

DEC 12 1977

RITA M. WHITE

*M. J. Journal*  
DEPUTY

IN THE SUPREME COURT, STATE OF WYOMING

OCTOBER TERM, A.D. 1977

IN THE MATTER OF THE )  
ADOPTION OF RULES FOR )  
CONTINUING LEGAL EDUCATION OF )  
MEMBERS OF THE WYOMING STATE )  
BAR )

O R D E R

The Wyoming State Bar at its annual meeting in Cheyenne, Wyoming, on September 16, 1977, passed a resolution recommending the approval by the Supreme Court of Wyoming of rules for mandatory continuing legal education of members of the State Bar. The rules presented to the Court were referred to the Permanent Rules Committee for comments and by it returned to the Court with a recommendation for adoption. On December 6, 1977, the Court, en banc, approved the rules as recommended by the Wyoming State Bar and the Permanent Rules Committee.

It appearing advisable that the rules be adopted,

IT IS THEREFORE ORDERED that the rules entitled "Rules for Continuing Legal Education of Members of the Wyoming State Bar," filed herewith, be and they are hereby adopted; that said rules be published in the Wyoming Reporter and shall become effective sixty days after their publication in the Pacific Reporter Advance Sheets; and thereupon shall be spread at length upon the journal of this Court.

IT IS FURTHER ORDERED that the Wyoming State Bar be commended for its work.

Dated at Cheyenne, Wyoming this 6th day of December, 1977.

BY THE COURT:

*Rodney M. Guthrie*  
Rodney M. Guthrie, Chief Justice

RULES FOR CONTINUING LEGAL EDUCATION OF MEMBERS  
OF THE WYOMING STATE BAR

Rule 1.     Purpose

By continuing their legal education throughout their period of practice of law, attorneys can better fulfill their obligation competently to serve their clients. These rules establish minimum requirements for such continuing legal education and the means by which the requirements shall be enforced.

Rule 2.     State Board of Continuing Legal Education

There is hereby established a State Board of Continuing Legal Education to be appointed by this Court. The Board shall consist of nine (9) members, six (6) of whom shall be members of the Wyoming State Bar and three (3) of whom shall be residents of the State not admitted to the practice of law. Members shall be appointed for three-year terms, except that three members of the initial Board shall be appointed for a one-year term and three members shall be appointed for a two-year term. Each yearly class of members shall include two members of the Bar and one layperson. No person may serve more than two consecutive terms as a member of the Board.

The Court shall designate each year one of the lawyer members to serve as Chairman. The Executive Director of the Wyoming State Bar shall serve as the Executive Secretary of the Board. The Board shall have general supervisory authority over the administration of these rules and in addition shall have the specific duties and responsibilities hereinafter set forth. The Board shall have authority to adopt such rules and regulations as it determines are necessary in carrying out its responsibilities.

The terms of the initial members of the Board shall begin on January 1, 1978.

Rule 3.     Continuing Legal Education Requirement

Commencing with calendar year 1978, each attorney admitted to practice in this State shall complete, during each calendar year, a minimum of ten hours of accredited continuing legal education as defined in Rule 4. For the year beginning January 1, 1979, and for all following years, fifteen hours of accredited continuing legal education shall be required.

Hours completed in any year in excess of the minimum number may be carried forward to satisfy the requirements for either of the two years next following.

Inactive members of the Bar, as defined in Rule 7, shall not be subject to the requirements of this rule.

Rule 4.     Hours of Accredited Continuing Legal Education Defined

a.     An hour of accredited continuing legal education means an hour in attendance at an Accredited Continuing Legal Education program. Attorneys who lecture in an Accredited Continuing Legal Education program shall receive credit for three hours for each hour spent in lecturing.

b.     Accredited Continuing Legal Education programs include those specifically accredited by the State Board of Continuing Legal Education in each instance, and such programs sponsored by the following agencies and organizations:

