

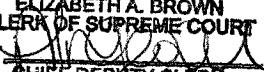
IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF AMENDMENTS  
TO SUPREME COURT RULE 214  
REGARDING THE EXEMPTION FROM  
PAYMENT OF THE \$40 ANNUAL FEE  
TO THE NEVADA BOARD OF  
CONTINUING LEGAL EDUCATION  
FOR ALL MEMBERS OF THE  
JUDICIARY.

ADKT 0529

FILED

OCT 31 2017

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

*PETITION TO AMEND SUPREME COURT RULE 214*

COMES NOW, the Honorable Michael A. Cherry, Chief Justice of the Nevada Supreme Court, and petitions the Court on its administrative docket to amend Supreme Court Rule (SCR) 214 regarding the exemption of the judiciary from the payment of the \$40 annual fee to the Nevada Board of Continuing Legal Education (NVCLE). The proposed rule as amended is attached hereto in its entirety as Exhibit A.

*DISCUSSION*

Pursuant to SCR 208 and SCR 210, the NVCLE Board is responsible for the collection of a \$40 annual fee from all active attorneys in the State of Nevada. At inception, the \$40 annual fee was not assessed or collected from active members of the judiciary, both state and federal. Upon a recent review of the Supreme Court Rules by the NVCLE Board, it appears this practice may be construed to violate SCR 214 as currently written. Rule 214 only exempts active members of the federal judiciary. To facilitate the fair application of the exemptions, petitioner requests this court to amend SCR 214 to exempt all active members of the state and

federal judiciary from the \$40 annual fee rather than members of the federal judiciary only.

*CONCLUSION*

Petitioner respectfully requests, pursuant to the Nevada Rules on Administrative Docket, that the Court make the proposed amendment to SCR 214 as set forth above.

Dated this 31<sup>st</sup> day of October, 2017.

Respectfully submitted,

*Cherry*

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MICHAEL A. CHERRY  
Chief Justice

## EXHIBIT A

### Rule 214. Exemptions.

1. The following attorneys are entitled to an exemption from the requirements of Rule 210:

(a) Any active member who has successfully completed the Nevada state bar examination in the present calendar year. The exemption shall be for the remainder of the calendar year in which the examination was successfully completed and the first full calendar year thereafter. Commencing on January 1 of the second calendar year after the successful completion of the examination, the active member becomes subject to these rules. Notwithstanding this exemption, each active member of the state bar, following admission, shall complete the Transitioning into Practice program.

(b) Any active member who is a full-time member of the [federal] judiciary.

(c) Any member of the state bar who, while not in default of the obligations imposed by these rules, has been voluntarily placed on inactive status; provided, however, that such voluntary placement must have been given in writing to the state bar and the board prior to the expiration of the applicable calendar year for which the exemption is claimed.

(d) Any active member who has attained the age of 70 years.

(e) Any active member who is deployed on full-time active duty in the armed forces of the United States, until the member's release from active military service and resumption of the practice of law.

2. The board, in its discretion, may grant an attorney subject to these rules an exemption upon circumstances constituting exceptional, extreme and undue hardship unique to the attorney, subject to the following:

(a) The attorney seeking the exemption shall promptly file with the board a verified application, specifying in detail the circumstances which the attorney believes afford a basis for an exemption;

(b) The board may, but need not, exempt the attorney from all or a portion of these rules; and

(c) The board may condition the exemption upon such terms and conditions, and limit the exemption or partial exemption to such period of time, as the board may deem appropriate.