IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF AMENDMENT TO SCR 214(1)(d) REGARDING EXEMPTION OF CONTINUING LEGAL EDUCATION REQUIREMENTS OF ATTORNEYS WHO ARE SEVENTY YEARS OF AGE AND OLDER

ADKT 0549

FILED

DEC 20 2019

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY DEPUTY CLERK

ORDER AMENDING SUPREME COURT RULE 214

WHEREAS, on October 24, 2019, the Board of Governors of the State Bar of Nevada filed a petition in this court seeking to eliminate Supreme Court Rule 214(1)(d), which exempts active members of the State Bar of Nevada who have attained the age of 70 from meeting mandatory continuing legal education requirements.

WHEREAS, this court solicited comment from the bench, bar, and public on the petition and conducted a public hearing on December 2, 2019; and

WHEREAS, it appears that amendment to Supreme Court Rule 214 is warranted; accordingly,

IT IS HEREBY ORDERED that Supreme Court Rule 214 shall be amended and shall read as set forth in Exhibit A.

IT IS FURTHER ORDERED that pursuant to SCR 210(2)(b), any available carry-forward credits will be applied after the effective date of these amendments.

IT IS FURTHER ORDERED that the amendment to Supreme Court Rule 214 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

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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 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 20th day of December 2019.

_____, C.J.
Gibbons

_____, J.
Pickering

_____, J.
Hardesty

_____, J.
Parraguirre

_____, J.
Stiglich

_____, J.
Cadish

_____, 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 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 **[~~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. <u>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 of Rule 210(1).</u>

3. The board, in its discretion, may grant an attorney subject to these rules an exemption upon circumstances constituting exceptional, [~~extreme~~] 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~~] 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;

(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; and

(d) All active members of the judiciary shall be exempted from payment of the $40 annual fee under SCR 210(1).