANDUM

TO: The President, President-Elect, and the Board of Governors
FROM: Dennis P. Harwick, Executive Director *D. Harwick*
SUBJECT: Comity for MCLE Compliance: Washington, Oregon, Idaho, and Utah

DATE: April 20, 1996

Attached is *The Boise Protocol*, a document approved in March by the Regionalization Task Force comprised of representatives from Washington, Oregon, Idaho, and Utah. Vicki Toyohara, Executive Director of the Washington Commission on Minorities and the Judicial System, has represented the WSBA Board of Governors on the Regionalization Task Force, along with me, Cathy Blinka, Executive Secretary to the Washington MCLE Board, and Ernest Allen, the non-lawyer member of the Washington MCLE Board.

At this point, we are asking the Board of Governors to approve *The Boise Protocol* in principle and ask that the Washington MCLE Board develop specific language amending APR 11, the MCLE rule, in accordance with *The Boise Protocol* to be submitted to the Board of Governors for approval and recommendation to the Supreme Court of the State of Washington.

The Boise Protocol: A Comity Agreement for MCLE Compliance

pro-to-col (prō'te-kol'), n.:

1. an original draft or record of a document, negotiation, etc.
2. in diplomacy,
 - a) *a signed document containing a record of the points on which agreement has been reached by negotiating parties preliminary to a final treaty or compact,*
 - b) the ceremonial forms and courtesies that are established as proper and correct in official intercourse between heads of states and their ministers.

The Boise Protocol:

A record of the points for establishing ***an agreement of comity which would allow individual lawyers licensed to practice in more than one of the participating states to fulfill their mandatory continuing legal education (MCLE) requirements in any participating state by fulfilling the MCLE requirements in the state where a lawyer maintains his or her principal place of practice*** agreed to by the representatives of the Washington State Bar Association, the Oregon State Bar, the Idaho State Bar, and the Utah State Bar.

Background: Beginning in June of 1995, representatives of the Washington State Bar Association, the Oregon State Bar, the Idaho State Bar, and the Utah State Bar have been meeting to discuss the possibilities of regionalizing certain bar activities for the benefit of their respective members. Very early in those discussions, a decision was made to concentrate on mandatory CLE issues. Originally, the discussions focussed on standardizing MCLE compliance requirements and reciprocity for course accreditations. Although the participants discovered that the similarities between the various MCLE requirements were stronger than a cursory examination would indicate, it soon became clear that achieving uniformity in MCLE compliance regulations would be a lengthy process and, because of issues unique to individual states, perhaps impossible.

Consequently, the discussions turned to the concept of *comity* -- "full faith and credit" if you will -- the concept that compliance in the state where you conduct your principal practice is good enough to satisfy the requirements in another participating state where the requirements are substantially similar.

Reasons to Extend Comity to MCLE Requirements:

- ▶ It's fair
- ▶ It's simple
- ▶ It helps lawyers
- ▶ It maintains the integrity of MCLE requirements *and* the public interest
- ▶ It preserves scarce bar association resources
- ▶ It encourages lawyers to attend relevant and meaningful CLE rather than scrambling to obtain credits for credits' sake
- ▶ It's voluntary. If lawyers don't want to participate, that's fine. They can comply in every state.

How this will work:

- ▶ Each of the participating states will adopt a rule that recognizes comity as detailed above. A sample of such a comity rule in a specific state might read as follows:

"Subject to confirmation by the Mandatory CLE Board and the Board of Governors that another state's continuing legal education requirements are substantially similar to the (insert name of state) continuing legal education requirements, an attorney licensed in both (insert name of state) and that approved state will be presumed to have satisfied his or her continuing legal education requirements in (insert name of state) if that attorney is in compliance with the continuing legal education requirements of that approved state."

- ▶ Each lawyer licensed in more than one of the participating states will designate the state where he or she conducts a principal practice -- generally defined as the state where the largest portion of his or her practice is conducted.
- ▶ Participating states will take appropriate steps to accomplish comity, e.g., shifting reporting cycles if necessary, developing language for certifying compliance in another state, developing procedures for confirming compliance or non-compliance, etc.

What this is not: This is not reciprocity of admissions, i.e., each state will maintain its admissions requirements.

What's next: Each state will continue to work to develop a uniform set of MCLE requirements, including the number of required credit hours, methods of counting credit hours, standards of accreditation, and the like. Uniformity is an aspirational goal, but not a requirement to comity.

