

***IN THE SUPREME COURT, STATE OF WYOMING***

*April Term, A.D. 2012*

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*In the Matter of Amendments to* )  
*Rules 10, 11, and 12 of the* )  
*Rules of the Wyoming State Board of* )  
*Continuing Legal Education* )

**ORDER ADOPTING AMENDMENTS TO RULES 10, 11, AND 12 OF THE  
RULES OF THE WYOMING STATE BOARD OF  
CONTINUING LEGAL EDUCATION**

**The Officers and Commissioners of the Wyoming State Bar** have recommended that the Wyoming Supreme Court amend Rules 10, 11, and 12 of the Rules of the Wyoming State Board of Continuing Legal Education. The Court, having carefully reviewed the proposed amendments, finds that the proposed amendments should be adopted. It is, therefore,

**ORDERED** that the amendments to Rules 10, 11, and 12 of the Rules of the Wyoming State Board of Continuing Legal Education, attached hereto, be and hereby are adopted by the Court to be effective September 30, 2012; and it is further

**ORDERED** that this order and the attached amendments shall be published in the advance sheets of the Pacific Reporter; the attached amendments shall be published in the Wyoming Court Rules Volume; and that this order and the attached amendments shall be published online at the Wyoming Judicial Branch's website, <http://www.courts.state.wy.us>. The amendments shall thereafter be spread at length upon the journal of this Court.

**DATED** this 10<sup>th</sup> day of August, 2012.

**BY THE COURT:**

/s/

**MARILYN S. KITE**  
**Chief Justice**

## Rules of the Wyoming State Board of Continuing Legal Education

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### **Rule 10. Penalties for failure to satisfy continuing legal education requirement.**

(a) On or before March 31 of each year, the Wyoming State Bar shall serve each active attorney who has not complied with the continuing legal education requirements for the previous calendar year, a Notice of Noncompliance. On or before March 31 of each year, the Wyoming State Bar shall also give notice to each new admittee who has not taken the mandatory CLE class described in Rule 4(b) of these Rules. Delinquent attorneys and new admittees failing to comply with Rule 4(b) will have until April 30 to submit applications for adequate credits to cure the delinquency, along with payment of a \$100 noncompliance fee, payable to the Board of Continuing Legal Education.

(b) On or before May 1 of each year, the Wyoming State Bar shall serve each active attorney who failed to comply with the continuing legal education requirements for the previous year by March 31, a Final Notice of Noncompliance. On or before May 1 of each year, the Wyoming State Bar shall also give notice to each new admittee who has not taken the mandatory CLE class described in Rule 4(b) of these Rules. Delinquent attorneys and new admittees failing to comply with Rule 4(b) will have until May 31 to submit application for adequate credits to cure the delinquency, along with payment of an additional \$200 noncompliance fee, payable to the Board of Continuing Legal Education.

(c) On or before June 15 of each year, the Wyoming State Bar shall forward a Recommendation for Suspension for Noncompliance of continuing legal education requirement to the Court for each active attorney who failed to comply with the continuing legal education requirement for the previous year by May 31, or for any delinquent attorney who has failed to pay the appropriate noncompliance fee. On or before June 15 of each year, the Wyoming State Bar shall also forward a Recommendation for Suspension for Noncompliance of continuing legal education Requirement to the Court for each new admittee who has not taken the mandatory CLE class described in Rule 4(b) of these Rules by May 31, or for any new admittee who has failed to pay the appropriate noncompliance fee.

(d) Upon receipt of the Recommendation for Suspension for Noncompliance of continuing legal education requirements, the Court shall issue an Order to Show Cause as to why the delinquent attorney's or new admittee's license to practice law in the State of Wyoming should not be suspended, sent by certified mail, return receipt requested, addressed to the attorney at the official address listed with the Wyoming State Bar. ~~The attorney has 30 days to cure the delinquency, along with payment of an additional \$300 noncompliance fee, payable to the Board of Continuing Legal Education. The delinquent attorney may file a response with the Court within 30 days of the date of the order to show cause by filing an original and six copies of such response with the clerk of the Court. The delinquent attorney shall also serve a copy of the response on the Board of Continuing Legal Education, together with a \$300 noncompliance fee payable to that Board.~~

(e) ~~If an attorney fails to cure the delinquency within the allotted time period, the delinquent attorney's or new admittee's license to practice law in the State of Wyoming shall be suspended by order of the Court. The order of suspension shall be served by the Court by certified mail, return receipt requested.~~ In the absence of good cause shown, an order of suspension from the practice of law for a period of one (1) year shall issue from the Court.

