

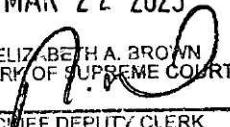
IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF THE
AMENDMENT OF SUPREME COURT
RULE 214

ADKT 0609

FILED

MAR 22 2023

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

PETITION

Lidia S. Stiglich, Chief Justice of the Nevada Supreme Court, and Lynne K. Simons, Chief Judge of the Second Judicial District, petition the Nevada Supreme Court on its administrative docket to amend Supreme Court Rule (SCR) 214 to provide an attorney legislator serving in the Nevada Legislature an exemption from the annual requirement to complete 10 hours of general continuing legal education credit for the compliance period in which the attorney serves in a regular Session of the Legislature.

Mandatory continuing legal education satisfies the important goal of providing opportunities for attorneys to improve their competence and professionalism by keeping current on the latest legal developments and expanding their legal expertise. The Nevada Board of Continuing Legal Education Regulation 2 acknowledges that attorneys can satisfy professional development requirements by participating in events other than seminars. Legislators represent their constituents by studying state and local concerns and, in response to those concerns, enact new laws or change existing ones. The duties and functions of legislators comport with the purposes of mandatory continuing legal education. Therefore, affording an attorney legislator an exemption to SCR 210's annual requirement of 10 general continuing legal education credits for the compliance period in

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which the attorney serves in a regular Session of the Legislature is warranted.

Accordingly, petitioner requests that the Nevada Supreme Court place this matter on its administrative docket, hold such hearings as it deems necessary and consider the proposed amendment to SCR 214 as set forth in Exhibit A.

Respectfully submitted,



Lidia S. Stiglich
Chief Justice

EXHIBIT A
AMENDMENT TO SUPREME COURT RULE 214

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 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.

(e) A member who is an attorney legislator serving in the Nevada Legislature may receive an exemption from the 10 general continuing legal education credits required by Rule 210(2)(a) for the compliance period in which

the attorney legislator serves in a regular Session of the Legislature. This exemption excludes the two hours in the area of ethics and professional conduct and one hour in the area of substance abuse, addictive disorders and/or mental health issues that impair professional competence required by Rule 210(2)(a). All requests for exemption must be postmarked or delivered to the state bar offices on or before March 1 of the year for which the exemption is requested.

2. A person licensed to practice law in this state who has reached the age of 70 years shall be exempted from payment of the annual fee required under Rule 210(1).

3. Any active member who is admitted to practice law in Nevada pursuant to Rule 49.1(1)(b) or 49.1(1)(c) shall be exempted from payment of the annual fee required under Rule 210(1).

4. All active members of the judiciary shall be exempted from payment of the annual fee required under Rule 210(1).

5. 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 that 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.