The Boise Protocol:

A Comity Agreement for MCLE Compliance

pro-to-col (prō te-kol), n.:

1. an original draft or record of a document, negotiation, etc.
2. in diplomacy,
 - a) *a signed document containing a record of the points on which agreement has been reached by negotiating parties preliminary to a final treaty or compact.*
 - b) the ceremonial forms and courtesies that are established as proper and correct in official intercourse between heads of states and their ministers.

The Boise Protocol: A record of the points for establishing an agreement of comity which will allow individual lawyers licensed to practice in more than one of the participating states to fulfill their mandatory continuing legal education (MCLE) requirements in any participating state by fulfilling the MCLE requirements in the state where they maintain their principal offices for the practice of law, agreed to by participating representatives of the Idaho State Bar, the Oregon State Bar, the Utah State Bar, and the Washington State Bar Association.

Background: Beginning in June of 1995, representatives of the Idaho State Bar, Oregon State Bar, the Utah State Bar, and the Washington State Bar Association have been meeting to discuss the possibilities of regionalizing certain bar activities for the benefit of their respective members. Very early in those discussions, a decision was made to concentrate on mandatory CLE issues. Originally, the discussions focused on standardizing MCLE compliance requirements and reciprocity for course accreditations. Although the participants discovered that the similarities between the various MCLE requirements were stronger than a cursory examination would indicate, it soon became clear that achieving absolute uniformity in MCLE regulations would be a lengthy process and, because of issues unique to individual states, perhaps unnecessary.

Consequently, the discussions turned to the concept of *comity* — "full faith and credit" if you will — the concept that compliance in the state where you have your principal office for the practice of law is good enough to satisfy the requirements in another participating state where the requirements are substantially similar.

Reasons to Extend Comity to MCLE Requirements:

- It's fair
- It's simple
- It helps lawyers
- It maintains the integrity of each state's MCLE requirements and the public protection afforded by MCLE, while also accommodating, for purposes of MCLE compliance, the increasing mobility of Northwest lawyers
- It preserves scarce bar association resources
- It encourages lawyers to attend relevant and meaningful CLEs rather than scrambling to obtain credits for credits' sake
- It's voluntary. If lawyers don't want to participate, that's fine. They can comply in every state in which they are admitted.

How will this work:

- Each of the participating states will adopt a rule that recognizes comity as detailed above. A sample of such a comity rule in a specific state (Oregon, for example) might read as follows:

Out-of-State Compliance. An active member whose principal office for the practice of law is in another state or jurisdiction may comply with these rules by filing a compliance report in which the member certifies that the member is subject to the MCLE requirements in that state or jurisdiction and that the member has complied with the MCLE requirements of that state or jurisdiction during the member's reporting period, provided the MCLE Board has determined that the requirements established by these rules are substantially met by the requirements of the other state or jurisdiction. The MCLE requirements of Idaho, Utah and Washington satisfy this rule.

- Each lawyer licensed in more than one of the participating states will designate the state of his or her principal office for the practice of law.

- Participating states will take appropriate steps to accomplish comity, e.g., shifting reporting cycles if necessary, developing language and forms for certifying compliance in another state, developing procedures for confirming compliance or non-compliance, etc.

What this is not: This is not reciprocity of admissions, i.e., each state will maintain its admissions requirements.

What's next: All four states will continue to work together to develop a uniform set of MCLE requirements, including the number of required credit hours, methods of counting credit hours, standards of accreditation, and the like. Uniformity is an aspirational and long term goal, but not a requirement of comity recognition of MCLE compliance.

* * * * *

Attachments

1. A list of Regionalization Study Group participants.
2. Additional background material regarding the activities of the Regionalization Study Group.
3. Oregon MCLE Rule 3.2(d), Out-of-State Compliance (effective 4-1-93) and Arizona MCLE Rule 45(b)(5), Reciprocity (effective July 1, 1995).
4. MCLE Policy of Cooperation Regarding Multi-Jurisdictional Admission, adopted by the Organization of Regulatory Administrators for Continuing Legal Education (ORACLE) on February 2, 1993.
5. Chart on the number of multi-state admitted lawyers in Idaho, Oregon, Utah and Washington.
6. Questions and Answers About the MCLE Comity Rule Proposal

Title 8 – Minimum Continuing Legal Education (MCLE)

8.1 MCLE Requirements for Active Members

- (1) All active members must complete the following minimum credit hours requirements of accredited CLE activity.

(a) General Requirement.

Except as provided in RL 8.2 and 8.3, and otherwise as provided in these rules, each active attorney member shall complete a minimum of 45 credit hours every three years, and each active LP member shall complete a minimum of 40 credit hours every three years.

(b) Ethics.

For all active members, at least five of the required hours shall be in programs accredited in ethics pursuant to RL 9.8(1).

(c) Abuse Reporting.

