

FAQs: MCLE Suspension and Reinstatement by Oregon State Bar CEO

Effective November 1, 2022

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

Following the recommendation of the Board of Governors the Supreme Court entered an order amending MCLE Rules 7 and 8 and the Regulations to MCLE Rule 7 to achieve the following:

- Make suspension for MCLE noncompliance an automatic administrative suspension;
- Allow the OSB Chief Executive Officer (CEO) to reinstate a member who was suspended for MCLE noncompliance upon curing their noncompliance and paying the related fees; and
- Change the deadline to electronically submit MCLE reports from 5:00 p.m. on May 31 to 11:59 p.m. on May 31 of the reporting year to give members the full deadline day to report.

The Court ordered these amendments effective November 1, 2022.

What has changed about the MCLE noncompliance suspension process?

The amended rules eliminate the lengthy suspension and reinstatement process currently required as a result of MCLE noncompliance. Under the amended rules, suspension become automatic administrative suspensions. These changes will expedite the suspension and reinstatement process, and are beneficial for OSB members, staff, the Court, and the public.

Will the Bar continue to notify the Court of MCLE noncompliance suspensions?

The Court will continue to be notified of suspensions for MCLE requirements via letter in the same manner that the Bar notifies the Court of suspensions due to failure to pay membership fees, professional liability fund contributions, or trust accounting certifications.

What has changed about the MCLE noncompliance reinstatement process?

Under the amended rules, MCLE reinstatements will require Oregon State Bar CEO approval instead of the Court's approval. Instead of the typical four to eight weeks that the previous reinstatement process entailed, the new time frame for reinstatement would be 24 to 48 hours.

What has changed about the deadline to submit MCLE compliance reports?

This amendment gives members until the end of May 31 (i.e., 11:59 p.m.) of their reporting year to submit their MCLE compliance reports. The deadline imposed by the previous rules is 5:00 p.m. The previous deadline was imposed initially due to business hour constraints on processing MCLE compliance reports. We now have an automated system that can be programmed to flag noncompliance and trigger late fees at midnight instead of 5:00 p.m.

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