

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF AMENDMENTS
TO SCR 210(2) REGARDING MINIMUM
CONTINUING LEGAL EDUCATION
REQUIREMENTS.

ADKT 0551

FILED

FEB 13 2020

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY *[Signature]*
CHIEF DEPUTY CLERK

ORDER AMENDING SUPREME COURT RULE 210

WHEREAS, on November 25, 2019, the Nevada Supreme Court Access to Justice Commission filed a petition in this court seeking to amend Supreme Court Rule 210 to provide continuing legal education credit for pro bono service.

WHEREAS, this court solicited comment from the bench, bar, and public on the petition and conducted a public hearing on January 23, 2020; and

WHEREAS, it appears that amendment to Supreme Court Rule 210 is warranted; accordingly,

IT IS HEREBY ORDERED that Supreme Court Rule 210 shall be amended and shall read as set forth in Exhibit A.

IT IS FURTHER ORDERED that the amendment to Supreme Court Rule 210 shall be effective 30 days from the date of this order. The clerk of this court shall cause a notice of entry of this order to be published in the official publication of the State Bar of Nevada. Publication of this order shall be accomplished by the clerk disseminating copies of this order to all subscribers of the advance sheets of the Nevada Reports and all persons and agencies listed in NRS 2.345, and to the executive director of the State Bar of Nevada. The certificate of the clerk of this court as to the



20-06073

accomplishment of the above-described publication of notice of entry and dissemination of this order shall be conclusive evidence of the adoption and publication of the foregoing rule amendment.

Dated this 12th day of February, 2020

Pickering, C.J.
Pickering

Gibbons, J.
Gibbons

Hardesty, J.
Hardesty

Parraguirre, J.
Parraguirre

Stiglich, J.
Stiglich

Cadish, J.
Cadish

Silver, J.
Silver

cc: Paul Matteoni, President, State Bar of Nevada
Kimberly Farmer, Executive Director, State Bar of Nevada
Laura Bogden, Executive Director,
Board of Continuing Legal Education
Clark County Bar Association
Washoe County Bar Association
First Judicial District Bar Association
Administrative Office of the Courts

EXHIBIT A

AMENDMENT TO SUPREME COURT RULE 210

Rule 210. Minimum continuing legal education requirements; credit for bono cases. To meet the annual minimum continuing legal education requirements imposed by these rules, each attorney subject to these rules must timely: submit required fees, complete the requisite number of credit hours, and provide such other information as the board may require.

1. **Annual fee.** The amount of the annual fee will be determined by the board, but will not exceed \$40. The annual fee must be paid on or before March 1 of the year for which the fee is required to be paid.

2. **Credit hours.**

(a) Subject to the carry forward provisions of subparagraph (b), a minimum of thirteen (13) hours of accredited educational activity, as defined by the regulations adopted by the board, must be completed by December 31 of each year. Of the thirteen (13) hours, at least two (2) shall be exclusively in the area of ethics and professional conduct and one (1) shall be exclusively in the area of substance abuse, addictive disorders and/or mental health issues that impair professional competence. Attorneys entitled to an exemption pursuant to Rule 214(1)(a) must complete the requirement within the same calendar year in which they are first subject to continuing legal education requirements.

(b) Any attorney subject to these rules who completes more than thirteen (13) hours of accredited educational activity in any calendar year may carry forward up to twenty (20) hours of excess credit and apply the same to the attorney's general educational requirement for the next two (2) calendar years. Likewise, any attorney subject to these rules who completes more than two (2) hours of ethics and professional conduct credit in any calendar year may carry

forward up to four (4) hours of excess credit and apply the same to the attorney's ethics and professional conduct educational requirement for the next two (2) calendar years.

(c) Any attorney subject to these rules who completes more than one (1) hour in the area of substance abuse, addictive disorders and/or mental health issues that impair professional competence may carry forward up to two (2) hours of excess credit and apply the same to the attorney's substance abuse, addictive disorders and/or mental health issues requirement for the next two (2) calendar years.

3. Credit for pro bono cases. An attorney may earn continuing legal education credit by providing uncompensated pro bono representation or service through a nonprofit legal aid organization that receives IOLTA funds pursuant to SCR 216(1) or through a program sponsored by a court or governmental organization that is either co-sponsored by such a legal aid organization or approved by the Nevada Access to Justice Commission or its designee. An attorney may obtain one (1) hour of general credit for each three (3) full hours of uncompensated legal services performed for a maximum of four (4) hours of continuing legal education credit per year. To obtain credit, the attorney must report completion of uncompensated pro bono civil legal representation or service to the entity that provided the case or service opportunity to the attorney, the entity shall then submit the appropriate number of continuing legal education credits to the board on behalf of the attorney. The board shall not assess fees for continuing legal education credits awarded pursuant to this Rule.

[3.] 4. Affirmation of attendance. No later than December 31, an attorney must submit to the board an affirmation of attendance listing all courses of continuing legal education attended during the year and the number

of credit hours the attorney is claiming for each course. The affirmation of attendance constitutes an attorney's representation under penalty of perjury that the attorney attended and participated in the listed course of continuing legal education for the hours represented on the affirmation. The provisions of Rule 212 are applicable to the affirmation of attendance.

[4.] 5. CLE credit compliance. The board shall establish regulations providing for review of its determination of the CLE credits earned by an attorney and for resolving disputes. The regulations shall provide for the random audit of attorneys' affirmations of attendance to verify attorney compliance with CLE requirements.