For all active attorney members, one hour shall be in programs accredited on the statutory duty to report child abuse and elder abuse under ORS 9.114 pursuant to RL 9.8(2). For active LP members, one hour shall be on the subject of an LP's duty to report child abuse or elder abuse.

(d) Mental Health and Substance Use Education.

For all active members, one hour shall be in subjects relating to mental health, substance use, or cognitive impairment that can affect an active member's ability to practice law or represent clients pursuant to RL 9.8(3).

(e) Access to Justice.

For all active members, in alternate reporting periods, at least three of the required hours shall be in programs accredited for access to justice pursuant to RL 9.9.

- (2) Additional LP Member Requirements.

All active LP members shall also complete the following minimum credit hour requirements of accredited CLE activity, which may count towards their general credit hour requirement under RL 8.1(1)(a):

- (a) One hour on the administration of Interest on Lawyer/LP Trust Accounts (IOLTA).
- (b) One hour on the Oregon Rules of Civil Procedure (ORCP).

- (c) One hour on the scope of licensure for licensed paralegals, as defined in Section 11 of the RLP.
- (d) Twenty-six hours of education specific to the LP's practice area for which they are licensed. An LP member with an active license permitting practice in more than one practice area must complete 26 hours of education specific to each practice area for which the LP seeks renewal of licensure.

8.2 Additional MCLE Requirements for Recently Reinstated Members and New Attorney Admittees

(1) Recently Reinstated Members.

- (a) Any active member who has been reinstated and whose reporting period is established in RL 8.4(3)(b) and RL 8.4(3)(c) shall complete 15 credit hours of accredited CLE activity in the first reporting period following reinstatement.
- (b) Two of the 15 credit hours shall be in ethics, and one shall be in subjects relating to mental health, substance use, or cognitive impairment as described in rule 8.1(1)(c).
- (c) For an active LP member who has been reinstated, the remaining 12 credit hours must be specific to the LP's practice area for which they are licensed.

(2) New Attorney Admittees.

- (a) New attorney admittees who are active attorney members shall complete 15 credit hours of accredited CLE activity in the first reporting period after admission as an active attorney member.
- (b) The 15 credit hours shall include:
 - (i) One three-credit hour Bar-approved introductory course in access to justice;
 - (ii) Two credit hours in ethics;
 - (iii) One credit hour in subjects relating to mental health, substance use, or cognitive impairment that can affect an attorney's ability to practice law; and
 - (iv) Nine credit hours in practical skills, as described in RL 9.8(4).
- (c) One of the ethics credit hours must be devoted to Oregon ethics and professionalism, and four of the nine credits hours in practical skills must be devoted to Oregon practice and procedure.

- (d) An Oregon practice and procedure course must educate attorneys on practices and procedures for representing clients in Oregon and shall include discussions of at least one of the following: the Oregon Revised Statutes (ORS), the Oregon Rules of Civil Procedure (ORCP), the Oregon Administrative Rules (OAR), the Uniform Court Trial Rules (UTCR), or the Oregon Rules of Appellate Procedure (ORAP).

Amended by Order dated December 18, 2024, effective January 1, 2025.

8.3 Out-of-State Compliance.

(1) Reciprocity Jurisdictions.

- (a) An active attorney member whose principal office for the practice of law is not in the State of Oregon and who is an active attorney member in a jurisdiction with which Oregon has established MCLE reciprocity may comply with these rules by filing a compliance report accompanied by evidence that the member is in compliance with the requirements of the other jurisdiction (generally, a certificate of compliance from the reciprocal jurisdiction) and that the attorney member has completed a child and elder abuse reporting credit required in ORS 9.114.
- (b) Payment of a \$25.00 fee is required with submission of the compliance report, for processing the comity certificate of MCLE compliance from the reciprocal state.

(2) Other Jurisdictions.

- (a) An active attorney member whose principal office for the practice of law is not in the State of Oregon and is not in a jurisdiction with which Oregon has established MCLE reciprocity must file a compliance report showing that the attorney member has completed at least 45 hours of accredited CLE activities as required by Rule 8.1.
- (b) The attorney member shall attach to the compliance report evidence that the attorney member has met the requirements under Rule 8.1 with courses accredited in any jurisdiction.

(3) Proof of Oregon Compliance.

- (a) An active member whose principal office for the practice of law is in the State of Oregon who needs to file proof of Oregon MCLE compliance in another state may request a comity certification of Oregon MCLE compliance from the MCLE Program Manager.
- (b) An active member shall be required to pay a \$25.00 fee before the certificate will be issued.

8.4 Reporting Period

(1) Active Attorney Members.