1.     The Wyoming State Bar or a duly authorized committee or section thereof.

2.     The State Bar Association of any other state or an authorized section or committee thereof.



3. The American Bar Association or any authorized section or committee thereof.

4. A law school on the approved list of the American Bar Association.

5. The Wyoming Trial Lawyers Association.

6. The American Trial Lawyers Association.

7. The Joint Committee for Continuing Legal Education of the American Bar Association and the American Law Institute.

8. The Practicing Law Institute.

9. The Rocky Mountain Mineral Law Foundation.

c. The final published course schedule of an Accredited Continuing Legal Education program shall be determinative of the number of hours of accredited continuing legal education available through such program. In all other cases, the State Board of Continuing Legal Education shall determine the number of hours of accredited continuing legal education available through such program.

d. The Board may allow equivalent credit for such activities, as in the Board's determination further the purposes of these rules and should be allowed such equivalency. Such equivalent activities may include, but are not limited to, writing and publishing an article in a legal periodical, part-time teaching by a practitioner in an ABA approved law school, or delivering a paper or speech on a professional subject at a meeting primarily attended by lawyers or law students. The number of hours of credit to be allowed for such activities and the procedures for obtaining such equivalent credit may be established by regulation of the Board or may be determined specifically in particular instances by the Board.

e. A lawyer or a sponsoring agency desiring approval of a continuing legal education activity or program shall submit to the Board all information required.

Rule 5. Annual Reports by Attorneys

On or before March 1st of each, commencing March 1, 1979, each attorney admitted to practice in this state shall make a written report to the Board, in such form as the Board shall prescribe, concerning such attorney's completion of accredited continuing legal education during the preceding calendar year. Such report shall include the titles of programs attended, the sponsoring agency, the number of hours in actual attendance at each such program, and such other information as the Board shall require. An attorney shall not be required to comply with this rule or comply with the continuing legal education requirement set forth in Rule 3 for the year during which such attorney was admitted to practice.

Rule 6. Penalty for Failure to Satisfy Continuing Legal Education Requirement

Any attorney who fails to comply with the provisions of Rule 5 or who files a report showing that such attorney has failed to complete the required number of hours of continuing legal education may have his or her right to practice law suspended by this Court, provided that at least thirty (30) days prior to such suspension, notice of such delinquency has been forwarded to such attorney by restricted certified mail, return receipt requested, addressed to such attorney at the attorney's last known address.



Such person shall be given the opportunity during said thirty (30) days to file in duplicate in the Office of the Clerk of this Court an affidavit disclosing facts demonstrating that such person's noncompliance was not willful and tendering such documents, which, if accepted, would cure the delinquency, or to file in duplicate in the Office of the Clerk of this Court a request for hearing to show cause why such attorney's license to practice law should not be suspended. A hearing shall be granted if requested. If, after hearing, or failure to cure the delinquency by satisfactory affidavit and compliance, such person is suspended, the person shall be notified thereof by restricted certified mail, return receipt requested.

An attorney suspended under the provisions of this rule may be reinstated by the Court upon motion of the Board and upon a showing that such attorney has cured the delinquency for which the attorney has been suspended.

For good cause shown, the Board may, in individual cases involving hardship or extenuating circumstances, grant waivers of the minimum education requirements or extension of time within which to fulfill the same or make the required report.

#### Rule 7. Inactive Practitioners

A member of the Wyoming State Bar who is not engaged in the practice of law in the State of Wyoming may, upon application to the Board, be granted a waiver of compliance with the continuing legal education requirements of Rule 3 and obtain a certificate of exemption. No person holding such certificate of exemption shall practice law in this state until reinstated, except that such person may represent his or her full-time employer.

An attorney who is on inactive status may be reinstated upon motion of the Board upon completing, within a period of one year prior to reinstatement, the continuing legal education requirement for a single year.

#### Rule 8. Fees and Expenses

Each member of the Bar shall pay a fee of \$5.00 to the Wyoming State Bar at the time of filing the report required by Rule 5. Such fee shall be deposited in a special account of the Wyoming State Bar and used to defray the costs of administering these rules.

Members of the Board shall not be compensated but shall be reimbursed for expenses incurred by them in the performance of their duties.