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3 **Rule ~~14-402.~~ 11-602. Definitions.**

4 As used in this article:

5 (a) "Active emeritus" or "active emeritus lawyer" means a lawyer who has been a Bar
6 member for 50 years or who is 75 years of age as of July 1 of the current year and who
7 qualifies for active emeritus status as defined under the Bar's rules, regulations, and
8 policies;

9 (b) "Active status" or "active status lawyer" means a lawyer who elects to be on active
10 status as defined under the Bar's rules, regulations, and policies;

11 (c) "Admission on motion applicant or lawyer" means a lawyer who has been admitted
12 for reciprocal admission as defined under Rule 14-705;

13 (d) "Accredited" means:

14 (1) as it relates to a lawyer, that CLE is approved by the Board as CLE that counts
15 towards the 12 hour CLE requirement per Compliance Cycle; or

16 (2) as it relates to a paralegal practitioner, that CLE is approved by the Board as
17 CLE that counts towards the ~~six~~ 6 hour CLE requirement per Compliance Cycle;

18 (e) "Approved law school" means an ABA approved law school as defined under Rule
19 14-701;

20 (f) "Bar" means the Utah State Bar;

21 (g) "Bar Examination" means the Bar Examination as defined in Rules 14-710 and 14-711
22 and includes the UBE, regardless of where the UBE was taken;

23 (h) "Board" means the Utah Supreme Court Board of Mandatory Continuing Legal
24 Education as set forth in Rule ~~14-403~~ 11-603;

25 (i) "Board of Bar Commissioners" means the governing board of the Bar;

26 (j) "Certificate of Compliance" means a report evidencing a lawyer's or paralegal
27 practitioner's completion of Accredited CLE as required and defined under Rule ~~14-414~~
28 11-614;

29 (k) "CLE" means continuing legal education, including Verified CLE and Elective CLE;

30 (l) "Comity Certificate" is a Certificate filed by a Utah lawyer to show CLE compliance
31 with an approved reciprocal jurisdiction (Idaho, Oregon, or Washington) where the
32 lawyer practices law;

33 (m) "Compliance Cycle" means the fiscal year period (July 1 through June 30) during
34 which:

35 (1) an active status lawyer admitted to practice in Utah is required to complete a
36 minimum of 12 hours of Accredited CLE; or

37 (2) a paralegal practitioner licensed in Utah is required to complete a minimum
38 of ~~six~~ 6 hours of Accredited CLE;

39 (n) "Director" means the person appointed by the Supreme Court to provide
40 administrative assistance to the Board, perform duties delegated by the Board, and
41 manage MCLE staff as outlined in Rule 11-603 and directed by the Board.

42 ~~(n)~~(o) "Ethics CLE" means CLE regarding compliance with the Utah Rules of Professional
43 Conduct with which a lawyer must comply to remain authorized to practice law in Utah
44 and remain in good standing, including:

45 (1) instruction on the Utah Rules of Professional Responsibility; and

46 (2) instruction on general ethical conduct or any other matter (such as law
47 practice management or the use of technology) that, as part of the CLE,
48 significantly relates to and discusses compliance with one or more of the Utah
49 Rules of Professional Responsibility;

50 ~~(e)~~(p) “Elective CLE” means CLE, other than Verified CLE, credited for a number of
51 hours as specified by these rules or determined by the Board on a case-by-case basis,
52 including:

53 (1) viewing an audio, video, or webcast presentation or a computer interactive
54 program;

55 (2) writing and publishing an article in a legal periodical, part-time teaching in
56 an approved law school, or delivering a paper or speech on a professional subject
57 at a meeting primarily attended by lawyers, paralegal practitioners, legal
58 assistants, or law school students;

59 (3) community outreach, as described in Rule ~~14-409~~ 11-609; or

60 (4) Pro Bono Legal Services, as described in Rule ~~14-419~~ 11-619.

61 ~~(p)~~ (q) “Full exam” means all components of the Bar Examination as defined under Rule
62 14-710;

63 ~~(q)~~ (r) “House Counsel” means a lawyer admitted with a restricted House Counsel license
64 as defined in Rule 14-719, which is required and limits the lawyer’s practice of law to the
65 business of the lawyer’s employer;

66 ~~(r)~~ (s) “In-person CLE” means CLE presented in a classroom setting where the lawyer or
67 paralegal practitioner is in the same room as the presenter;

68 ~~(s)~~ (t) “Inactive status” means a lawyer or paralegal practitioner who has elected to be on
69 inactive status as defined under the Bar’s rules, regulations, and policies;

70 ~~(t)~~ (u) “MCLE” or mandatory continuing legal education means CLE required by this
71 article;

72 ~~(u)~~ (v) “New admittee” means a lawyer newly admitted to the Utah State Bar;

73 ~~(v)~~ (w) “NLTP” means the New Lawyer Training Program as set forth in Rule 14-404 and
74 Rule 14-808;

75 ~~(w)~~ (x) “OPC” means the Office of Professional Conduct;

76 ~~(x)~~ (y) “OPC ethics school” means the OPC biannual seminar on the Utah Rules of
77 Professional Conduct which provides six CLE credit hours;