All active attorney members shall have three-year reporting periods, except as provided in paragraphs (2) and (4) of this rule.

(2) New Attorney Admittees and New Attorney Admittees Admitted by Comity.

(a) The first reporting period for a new attorney admittee who is an active attorney member shall start on the date of admission as an active attorney member and shall end on April 30 of the next calendar year. All subsequent reporting periods shall be three years.

(b) The first reporting period for a new attorney admittee admitted by comity who is an active attorney member and who has been actively engaged in the authorized fulltime practice of law for no less than 24 of the 48 months immediately prior to admission in Oregon begins on May 1 the year following admission and ends on April 30 three years later. All subsequent reporting periods also shall be three years.

(3) Active LP members.

The first reporting period for a new active LP member shall start on May 1 the year following admission and shall end on April 30 three years later. All subsequent reporting periods also shall be three years.

(4) Recently Reinstated Active Members.

(a) A member who transfers to inactive or active pro bono status, or whose license is suspended or has resigned and who is reinstated as an active member before the end of the reporting period in effect at the time of the initial status change, shall retain the member's original reporting period, and these rules shall apply as though the transfer, suspension, or resignation had not occurred.

(b) Except as provided in RL 8.4(4)(a), the first reporting period for a member who is reinstated as an active member following a transfer to inactive or active pro bono status shall start on the date of reinstatement and shall end on April 30 of the next calendar year.

(i) All subsequent reporting periods shall be three years.

(ii) Members under this subsection shall not be required to fulfill the requirement of compliance during the member's inactive licensure status.

(iii) No credits obtained during the member's inactive or active pro bono licensure status shall be carried over into the next reporting period.

- (c) Notwithstanding subsection (4)(a) and (4)(b) of this Rule, reinstated members who did not submit a completed compliance report for the reporting period immediately prior to their transfer to inactive or active pro bono licensure status will be assigned a new reporting period upon reinstatement. The new reporting period shall begin on the date of reinstatement and shall end on April 30 of the next calendar year. All subsequent reporting periods shall be three years.

8.5 Reports

- (1) Each active member shall electronically certify and submit a completed compliance report on or before May 31 of the year the member's reporting period ends.
- (2) The Bar will assess a late fee for failure to file a completed compliance report by the filing deadline.

8.6 Recordkeeping

- (1) Each active member shall maintain records of participation in CLE activities for use in completing a compliance report and shall retain these records for a period of 12 months after the end of the member's reporting period.
- (2) If the MCLE Program Manager has requested an audit of an active member's compliance report, the member shall maintain records of participation in CLE activities until the conclusion of the audit.
- (3) The MCLE Program Manager may maintain records of active members' participation in CLE activities as necessary to verify compliance with the MCLE requirement.

8.7 Application of Credits

- (1) Application of Accredited Hours.
 - (a) Active members may credit an unlimited number hours earned through Group CLE Activities, known as Category I (as established in RL 9.2) to their requirements for MCLE compliance.
 - (b) For Category II hours earned through teaching, writing and Bar service (as established in RL 9.12), active attorney members may only credit 20 hours, and active LP members may only credit 12 hours in a three-year reporting period.

- (c) For Category III hours earned for other educational activities (as established in RL 9.13), active attorney members may only credit 6 hours, and active LP members may only credit 5 hours in a three-year reporting period.
 - (d) If an active member's reporting cycle is shorter than three years, the active member may credit only half of the number of hours allowed in a three-year reporting period for Category II and III activities.
- (2) An active member may apply the following credits, when completed in a reporting period in excess of the minimum required, to the practical skills requirement:
 - (a) legal ethics;
 - (b) access to justice;
 - (c) child and elder abuse reporting;
 - (d) IOLTA administration;
 - (e) Oregon Rules of Civil Procedure education;
 - (f) LP scope of license education; and
 - (g) mental health and substance use education.
- (3) The Bar will apply the following credits, when completed in a reporting period, toward the member's total minimum credit requirement:
 - (a) general credit hours;
 - (b) practical skills;
 - (c) specialty credits listed in Rule 8.7(1); and
 - (d) family law and landlord-tenant practice area credit hours for LP-practice area programs attended by active attorney members.
- (4) A credit hour cannot be applied to both the practical skills requirement and the ethics requirement.
- (5) An active attorney member may carry forward 15 or fewer unused credit hours from the reporting period during which the credit hours were earned to the next reporting period. An active LP member may carry forward 10 or fewer unused credit hours from the reporting period during which the hours were earned to the next reporting period. Carry over credits from a reporting period in which the credits were completed by the member may not be carried forward more than one reporting period.
- (6) No more than six (6) ethics credits may be carried over for application to the subsequent reporting period requirement. Ethics credits in excess of the carry over limit may be carried over as general credits for lawyer members.

