

# OREGON STATE BAR

## Board of Governors Agenda

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**Memo Date:** April 2, 2025  
**From:** Kellie Baumann, MCLE Program Manager and Regulatory Project Manager  
**Re:** Rules of Licensure Amendments – former MCLE Regulations

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### Action Recommended

Submit the proposed changes amending the Bar Rules of Licensure (“RLs”) as noted in Exhibit 1 for adoption by the Court.

### Background

After discussion at the March 2025 MCLE Committee meeting, the attached language was unanimously approved to propose to the Board as a recommendation.

### Discussion

In reviewing the regulations for MCLE, many of the regulations are process driven that indicate how the department functions and can reside in a separate department handbook established by staff to allow for uniform interpretation of the Rules. However, there are a few rules that, if added to the RLs, would assist in providing greater clarity for attorneys and LPs.

An abbreviated table of the recommended changes are below. The amendments are provided in Exhibit 1 with in [underline and blue](#).

| MCLE Rule/Regulation     | Recommended RL Amendment | Subject Matter   |
|--------------------------|--------------------------|--|
| MCLE Rule 5.13           | RL 9.1(1)                | Denotes that group CLE activities must contain content that seeks to increase lawyer competence.   |
| MCLE Regulation 5.100(a) | RL 9.11(2)               | Denotes the number of CLE hours obtained for legislative service.  |
| MCLE Regulation 5.200(g) | RL 9.12(3)               | Denotes the number of hours gained for writing and grading bar exams. Note that the approved amendments for the SPPE and LP exams have been added to this section as well. |

|                                 |                |   |
|---------------------------------|----------------|---|
| <b>MCLE Regulation 5.200(f)</b> | RL 9.12(5)     | Denotes the number of hours gained for volunteer service on certain committees.   |
| <b>MCLE Regulation 5.200(h)</b> | RL 9.12(4)     | Denotes the number of hours gained for volunteer service on the legal ethics committee. Note that 2 hours was changed to 3 hours to parallel 5.200(f) and 5.200(g). |
| <b>MCLE Regulation 5.200(i)</b> | RL 9.12(6)     | Denotes the number of hours gained for acting as a pro tem judge.   |
| <b>MCLE Regulation 6.100</b>    | RL 8.7 (5)-(8) | Denotes the number and type of hours that may be carried over at the end of a reporting period.   |

## Exhibit 1

### RULES OF LICENSURE

#### 8.7 Application of Credits

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(5) An active attorney member may carry forward 15 or fewer unused credit hours from the reporting period during which the credit hours were earned to the next reporting period. An active LP member may carry forward 10 or fewer unused credit hours from the reporting period during which the hours were earned to the next reporting period. Carry over credits from a reporting period in which the credits were completed by the member may not be carried forward more than one reporting period.

(6) No more than six ethics credits can be carried over for application to the subsequent reporting period requirement. Ethics credits in excess of the carry over limit may be carried over as general credits for lawyer members.

(7) Abuse reporting credits earned in excess of the reporting period requirement may be carried over as general credits for lawyer members, but a new abuse reporting education credit must be earned in each reporting period in which the credit is required.

(8) Access to justice credits may be carried over as general credits for lawyer members, but new access to justice credits must be earned in the reporting period in which they are required.

#### 9.1 Group Accreditation (Category I)

- (1) A group CLE program will be considered for accreditation on a case-by-case basis and must satisfy the accreditation standards for the particular type of program for which accreditation is being requested. The group CLE program must have significant intellectual or practical content with the primary objective of increasing the participant's professional competence as a lawyer or LP. It should contain materials that deal primarily with substantive legal issues, legal skills, practice issues, or legal ethics and professionalism, or access to justice.

## 9.11 Additional Accredited Programs

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### (2) Legislative Service.

General credit hours may be earned for service as a member of the Oregon Legislative Assembly while it is in session. [Credit for legislative service may be earned at a rate of 1.0 general credit for each week or part thereof while the legislature is in session.](#)

### (3) NLMP Mentor Service.

An attorney member who serves as a mentor in the NLMP may earn a total of 8 CLE credits, including 2 ethics credits and 6 general credits, upon filing of a NLMP Completion Certificate. If an attorney member serves as a mentor for more than one new attorney, the member may claim up to 16 total credits, including 4 ethics credits, during the three-year reporting cycle. If another attorney assists with the NLMP completion, the mentoring credits must be apportioned between the attorney members in a proportionate manner agreed upon by the NLMP mentor. [The mentor may claim these credits in either the same reporting period that their mentee files a NLMP Completion Certificate or the reporting period immediately thereafter.](#)

## 9.12 Accreditation Standards for Teaching, Writing, and Bar Service (Category II)

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### (3) Service as a Bar Examiner.

Credit may be claimed for service as a bar examiner for Oregon, provided that the service includes personally writing or grading a question for the Oregon Bar exam, personally writing a question for the paralegal licensing exam, or personally grading a portfolio for the SPPE program during the reporting period. [Three \(3\) credits may be claimed for writing a bar exam, local component question, paralegal licensing exam question, and three \(3\) credits may be claimed for grading a bar exam, local component question, or SPPE portfolio.](#)

### (4) Legal Ethics Service.

Credit may be claimed for serving on the Oregon State Bar Legal Ethics Committee, Client Security Fund Committee, Commission on Judicial Fitness & Disability, Oregon Judicial Conference Judicial Conduct Committee, State Professional Responsibility Board, or Disciplinary Board, or for serving as volunteer Bar counsel or volunteer counsel to an accused in Oregon

disciplinary proceedings. [Volunteers may claim three \(3\) ethics credits for each twelve \(12\) months of service so long as the volunteer regularly attends and participates in the work related to the functions of the committee.](#)

(5) Credit for Committee and Council Service.

Credit may be claimed for serving on committees that are responsible for drafting court rules or jury instructions that are designed to aid the judicial system and improve the judicial process. Examples include service on the Oregon State Bar Uniform Civil Jury Instructions Committee, Uniform Criminal Jury Instructions Committee, Oregon Council on Court Procedures, Uniform Trial Court Rules Committee, the Oregon Rules of Appellate Procedures Committee, and the District of Oregon Local Rules Advisory Committee. [Volunteers may claim three \(3\) general credits for each twelve \(12\) months of service so long as the volunteer regularly attends and participates in the work related to the functions of the committee.](#)

(6) Service as a Judge Pro Tempore.

Credit may be claimed for volunteer service as a judge pro tempore. [Volunteers may claim one \(1\) general credit for every two \(2\) hours of volunteer time spent on the bench as a judge pro tempore.](#)