

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

*April Term, A.D. 2013*

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*In the Matter of Amendments to* )  
*Rules 4, 6, and 10 of the* )  
*Rules of the Wyoming State Board of* )  
*Continuing Legal Education* )

**ORDER ADOPTING AMENDMENTS TO RULES 4, 6, AND 10  
OF THE RULES OF THE WYOMING STATE BOARD  
OF CONTINUING LEGAL EDUCATION**

**The Wyoming State Board of Continuing Legal Education** has recommended that this Court amend Rules 4, 6, and 10 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 4, 6, and 10 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 January 1, 2014; 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 17<sup>th</sup> day of September, 2013.

**BY THE COURT:**

/s/

**MARILYN S. KITE**  
Chief Justice

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

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### Rule 4. Continuing legal education requirement.

#### (a) Requirements.

~~(1) Active Members: A minimum of 15 hours of continuing legal education, including one a total of two hours of legal ethics, must be completed by each attorney each calendar year.~~

~~(2) New Active Members: A minimum of 15 hours of continuing legal education including a total of two hours of legal ethics must be completed each calendar year.~~

~~(3) Emeritus Members: A minimum of seven (7) hours of continuing legal education including one hour of legal ethics must be completed each calendar year.~~

(b) Each new admittee to the Wyoming State Bar shall complete, ~~within~~ before the end of the first full calendar year after admission, a six-hour continuing legal education course. The course shall be conducted by the Wyoming State Bar and shall be available at least three times a year, at such times and places as the Wyoming State Bar may designate. No other course or courses may be used to satisfy the requirements of this subsection. The course shall cover the following criteria: \*\*\*\*\*

(g) An attorney may receive a maximum of five hours of legal education credit each calendar year for providing pro bono public service as defined in Rule 6.1 of the Wyoming Rules of Professional Conduct. Such credit may be received at the rate of one credit hour for each two hours of pro bono public service, including (1) performing pro bono public service, (2) acting as a mentor for another attorney who is performing pro bono public service, and (3) acting as a mentor for an eligible law student in accordance with Rule 12, Rules of the Supreme Court of Wyoming Providing for the Organization and Government of the Bar Association and Attorneys At Law of the State of Wyoming.

~~A maximum of three hours of accredited continuing legal education credit may be granted to those lawyers who provide representation or mentoring activities as approved by the Wyoming Pro Bono Organization (WYPBO).~~

~~(1) The attorney will receive one hour of continuing legal education credit for every five billable equivalent hours. In the case of participation in the WYPBO program, the number of hours of credit is not to exceed three per year for civil case representation. Representation is defined as providing legal services to one or more clients in a single or series of related matters.~~

~~(2) Upon completion of a WYPBO matter, the participating attorney shall receive a letter from the WYPBO director certifying the number of hours of credit earned for the representation. The attorney shall report this activity on the form referenced in Rule 4(h), and attach a copy of the certification letter.~~

~~(3) A WYPBO attorney who acts as a mentor to another attorney for a pro bono case will be awarded one continuing legal education credit per case and shall not be eligible to receive more than three continuing legal education credits for pro bono work in any one calendar year. Mentors will be assigned at the time of referral by indigent client and the mentor. Mentors shall be available to the attorney representing the indigent client for information and advice on all aspects of the case, but the mentor will not be required to file or otherwise enter an appearance~~

~~on behalf of the indigent client. Mentors may not be members of the same firm or in association with the attorney representing the indigent client.~~

~~(4) A WYPBO attorney who acts as a mentor for a law student who has successfully completed at least four semesters at an ABA accredited law school on a case will be awarded three continuing legal education credits and shall not be eligible to receive more than three continuing legal education credits for pro bono work in any one calendar year. Mentors will be assigned to law students at the time of referral by the WYPBO coordinator with the consent of the law student, the law school and the mentor. Mentors will be available to the law student for information and advice on all aspects of the case and mentor the law student on the case while supervising. However, the mentor will allow the law student to provide services with the direct supervision of the mentoring attorney. The mentor shall file or otherwise enter an appearance on behalf of the indigent client if an appearance is required in accord with Rule 12, Rules of the Supreme Court of Wyoming Providing for the Organization and Government of the Bar Association and Attorneys.~~

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#### **Rule 6. Accreditation of continuing legal education activities.**

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~~(c) Self-Study Credit. Self-study credit may be given for programs where audio, video or online material is used, subject to the following conditions:~~

- ~~(1) Board approval is received prior to viewing or listening;~~
- ~~(2) The audio, video or online material is from an accredited continuing legal education activity;~~
- ~~(3) The audio, video or online material is accompanied by a paper, manual, or written outline which substantively relates to the subject matter of the materials;~~
- ~~(4) Application for self study credit will be made on a form approved by the Board; and~~
- ~~(5) The applicant has not previously applied for credit for viewing or listening to the same material; and~~
- ~~(6) No more than ~~five~~ six hours of self-study credit may be earned during one calendar year. No hours may be carried over to any subsequent years.~~

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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 required to report as described in CLE Rule 4(a) 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 required to report as described in CLE Rule 4(a) 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 required to report as described in CLE Rule 4(a) 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 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) 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.

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