- (7) Abuse reporting credits earned in excess of the reporting period requirement may be carried over as general credits for lawyer members, but a new abuse reporting education credit must be earned in each reporting period in which the credit is required.
- (8) Access to justice credits may be carried over as general credits for lawyer members, but new access to justice credits must be earned in the reporting period in which they are required.

Amended by Order dated July 17, 2025, effective August 1, 2025.

8.8 Audits of Members

- (1) The Bar may audit compliance reports selected due to facial defects or by random selection or other appropriate method.
- (2) The Bar may request and review records of participation in CLE activities reported by members.
- (3) Failure to substantiate participation in CLE activities in accordance with these rules after request by the Bar will result in disallowance of credits for the CLE activity and assessment of a late filing fee.
- (4) The MCLE Program Manager shall refer members to the Bar's Disciplinary Counsel for further action for potential ethical violations.

8.9 Suspension for Noncompliance

- (1) The following are grounds for a determination of noncompliance with the MCLE Requirements set out in this Title:
 - (a) Failure to complete the MCLE requirement for an applicable reporting period.
 - (b) Failure to electronically certify and timely submit a completed compliance report.
 - (c) Failure, upon request by the MCLE Program Manager, to provide sufficient records of participation in CLE activities to substantiate credits reported.
- (2) The Chief Executive Officer shall provide written notice to a member found noncompliant. The notice shall set out a reasonable time to either request review of the noncompliance finding or to cure the noncompliance, and shall state the amount of any late fee must be paid by that time. The notice shall be sent to the member's e-mail address on file with the Bar or, for any member not required to have an e-mail address on file with the Bar, to that member's mailing address on file with the Bar.

- (3) If the member fails to cure the noncompliance as required and pay the late fee within the time allowed to cure as stated in the notice, the member's license is administratively suspended automatically under Title 3. If the member thinks the suspension is in error, the member may request review of the suspension under RL 3.2

8.10 Cure and Initial Review

- (1) Noncompliance for failure to comply with the MCLE requirements set out in this Title can be cured by performance of the following actions no later than the deadline set out in the notice of noncompliance:
 - (a) Completing the credit hours necessary to satisfy the unfulfilled requirement for the applicable reporting period;
 - (b) Electronically certifying and submitting the completed compliance report; and
 - (c) Paying the late filing fee specified.
- (2) Noncompliance for failure to comply as described in RL 8.9(1)(c) may be cured by providing the MCLE Program Manager with any requested records, together with the late fee, no later than the deadline set forth in the notice of noncompliance.
- (3) Credit hours applied to a previous reporting period for the purpose of curing noncompliance may be used for only that purpose and may not be used to satisfy the MCLE requirement for any other reporting period.
- (4) If the MCLE Program Manager determines that a member's noncompliance has been cured, then the Manager shall notify the member that the member has complied with the MCLE requirements for the applicable reporting period. Curing noncompliance does not prevent subsequent audit and action under this Title.
- (5) If a member believes that an error has been included in the notice of noncompliance or an error otherwise made in the automatic administrative suspension of the member's license, the member may request a review by the Chief Executive Officer under RL 3.2.

8.11 Exemptions from MCLE Requirements

- (1) Active pro bono members and inactive members are exempt from compliance with the MCLE requirements under this Title.
- (2) An active member serving as Governor, Secretary of State, Commissioner of the Bureau of Labor and Industries, Treasurer, or Attorney General during all or part of a reporting period must complete the MCLE requirements in the categories of ethics, access to justice, and abuse reporting during the applicable reporting periods. Such a member is otherwise exempt from any other credit requirements during the reporting period in which the member serves.

8.12 Other Waiver or Exemption, or Delayed or Substitute Compliance

- (1) Upon written request of a member, the MCLE Program Manager may waive, grant an exemption from, or permit substitute or delayed compliance with any requirement set out in this Title. The request shall state the reason for the request and describe a continuing legal education plan tailored to the member's particular circumstances.
- (2) The MCLE Program Manager may grant a request upon a finding that hardship or other special circumstances makes compliance impossible or inordinately difficult, or the requested waiver, exemption, or substitute or delayed compliance is not inconsistent with the purposes of the MCLE requirements.

