

Amendments to MCLE Rule 5.2 and Regulation 5.250

Effective March 27, 2013

MCLE Rule 5.2 Other CLE Activities.

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(c) Legal Research and Writing.

(1) Legal research and writing activities, including the preparation of written materials for use in a teaching activity may be accredited provided the activity satisfies the following criteria:

- (i) It deals primarily with one or more of the types of issues for which group CLE activities can be accredited as described in Rule 5.1(b); and
- (ii) It has been published in the form of articles, CLE course materials, chapters, or books, or issued as a final product of the Legal Ethics Committee or a final instruction of the Uniform Civil Jury Instructions Committee or the Uniform Criminal Jury Instructions Committee, personally authored or edited in whole or in substantial part, by the applicant; and
- (iii) It contributes substantially to the legal education of the applicant and other attorneys; and
- (iv) It is not done in the regular course of the active member's primary employment.

(2) The number of credit hours shall be determined by the MCLE Administrator, based on the contribution of the written materials to the professional competency of the applicant and other attorneys. One hour of credit will be granted for each sixty minutes of research and writing, but no credit shall be granted for time spent on stylistic editing.

(d) Legal Ethics Service. A member serving on the Oregon State Bar Legal Ethics Committee, Client Security Fund Committee, Commission on Judicial Fitness & Disability, Local Professional Responsibility Committees, State Professional Responsibility Board, and Disciplinary Board or serving as volunteer bar counsel or volunteer counsel to an accused in Oregon disciplinary proceedings may earn two ethics credits for each twelve months of service.

(e) Legislative Service. General credit hours may be earned for service as a member of the Oregon Legislative Assembly while it is in session.

(f) New Lawyer Mentoring Program (NLMP)

(1) Mentors may earn CLE credit for serving as a mentor in the Oregon State Bar's New Lawyer Mentoring Program.

(2) New lawyers who have completed the NLMP may be awarded CLE credits to be used in their first three-year reporting period.

(g) Jury Instructions Committee Service. A member serving on the Oregon State Bar Uniform Civil Jury Instructions Committee or Uniform Criminal Jury Instructions Committee may earn two general credits for each 12 months of service.

(h) A member seeking credit for any of the activities described in Rule 5.2 must submit a written application on the form designated by the MCLE Administrator for Other CLE Activities.

MCLE Regulation 5.250 Jury Instructions Committee Service

5.250 Jury Instructions Committee Service. To be eligible for credit under MCLE Rule 5.2(g), a member of a jury instructions committee must attend at least six hours of committee meetings during the relevant 12-month period.

Amendments to MCLE Rule 3.7

Effective June 6, 2012

3.7 Reporting Period.

(c) Reinstatements.

(1) A member who transfers to inactive or Active Pro Bono status, is suspended, or has resigned and who is reinstated before the end of the reporting period in effect at the time of the status change shall retain the member's original reporting period and these Rules shall be applied as though the transfer, suspension, or resignation had not occurred.

(2) Except as provided in Rule 3.7(c)(1), the first reporting period for a member who is reinstated as an active member following a transfer to inactive or Active Pro Bono status or a suspension, disbarment or resignation shall start on the date of reinstatement and shall end on December 31 of the next calendar year. All subsequent reporting periods shall be three years.

(3) Notwithstanding Rules 3.7(c)(1) and (2), reinstated members who did not submit a completed compliance report for the reporting period immediately prior to their transfer to inactive or Active Pro Bono status, suspension or resignation will be assigned a new reporting period upon reinstatement. This reporting period shall begin on the date of reinstatement and shall end on December 31 of the next calendar year. All subsequent reporting periods shall be three years.

Amendments to MCLE Rules 5.2(a) and 5.4

Effective July 21, 2011

MCLE Rule 5.2 Other CLE Activities.

(a) Teaching Activities.

(1) Teaching activities may be accredited at a ratio of two credit hours for each sixty minutes of actual instruction.

(2) Teaching credit is allowed ~~only~~ for accredited continuing legal education activities or for courses in ABA or AALS accredited law schools.

(3) Teaching other courses may also be accredited as a CLE activity, provided the activity satisfies the following criteria:

- (i) The MCLE Administrator determines that the content of the activity is in compliance with other MCLE accreditation standards; and
- (ii) The course is a graduate-level course offered by a university; and
- (iii) The university is accredited by an accrediting body recognized by the U.S. Department of Education for the accreditation of institutions of postsecondary education.

(4) Credit shall not be given to an active member whose primary employment is as a full-time or part-time law teacher, but may be given to an active member who teaches on a part-time basis in addition to the member's primary employment.

~~(3)~~ (5) Teaching credit is not allowed for programs and activities for which the primary audience is nonlawyers unless the applicant establishes to the MCLE Administrator's satisfaction that the teaching activity contributed to the professional education of the presenter.

~~(4)~~ (6) No credit is allowed for repeat presentations of previously accredited courses unless the presentation involves a substantial update of previously presented material, as determined by the MCLE Administrator.

MCLE Rule 5.4 Attending ~~Law School~~ Classes.

(a) Attending a class at an ABA or AALS accredited law school may be accredited as a CLE activity.

(b) Attending other classes may also be accredited as a CLE activity, provided the activity satisfies the following criteria:

- (1) The MCLE Administrator determines that the content of the activity is in compliance with other MCLE accreditation standards; and
- (2) The class is a graduate-level course offered by a university; and
- (3) The university is accredited by an accrediting body recognized by the U.S. Department of Education for the accreditation of institutions of postsecondary education.