78 ~~(y)~~ (z) “Paralegal practitioner” means a person licensed by the Utah Supreme Court to
79 provide limited legal representation in the areas of (1) temporary separation, divorce,
80 parentage, cohabitant abuse, civil stalking, and custody and support; (2) forcible entry
81 and detainer and unlawful detainer; or (3) debt collection matters in which the dollar
82 amount in issue does not exceed the statutory limit for small claims cases;

83 ~~(z)~~ (aa) “Presumptively approved sponsor” means a CLE sponsor or provider who
84 qualifies under the standards prescribed in Rule ~~14-412~~ 11-612;

85 ~~(aa)~~ (bb) “Presumptive CLE Accreditation” means CLE that qualifies under the standards
86 prescribed in Rule ~~14-412~~ 11-612;

87 ~~(bb)~~ (cc) “Pro Bono Legal Services” has the meaning described in Rule 6.1 of the Utah
88 Rules of Professional Conduct.

89 ~~(cc)~~ (dd) “Professionalism and civility CLE” means CLE on conduct consistent with the
90 tenets of the legal profession by which a lawyer demonstrates civility, honesty, integrity,
91 character, fairness, competence, ethical conduct, public service, and respect for the rules
92 of law, the courts, clients, other lawyers, witnesses and unrepresented parties, including:

93 (1) instruction on the Utah Standards of Professionalism and Civility; or

94 (2) instruction on general professional and civil conduct or another matter ~~(such~~
95 ~~as wellness or substance abuse)~~ that, ~~as part of the CLE,~~ significantly relates to and
96 discusses compliance with one or more of the Utah Standards of Professionalism
97 and Civility;

98 (3) instruction on Well-being;

99 (4) instruction on time management, effective client communication, or
100 law practice management;

101 (5) instruction on the development of organizational cultures that foster

102 professionalism and civility in the practice of law and a positive work
103 environment;

104 (6) instruction on substance use disorder; and

105 (7) instruction on equal access to justice, fairness, and respect for others.

106 ~~(dd)~~ (ee) “Remote Group CLE” means CLE, sponsored or cosponsored by the Bar, that is
107 presented from a location in Utah, via a live streaming audio-visual presentation, to
108 another location in Utah where the lawyer or paralegal practitioner is present, in
109 accordance with Rule ~~14-418~~ 11-618;

110 ~~(ee)~~ (ff) “Sponsoring entity” means an organization that qualifies as a sponsoring entity
111 under Utah Code of Judicial Administration, Rule 14-803.

112 ~~(ff)~~ (gg) “Supreme Court” means the Utah Supreme Court; ~~and~~

113 ~~(gg)~~ (hh) “UBE Transfers” means applicants who gain admission by transferring a
114 uniform bar exam score;

115 ~~(hh)~~ (ii) “Verified CLE” means In-person CLE, Remote Group CLE, or Verified E- CLE;

116 ~~(ii)~~ (jj) “Verified E-CLE” means CLE presented via a computer program or over the
117 Internet where active participation by the lawyer or paralegal practitioner in the CLE is
118 verified by responding to scenarios during the CLE or answering knowledge-based
119 questions during or after presentation of the CLE.

120 ~~(jj) “Wellness” means well-being or mindfulness programs or topics, intended for~~
121 ~~attorneys and paralegal practitioners rather than a general audience, that are designed~~
122 ~~to:~~

123 ~~(1) sustain or increase the capacity of attorneys and paralegal practitioners to strive~~
124 ~~for and achieve the highest aspirational levels of professionalism, including~~
125 ~~programs aimed at increasing attorney and paralegal practitioner well-being,~~
126 ~~optimism, resilience, relationship skills, and energy and engagement in their~~
127 ~~practices;~~

128 ~~(2) help lawyers and paralegal practitioners re-connect with, strengthen, and~~
129 ~~apply their values, strength of character, and sense of purpose toward achieving~~
130 ~~outstanding professionalism;~~

131 ~~(3) educate lawyers and paralegal practitioners about gender bias, diversity~~
132 ~~and inclusion, and unlawful harassment, including sexual harassment;~~

133 ~~(4) protect lawyers and paralegal practitioners, or help lawyers and paralegal~~
134 ~~practitioners recover, from the deleterious effects on professionalism of stress,~~
135 ~~mental health concerns, substance abuse, and poor staff management, financial~~
136 ~~management, or time management; or~~

137 ~~(5) support the development of organizational cultures within firms, law~~
138 ~~departments, and legal agencies that recognize, support, and encourage~~
139 ~~outstanding professionalism.~~

140 (kk) “Well-being,” as defined by the National Task Force on Lawyer Well-Being, means
141 “a continuous process whereby lawyers and paralegal practitioners seek to thrive in each
142 of the following areas: emotional health, occupational pursuits, creative or intellectual
143 endeavors, sense of meaningfulness or greater purpose in life, physical health, and social
144 connections with others”;

145 (ll) “Well-being CLE” means instruction that:

146 (1) identifies and teaches principles or skills that can be applied to enhance well-
147 being; and

148 (2) ties those principles or skills to the practice of law based on circumstances,
149 challenges, or stressors that are commonly or uniquely faced by lawyers or
150 paralegal practitioners.