8.13 Further Review

- (1) A decision affecting any active member made by the MCLE Program Manager under this Title, but not including an administrative suspension of a member's license, is final, unless a request for review is filed within 21 days after notice of the decision is issued. If a member requests review, the member has a right, on request, to be heard at a hearing.
- (2) To request review, the active member shall submit a written request to the MCLE Program Manager that describes the decision to be reviewed and the reasons for requesting review, and also, if the member wishes to exercise the right to be heard, a request for a hearing.
- (3) The MCLE Committee shall review the matter requested at its next regular meeting. If the member has requested a hearing, the MCLE Committee must provide, at least 14 days before the meeting at which the request for review will be considered, notice of the date, time, and place of its meeting. The hearing to be conducted as part of the meeting shall be informal.
- (4) On review, the MCLE Committee shall have authority to take whatever action, consistent with these rules, is deemed proper. The MCLE Program Manager shall notify the member or sponsor in writing of the decision on review and the reasons therefor.
- (5) If the decision on review is upheld by the MCLE Committee, the affected member may, within 21 days of the issuance of the MCLE Committee's decision, submit a written request to the Chief Executive Officer asking the Board to review that decision. Upon receipt of such a letter, the Board shall review the MCLE Committee's decision at their next regular meeting. The decision of the Board shall be final.

Rules

Program Standards

Course Accreditation

Application Forms

Reporting Periods

Types of Credits

Special MCLE Requirements

New Admittee CLE Requirements

Out of State MCLE Reporting

Attendance Records

Questions

Mandatory Continuing Legal Education Rules

The [Idaho Mandatory Continuing Legal Education Rules \(ICBR\)](#). The rules were rescinded and replaced by the new rules.

Rule 402 states:

Active and House Counsel Members shall complete the required continuing education during each reporting period.

Beginning with reporting periods ending on December 31, 2019, the reporting periods for legal ethics or professional responsibility, as appropriate, shall be determined by the Rules of Professional Conduct, professionalism and the public interest.

No more than fifteen (15) of the required thirty (30) hours may be earned by attending seminars.

No more than six (6) of the required thirty (30) hours may be earned by attending seminars.

Attorneys holding themselves out as specialists or those who are members of a specialty bar shall comply with the requirements of the applicable certifying organization.

Program Standards

The MCLE Rules state the Idaho State Bar must report the following information:

- The activity shall have significant intellectual or professional content and shall enhance the professional competence and ability to deliver quality legal services;
- The activity shall constitute an organized program of continuing education that is not primarily for the responsibility or ethical obligations of attorneys, judges, or law firm or law department management;

Courses included in the curriculum of a college or university may be reported as a CLE activity; and

An attorney may receive credit for attendance at a course specifically to the attorney's area of practice if the attorney's practice includes medical malpractice or other specialized areas of law.

- The activity shall be conducted by an individual who is a member of the Idaho State Bar or a member of the American Bar Association or the American College of Trial Lawyers;
- The activity may include video, digital content or other electronic means;
- Materials used in the activity shall be thorough and of high quality, and shall be relevant to the activity; and
- The activity may address law practice management topics, but credit shall be approved for marketing, client cultivation, general business topics, or other non-legal topics only if the activity is specifically designed to improve the legal skills of the participants.

Course Accreditation

An organization or attorney may apply for accreditation for a course that is two (2) hours or less in length and held in person or online. Applications submitted by the Idaho Supreme Court or individual members of the Idaho State Bar. Applications for accreditation shall be submitted to the MCLE Committee.

The \$15 late fee is required for all applications received more than ninety (90) days before the date the live or recorded course was completed or the date the recording was made available.

When a course has been approved, the number of hours of credit earned through attendance at the course. Credit awarded is based on the number of hours of attendance at the course.

The applications for MCLE credit are available in the following formats:

[Course Credit Application](#)  PDF File - General
[Teaching Credit Application](#)  PDF File - General
[Published Legal Writing Application](#)  PDF File

Visit our [MCLE Accreditation Information](#) page for more information.

Reporting Periods

All active members (with some limited exceptions) shall report the reporting period began on the date of admission to the initial reporting period, the reporting periods shall be determined by the Rules of Professional Conduct, professionalism and the public interest.

status and then returns to active status, his or her reporting period should be directed to the MCLE Department at (208) 333-3333.

[MCLE - Completing the Requirements](#) (informational)

Reporting Form

A written report of attendance at accredited MCLE activity for each reporting period. The reporting form is the MCLE Certificate of Attendance. All attorneys must submit a certificate at the end of their reporting period. All credit earned shall be applicable to any reporting period.

[MCLE Attendance Records](#)

Attendance Credits

Only time spent in actual educational activities may be counted for credit. One credit hour is given for each hour actually spent in attendance at an educational activity, less time spent in introductory remarks, coffee and food breaks, bus time, etc.

