

FAQs: Changes to MCLE Rule 3.6(b)

Effective April 1, 2024

What rules have changed and when do the new rules take effect?

In order to be consistent among the regulatory functions of the bar, the amendment to MCLE Rule 3.6(b) mirrors the requirements of the [Oregon State Bar Rules for Admission of Attorneys](#) (“RFAs”). RFA 15.05 was amended by the Oregon State Bar and the Oregon Supreme Court in July of 2022 from its previous Reciprocity Rule to its current Comity Rule. However, the MCLE Rules were not amended to reflect the change, until now.

The new rules go into effect April 1, 2024.

What are the requirements of the Comity Rule?

RFA 15.05 reads:

(1) An attorney who has taken and passed the bar examination in another United States jurisdiction, who is an active member of the bar in any other state, district or territory of the United States, and who meets all the following qualifications may be admitted to the practice of law in Oregon without having to take and pass the Oregon bar examination, subject to the requirements of this rule:

(a) The applicant has been licensed to practice law in at least one United States jurisdiction for at least 24 consecutive months;

(b) The applicant has not been subject to any administrative or disciplinary suspension within the 60 months immediately preceding the submission of the application for admission under this rule;

(c) The applicant has no known ongoing disciplinary cases, investigations, or inquiries in any other jurisdiction; and

(d) The applicant has been actively engaged in the authorized fulltime practice of law for no less than 24 of the 48 months immediately preceding the application for admission under this rule. For purposes of RFA 15.05, “full-time practice of law” means an average of at least 30 hours per week engaged in one of the enumerated activities in RFA 1.05(1)(a) or performed work in support of, or in anticipation of, such activities, so long as the applicant was authorized to engage in such activities in the relevant jurisdiction.

What changes were made to MCLE Rule 3.6(b)?

The previous MCLE Rule 3.6(b) reads (underlined language included for emphasis to clarify what was changed):

(b) New Admittees. The first reporting period for a new admittee shall start on the date of admission as an active member and shall end on April 30 of the next calendar year, except a new admittee admitted by reciprocity who has practiced law in another jurisdiction for three consecutive years immediately prior to admission in Oregon shall have a three year initial reporting period that begins May 1 the year following admission and ends April 30 three years later. All subsequent reporting periods shall be three years.

The new amended MCLE Rule 3.6(b), effective April 1, 2024 reads (new language in bold for emphasis):

(b) New Admittees. The first reporting period for a new admittee shall start on the date of admission as an active member and shall end on April 30 of the next calendar year, except a new admittee admitted by **comity** who has practiced law in another jurisdiction for **no less than 24 of the 48 months** immediately prior to admission in Oregon shall have a three year initial reporting period that begins May 1 the year following admission and ends April 30 three years later. All subsequent reporting periods shall be three years.

Click [here](#) to view the Supreme Court order and the amended language of the MCLE Rules and Regulations.