~~(f) If an attorney has not cured the delinquency within one year after the date of the order of suspension, upon notification from the Board to the Court, the delinquent attorney's or new admittee's license to practice law in the State of Wyoming shall be terminated by order of the Court. The order of termination shall be served by the Court by certified mail, return receipt requested.~~

## **Rule 11. Duties of suspended attorneys.**

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(b) ~~If an attorney has not eured the suspension~~ filed a petition for reinstatement within six months from the date of the order, the attorney shall within 15 days deliver to all present and former clients all client files.

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## **12. Reinstatement.**

~~(a) Any attorney may, within six months of the order of suspension, be reinstated by performing the following:~~

~~(1) File a written petition for reinstatement with the Board with the requisite fee set forth in Rule 10.~~

~~(2) Furnish evidence of completion of the continuing legal education requirement for which suspended, as well as that applicable during the period of suspension.~~

~~(3) Furnish evidence that no claims or awards against the attorney were made from the client's security fund for which the fund has not been reimbursed.~~

~~(4) Furnish evidence that the attorney has satisfied all special requirements of the order of suspension.~~

The suspended member may be reinstated upon the filing of a petition for reinstatement within one (1) year of the date of the order of suspension, which petition shall be filed, along with six copies, with the Supreme Court. A copy of the petition shall also be provided to the Board of Continuing Legal Education. The petition shall be supported by an affidavit which shows: (1) that all past annual license fees, the current year's annual license fee and any late charges have been paid in full, in addition to all past and current annual fees for continuing legal education; (2) that the attorney is current on all mandatory continuing legal education requirements; (3) that there have been no claims or awards made in regard to an attorney on the client's security fund for which the fund has not been reimbursed; and (4) the attorney has complied with all other applicable conditions for reinstatement. The petition shall be accompanied by all appropriate fees for applicants for admission on motion. A response by the Board of Continuing Legal Education may be filed within twenty (20) days of the date of service of the petition for reinstatement.

~~(b) Any attorney who has been suspended for more than six months because of failure to satisfy continuing legal education requirements must satisfy the requirements of subsection (a) above. In addition, an application for reinstatement must be filed with the Court, which will be referred to the Character and Fitness Committee of the State Board of Law Examiners for investigation. After an investigation, the Committee will provide a recommendation to the Board~~

~~of Continuing Legal Education regarding reinstatement. The following documents must be filed with the Court:~~

- ~~(1) application for admission to the Wyoming State Bar;~~
- ~~(2) check or money order in the amount of the application fee, made payable to the Clerk of the Wyoming Supreme Court;~~
- ~~(3) NCBE request for preparation of a character report;~~
- ~~(4) appropriate payment by check, money order or credit card, made payable to the NCBE, for the preparation of character report;~~
- ~~(5) proof of payment of all license fees, current and past, including any late fees;~~
- ~~(6) proof that all CLE requirements, past and current, have been satisfied;~~
- ~~(7) proof that no claims or awards have been made from the Clients' Security Fund for which the fund has not been reimbursed.~~

~~(e) If the attorney satisfies the applicable requirements for reinstatement set out above, the Board will file a recommendation for reinstatement of the attorney with the Court.~~

If an attorney who is suspended from the practice of law for a continuing legal education delinquency has not petitioned for reinstatement within one (1) year of the date of the order of suspension, such attorney's membership in the Wyoming State Bar shall be terminated by order of the Court. Such attorney who thereafter seeks admission to the Wyoming State Bar shall comply with the admissions requirements set forth in Sections II and IV of the Wyoming Rules and Procedures Governing Admission to the Practice of Law.

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