Teaching Credits

An attorney who teaches an accredited course shall receive one credit hour for each hour of preparation time; time spent in introductory remarks, coffee and food breaks, bus time, etc. shall not be counted. The attorney must be directly compensated for the educational aspects of the CLE activity; presentation of the activity in which the attorney is directly compensated other than the accreditation standards under Rule 403(a) that shall not be counted as an hour of teaching.

Self-Study Credits

Attorneys can claim only fifteen (15) credits of self-study per reporting period unless (1) three or more participants attend the CLE activity or, in the case of a video, audio or other recorded activity, the topic is present during the CLE activity. All self-study must meet the MCLE requirement. An application must be submitted to the MCLE Department for accreditation.

Published Legal Writing Credits

Published legal writing authored by attorneys may be claimed for credit if it is intended for an attorney audience; and is an original work of authorship or publication. The published writing must be at least 1,000 words. (six) writing credits can be used per reporting period.

[More information on Published Legal Writing Credits](#)

New Admittee Credits

Under Idaho Bar Commission Rule (IBCR) 402(f), a total of ten (10) New Admittee Credit (NAC) Applications must be submitted to the Idaho Substantive Law Committee for admission, the New Attorney Program.

Idaho Substantive Law Courses. All new active attorneys must complete the Idaho Substantive Law Courses, civil and criminal procedure, and community service. Courses are available online on-demand through the Idaho Bar Commission website.

New Attorney Program. Attorneys who have not been admitted to the New Attorney Program consisting of an introductory course in the spring and the fall on the mor

Additional NAC Credits. After completing the first NAC credit, an attorney must complete any additional NAC credits required for admission. Look for ones that are NAC-Approved or have the NAC-Approved logo.

[More information on New Admittee Credits.](#)

Out of State MCLE Reporting

Under IBCR 408, an attorney whose principal office is in another jurisdiction must report credit requirements in the jurisdiction where his or her principal office is located. If that jurisdiction's mandatory CLE requirements were met during the reporting period, (3) the attorney is currently in compliance with the

[More information on Out of State MCLE Reporting](#)

MCLE Attendance Records

It is the responsibility of each attorney to maintain a three-year reporting period required by the Idaho State Bar. If you have applied for credit for a MCLE activity along with your application, [MCLE Attendance Records](#) are available online and are updated monthly.

The Idaho State Bar does not have to receive any credit for courses not meeting the MCLE requirements. Courses must be approved by the Board of Governors. [Adding Approved Courses to the Attendance Record](#)

Attorneys who cannot get a certificate of attendance may be able to [Download a PDF File - Get Acrobat Reader](#) The [MCLE Attendance Record](#)

Questions

If you have questions, please contact the [MCLE Administrator](#)

P.O. Box 895 Boise Idaho 83701 ph:(208) 334-4500 fax:(208) 334-4515

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Utah Courts

UCJA Rule 11-609 (Code of Judicial Administration)

Rule 11-609. Categories of Elective CLE defined.

**Effective:
11/1/2024**

Rule printed on September 26, 2025 at 4:47 pm. Go to <https://www.utcourts.gov/rules> for current rules.

(a) Lecturing, teaching, panel discussions and community outreach.

(1) Lecturing in an Accredited CLE Program. Lawyers or licensed paralegal practitioners who lecture in an Accredited CLE program will receive credit for three hours of Elective CLE for each hour spent lecturing, including participating as a presenter in a panel discussion. No lecturing or teaching credit is available for preparation time.

(2) Community outreach.

(A) Lawyers or licensed paralegal practitioners who lecture in a community outreach capacity may receive Elective CLE credit for each hour spent lecturing to groups of five or more non-lawyers and non-licensed paralegal practitioners for the purpose of educating a non-lawyer and non-licensed paralegal practitioner audience about legal topics.

(B) Community outreach may include, but is not limited to, a lecture made by a lawyer or licensed paralegal practitioner about the lawyer's or licensed paralegal practitioner's deliberation on legal subject matter as an elected or appointed member of a public policy making body that is created by statute or constitution and a lecture by a lawyer or licensed paralegal practitioner about the structure of Government, the Utah Constitution, the U.S. Constitution or any legislation of either the Utah Legislature or U.S. Congress. Such community outreach lecturing, however, must be referenced in an agenda or outline format identifying: the body to whom the lecture is presented; the date, hour, and duration of the lecture; and the topics covered.

(C) Community outreach lecturing on legal subjects by a lawyer is eligible for a maximum of four hours of Elective CLE credit for a Compliance Cycle. community outreach lecturing on legal subjects by a licensed paralegal practitioner is eligible for a maximum of two hours of Elective CLE credit for a Compliance Cycle.

