

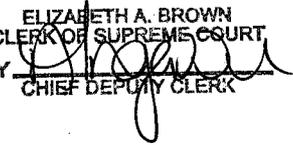
1
2
3 IN THE SUPREME COURT OF THE STATE OF NEVADA
4

5 IN THE MATTER OF AMENDMENTS
6 TO SUPREME COURT RULES 207-215:
7 CREATION OF THE BOARD OF
8 CONTINUING LEGAL EDUCATION,
9 And IN THE MATTER OF AMENDMENTS
10 TO THE REGULATIONS OF THE BOARD
11 OF CONTINUING LEGAL EDUCATION.

ADKT NO. 0499

FILED

AUG 31 2018

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
CHIEF DEPUTY CLERK

12 **REQUEST TO WITHDRAW REQUEST FOR AMENDMENT TO ADKT 0499**

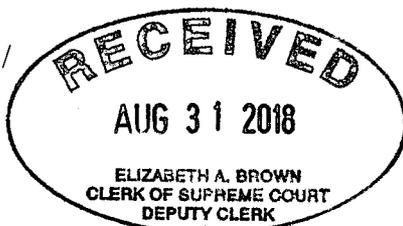
13 On June 28, 2018, in accordance with NRAD. 3.2, the Nevada Board of Continuing
14 Legal Education ("CLE Board"), by and through the Honorable Lynne K. Simons, filed its
15 Request for Amendment to ADKT 0499 ("ADKT 499 Amendment Request"), as generally
16 described in the body of the ADKT 499 Amendment Request and as set forth in the proposed
17 regulation amendments attached as Exhibits 1 and 2 to the ADKT 499 Amendment Request. A
18 public hearing has been set for September 20, 2018 on the ADKT 499 Amendment Request.

19 **DISCUSSION OF GROUNDS TO WITHDRAW 499 AMENDMENT REQUEST**

20 In 2017, the Nevada Supreme Court approved a new business plan for fee
21 implementation and collection by the CLE Board. In addition, commencing with 2018 dues, the
22 State Bar of Nevada and the CLE Board implemented a joint dues statement for bar dues and
23 annual CLE fees.

24 //

25 //



1 Annual Fees. On the positive side, evidence-based results demonstrate increased
2 attorney compliance with the implementation of the joint dues statement. Increased compliance
3 remains a CLE Board goal and data indicates this goal is increasingly met. Accordingly, at this
4 juncture, the CLE Board seeks to establish consistent fee deadlines for State Bar of Nevada
5 annual dues and the annual CLE fee. Therefore, it intends to continue the joint dues statement
6 and payment opportunity for attorneys and request consistent fee deadlines. While the goal of
7 increased compliance is being met, the increased compliance results reduces revenue due to
8 reduction in fees owed related to late or non-compliance.

9
10 Provider Fee Based Business Plan. The CLE Board has determined it should investigate
11 and consider further modifications to the business plan than those stated in the ADKT 499
12 Amendment Request as filed. As implementation of the new business plan ensued, a significant
13 number of exemptions were requested and granted; some providers did not request course
14 approval causing attending practitioners to bear fees; some providers segment offered courses to
15 avoid fees¹; and, the CLE Board has received both positive and negative comments on the
16 business plan as it has unfolded this year. The fiscal result is a significant shortfall in the
17 projected revenue budgeted from the per credit hour fee which the CLE Board needs to address.
18 In addition, the CLE Board would like to address the entirety of the feedback received to date
19 and fully consider the feedback and practical impact on attorneys attending CLE under the new
20 business plan.

21
22 Therefore, the CLE Board seeks to withdraw its pending 499 Amendment Request in
23 order to provide this Court with a more comprehensive amendment request that addresses all
24 issues, clarifies exemptions, and proposes responsive changes and evidence-based alternative fee
25

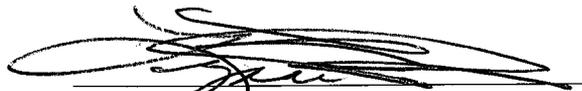
1 assessment plan(s) which will allow more fruitful consideration and discussion at public hearing.

2 The CLE Board intends to file its revised request for amendment within thirty (30) days.

3 Accordingly, the CLE Board respectfully requests this Court grant this Request to
4 Withdraw Request for Amendment to ADKT 0499 after due consideration.

5 THIS DOCUMENT DOES NOT CONTAIN THE
6 SOCIAL SECURITY NUMBER OF ANY PERSON.

7 Dated this 31st day of August, 2018.

8
9 

10 Lynne K. Simons
11 District Court Judge
12 Second Judicial District Court
13 and appointed CLE Board Member
14
15
16
17
18
19
20
21
22
23
24

25 ¹ For example, provider seeks approval of six hour-one day course; however, the provider applies by segmenting the six hour-one day course into four one and one half courses occurring in one day om order to avoid fees.