

State of Nevada  
Board of Continuing Legal Education

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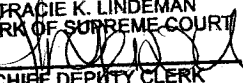
LAURA BOGDEN  
EXECUTIVE DIRECTOR

March 29, 2016

Chief Justice Ronald Parraguirre  
Nevada Supreme Court  
201 South Carson Street  
Carson City, NV 89701-4702

**FILED**

APR 12 2016

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY   
CHIEF DEPUTY CLERK

**Re: Nevada Board of Continuing Legal Education; ADKT 0499**

Dear Chief Justice Parraguirre:

This letter is written in follow up to our Board's letter to the Court on January 26, 2016 and following a full Board meeting conducted on March 18, 2016. In our last letter, there were a few items that the Board wanted to discuss as a full Board prior to commentary.

The attached submission addresses those remaining issues.

The NVCLE Board looks forward to the anticipated Court ruling on this matter so as to continue movement in a positive direction. As always, please do not hesitate to call upon me for further information as needed.

Respectfully,



Jenny Diane Hubach, Chair  
Nevada Board of Continuing Legal Education

cc: Laurence P. Digesti, President, State Bar of Nevada  
Kimberly Farmer, Executive Director, State Bar of Nevada

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16-11309

### **1) CLE Exemption for Attorneys Over 70 Years Old**

This issue was previously addressed in the submission of January 26, 2016.

### **2) Alleged CLE Buyout**

This issue was previously addressed in the submission of January 26, 2016.

### **3) CLE Specialization**

As our Board understands it, this topic actually encompasses two issues: (1) the certification of attorneys as "specialists" in a given area of the law (e.g. Family Law); and (2) requiring that attorneys take CLE courses relevant to their current area of practice (e.g., requiring that an attorney with a family law practice only take family law CLE courses).

Regarding the first issue, our Board has no role in the creation or approval of areas of specialization or in the approval of specialization programs; that authority resides with the Board of Governors. SCR 198. Thus, we defer to the Board of Governors on this issue.

Regarding the second issue, the NVCLE Board members in attendance at the joint meeting on December 28, 2015, had no objection to this concept; however, they expressed reservations regarding the details of implementation. The concept was discussed by the full Board in great detail on March 18, 2016. The Board views its mission as promoting the pursuit and improving the quality of continuing legal education in Nevada rather than dictating to attorneys the subject area of the CLE courses they complete in any given year.

### **4) Compliance with CLE Requirements**

This issue was previously addressed in the submission of January 26, 2016.

### **5) Exemptions for Non-Profit CLE Providers**

The NVCLE Board had a very detailed discussion on this issue. The exemptions foreseen by the Board are course-based rather than entity-based. If a nonprofit or government entity is presenting a course and charging a fee to attendees, then such entity would not be exempt from the application or per credit fees for that course. However, nonprofits and government entities offering courses at no charge to the attendees (including a course where the charge is for the sole purpose of covering food and drink) would be exempt from the application and per credit fee.

## **6) Reserves**

This issue was previously addressed in the submission of January 26, 2016.

## **7) Administrative Expenses**

This issue was previously addressed in the submission of January 26, 2016.

## **Staffing**

This issue was previously addressed in the submission of January 26, 2016.

## **Alternatives for method of communication**

This issue was previously addressed in the submission of January 26, 2016.

## **PACLE Costs (Pennsylvania Continuing Legal Education)**

This issue was previously addressed in the submission of January 26, 2016.

## **Advertising**

This issue was previously addressed in the submission of January 26, 2016.

## **(8) Governance**

In the event the Court puts term limits in place, the Board recommends a term limit of 9 years. The Board also recommends that the current transitioning Board members be permitted to request an additional three (3) year term upon expiration of the nine (9) years.