Amendments to MCLE Rule 5.2 and Regulation 5.100

Effective March 25, 2011

MCLE Rule 5.2 Other CLE Activities

(f) New Lawyer Mentoring Program (NLMP).

(1) Mentors may earn CLE credit for serving as a mentor in the Oregon State Bar's New Lawyer Mentoring Program.

(2) New lawyers who have completed the NLMP may be awarded CLE credits to be used in their first three-year reporting period.

~~(f)~~ (g) A member seeking credit for any of the activities described in Rule 5.2 must submit a written application on the form designated by the MCLE Administrator for Other CLE Activities.

MCLE Regulation 5.100 Other CLE Activities

5.100 Other CLE Activities. The application procedure for accreditation of Other CLE Activities shall be in accordance with MCLE Rule 5.2 and Regulation 4.300.

(c) Members who serve as mentors in the Oregon State Bar's New Lawyer Mentoring (NLMP) may earn eight credits, including two ethics credits, upon completion of the plan year. If another lawyer assists with the mentoring, the credits must be apportioned between them.

(d) Upon successful completion of the NLMP, new lawyers may earn six general/practical skills credits to be used in their first three-year reporting period.

Amendments to MCLE Rules and Regulations

Effective January 1, 2011

Rule 5.2 (e) Legislative Service. ~~Two g~~General credit hours may be earned for ~~per month shall be given for each full month of~~ service as a member of the Oregon Legislative Assembly while it is in session.

Rule 3.3(b) Reinstatements, Resumption of Practice After Retirement and New Admittees.

(b) New admittees shall complete 15 credit hours of accredited CLE activity in the first reporting period after admission as an active member, including two credit hours in ethics (including one in child abuse reporting), and ten credit hours in practical skills. New admittees admitted prior to December 31, 2008 must also complete one access to justice credit in their first reporting period. New admittees admitted on or after January 1, 2009 must also complete a three credit hour OSB-approved introductory course in access to justice. The MCLE Administrator may waive the practical skills requirement for a new admittee who has practiced law in another jurisdiction for three consecutive years immediately prior to the member's admission in Oregon, in which event the new admittee must complete ten hours in other areas. After a new admittee's first reporting period, the ~~requirement~~ requirements in Rule 3.2~~(a)~~ shall apply.

Rule 5.2 Other CLE Activities.

(a) Teaching Activities.

(1) Teaching activities may be accredited at a ratio of ~~four credit hours for each sixty minutes of actual instruction if the presentation includes preparation of written~~

~~materials, or at a ratio of two credit hours for each sixty minutes of actual instruction. if the presentation does not include written materials. No more than 20 hours of teaching credit may be claimed in a three year reporting period and no more than 10 hours may be claimed in a shorter reporting period.~~

(2) Teaching credit is allowed ~~only~~ for accredited continuing legal education activities or for courses in ABA or AALS accredited law schools. Credit shall not be given to an active member whose primary employment is as a full-time or part-time law teacher, but may be given to an active member who teaches on a part-time basis in addition to the member's primary employment.

(3) Teaching credit is not allowed for programs and activities for which the primary audience is nonlawyers unless the applicant establishes to the MCLE Administrator's satisfaction that the teaching activity contributed to the professional education of the presenter.

(4) No credit is allowed for repeat presentations of previously accredited courses unless the presentation involves a substantial update of previously presented material, as determined by the MCLE Administrator. ~~Updated courses satisfying this requirement may be accredited at a ratio of two credit hour for each sixty minutes of actual instruction.~~

Rule 5.2 Other CLE Activities

(c) Legal Research and Writing.

(1) Legal research and writing activities, including the preparation of written materials for use ~~not included~~ in a teaching activity may be accredited provided the activity satisfies the following criteria:

- (i) It deals primarily with one or more of the types of issues for which group CLE activities can be accredited as described in Rule 5.1(b); and
- ~~(i)~~ (ii) It has been published in the form of articles, CLE course materials, chapters, or books, or issued as a final product of the Legal Ethics Committee, personally authored or edited in whole or in substantial part, by the applicant; and
- ~~(ii)~~ (iii) It contributes substantially to the legal education of the applicant and other attorneys; and
- ~~(iii)~~ (iv) It is not done in the regular course of the active member's primary employment.

(2) The number of credit hours shall be determined by the MCLE Administrator, based on the contribution of the written materials to the professional competency of the applicant and other attorneys. One hour of credit will be granted for each sixty minutes of research and writing, but no credit shall be granted for time spent on editing.

5.5 Ethics and Access to Justice.

(a) In order to be accredited as an activity in legal ethics under Rule 3.2(b), an activity shall be devoted to the study of judicial or legal ethics or professionalism, and shall include discussion of applicable judicial conduct codes, disciplinary rules, or statements of professionalism. Of the six hours of ethics credit required by Rule 3.2(b), one hour must be on the subject of a lawyer's statutory duty to report child abuse (see ORS 9.114). The child abuse reporting training requirement can be completed only by one hour of training by participation in or screening of an accredited program.

MCLE Rule 6.2 – Legal Research and Writing Limitations

6.2 Teaching and Legal Research and Writing Limitation. No more than 15 credit hours shall be allowed for each legal research activity for which credit is sought under MCLE Rule 5.2(c) and no more than 20 hours of combined teaching and legal research and writing credit may be claimed in one three-year reporting period. Not more than 10 hours may be claimed in any shorter reporting period.