

Proposed Amendment to Part 6, Section IV, Paragraphs 13.2 and 17, Rules of the Virginia Supreme Court

The MCLE Board has proposed a change in the MCLE compliance cycle. After consideration of various possibilities, it was determined that changing the reporting period so that it would end on January 31, rather than June 30, would be the most beneficial for two major reasons: better service to the attorneys and more even distribution of workload for the affected VSB departments. It is envisioned that attorneys would experience less confusion over the various membership obligations and fees. The change would also provide members with a longer grace period (Feb. 1–March 15). The following rule changes are submitted for comment.

*Please submit any comments to Thomas A. Edmonds, Executive Director, Virginia State Bar, 707 East Main Street, Suite 1500, Richmond, VA 23219-2800. **Comments must be received by May 30, 2001.***

13.2 SUSPENSION FOR FAILURE TO COMPLETE CONTINUING LEGAL EDUCATION REQUIREMENT.—Each active member of the Virginia State Bar shall complete the Continuing Legal Education requirement prescribed by Paragraph 17 of these Rules, and any active member who fails to complete the requirement shall be suspended unless a waiver is obtained for good cause shown. Any active member licensed on or after July 1, 1986, shall thereafter annually file prior to, but no later than, ~~July 31~~ March 15, certifications that he or she has completed the mandatory continuing legal education programs required by Paragraph 17, or obtain a waiver for good cause shown; provided, however, the next certification deadline following July 31, 2001, shall be March 15, 2003.

17. MANDATORY CONTINUING LEGAL EDUCATION RULE.—The Virginia Supreme Court hereby establishes a Mandatory Continuing Legal Education Program in the Commonwealth of Virginia.

C. Continuing Legal Education Requirements.—

- (1) All active members of the Virginia State Bar shall annually complete and certify attendance at a minimum of twelve (12) credit hours of approved Continuing Legal Education courses

of which at least two (2) hours shall be in the area of legal ethics or professionalism, except those lawyers expressly exempted from the requirement by this Rule or by decision of the Continuing Legal Education Board. Each active member shall complete the required Continuing Legal Education courses each year during the period ~~July 1~~ February 1 through ~~June 30~~ January 31 of the following year; provided, however, the next completion period following June 30, 2001, shall be July 1, 2001 through January 31, 2003.

D.Certificate of Attendance.—

- (1) Each active member of the Virginia State Bar shall certify prior to ~~July 31~~ March 15 each year that such lawyer attended approved Mandatory Continuing Legal Education programs for the minimum number of hours required during the previous calendar year ending ~~June 30~~ January 31; provided, however, the next certification deadline following July 31, 2001, shall be March 15, 2003. The failure to certify shall cause suspension of such lawyer's license to practice law. An untruthful certification shall subject the lawyer to appropriate disciplinary action.