(b) Final published brochure, outline, or agenda. The Board will determine the number of Elective CLE hours available for a program based on the final published brochure, outline, or agenda, as appropriate.

(c) Equivalent CLE credit for certain Elective CLE.

(1) Subject to the Board's determination, the Board may allow equivalent credit for such CLE that furthers the purpose of this article and qualifies for equivalency.

(2) Such equivalent CLE may include, but is not limited to, viewing Accredited CLE audio and video and webcast presentations or computer interactive programs, writing and publishing an article in a legal periodical, part-time teaching by a lawyer or licensed paralegal practitioner in an approved law school, or delivering a paper or speech on a professional subject at a meeting primarily attended by lawyers, licensed paralegal practitioners, legal assistants, or law students.

(3) The number of credit hours allowed for such activities and the procedures for obtaining equivalent credit will be determined specifically by the Board for each instance.

(d) **Pro Bono Legal Services.** Elective CLE credit for Pro Bono Legal Services is addressed in Rule 11-619.

Comment:

An example of community outreach that would qualify for Elective CLE credit under subsection (a)(2) is a presentation made by a Legislator to a group of non-lawyers and non-paralegal practitioners about the Legislator's service on a public policy making body.

DISCUSSION:

MCLE Updates

The MCLE Staff Liaison will provide general updates to the MCLE Board.

Discussion Topics:

- **MCLE Certification**

Certification through the MCLE online system is open allowing licensed legal professionals to certify for the 2023-2025 reporting period. As of October 10, 2025, 9.22% (1,027) licensed legal professionals, out of the 11,140 due to report, are compliant for the 2023-2025 reporting period.

- **CLE Regulators Conference**

The MCLE Board Staff Liaison will provide a brief overview of the topics covered at the 2025 CLE regulators conference.

- **Budget**

The MCLE Board Staff Liaison will provide a brief overview of the current MCLE Budget Summary.

- **FY 26 MCLE Board Meeting Schedule**

Meeting #	Upcoming MCLE Board Meeting Dates
1	October 17, 2025 (in-person)
2	January 9, 2026
3	April 17, 2026 (in-person)
4	June 5, 2026
5	August 14, 2026 (in-person)

Attachments:

- MCLE 2025 August Budget Summary

Washington State Bar Association
Statement of Activities
For the Period from August 1, 2025 to August 31, 2025
92% OF YEAR COMPLETE

	FISCAL 2025 REFORECAST	CURRENT MONTH	YEAR TO DATE	REMAINING BALANCE	% USED OF REFORECAST	YEAR TO DATE VARIANCE FAVORABLE/(UNFAVORABLE)
MANDATORY CONTINUING LEGAL EDUCATION						
REVENUE:						
ACTIVITY APPLICATION FEE	600,000	46,900	643,500	(43,500)	107%	93,500
ACTIVITY APPLICATION LATE FEE	220,000	14,300	247,700	(27,700)	113%	46,033
MCLE LATE FEES	225,000	750	255,500	(30,500)	114%	49,250
ANNUAL ACCREDITED SPONSOR FEES	39,000	-	39,750	(750)	102%	4,000
ATTENDANCE LATE FEES	120,000	8,250	95,900	24,100	80%	(14,100)
COMITY CERTIFICATES	29,800	625	33,400	(3,600)	112%	6,083
TOTAL REVENUE:	1,233,800	70,825	1,315,750	(81,950)	107%	184,767
DIRECT EXPENSES:						
DEPRECIATION	142,183	12,012	132,132	10,051	93%	(1,798)
STAFF MEMBERSHIP DUES	500	-	500	-	100%	(42)
MCLE BOARD	4,000	-	1,806	2,194	45%	1,860
STAFF TRAVEL/PARKING	50	-	-	50	0%	46
STAFF CONFERENCE & TRAINING	4,600	-	-	4,600	0%	4,217
TOTAL DIRECT EXPENSES:	151,333	12,012	134,438	16,895	89%	4,283
INDIRECT EXPENSES:						
SALARY EXPENSE (4.76 FTE)	400,391	29,097	365,663	34,728	91%	1,362
BENEFITS EXPENSE	136,403	9,903	120,504	15,898	88%	4,531
OTHER INDIRECT EXPENSE	121,596	6,645	97,683	23,913	80%	13,780
TOTAL INDIRECT EXPENSES:	658,390	45,645	583,850	74,540	89%	19,674
TOTAL ALL EXPENSES:	809,723	57,657	718,289	91,434	89%	23,957
NET INCOME (LOSS):	424,077	13,169	597,461	(173,384)	141%	208,724