

1 **Rule 14-402. Definitions.**

2 As used in this article:

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

7 (b) "Active status" or "active status lawyer" means a lawyer who ~~[has elected]~~ elects
8 to be on active status as defined under the Bar's rules, regulations and policies; ~~state~~
9 ~~judges, federal judges and magistrates, court commissioners, active senior judges and~~
10 ~~active justice court judges, both full and part time, meet CLE requirements through the~~
11 ~~Administrative office of the Courts;~~

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

15 (d) "Accredited means:

16 (d)(i) as it relates to a lawyer, that CLE is approved by the Board as CLE that counts
17 towards the 12 hour CLE requirement per Compliance Cycle; or

18 (d)(2) as it relates to a paralegal practitioner, that CLE is approved by the Board as
19 CLE that counts towards the 6 hour CLE requirement per Compliance Cycle

20 ~~[(e)]~~ (e) "Approved law school" means an ABA approved law school as defined under
21 Rule 14-701;

22 ~~[(e)]~~ (f) "Bar" means the Utah State Bar;

23 ~~[(f)]~~ (g) "Bar Examination" means the Bar Examination as defined in Rules 14-710
24 and 14-711 and includes the UBE, regardless of where the UBE was taken;

25 ~~[(g)]~~ (h) "Board" means the Utah ~~[State]~~ Supreme Court Board of Mandatory Continuing
26 Legal Education as set forth in Rule 14-403;

27 ~~[(h)]~~ (i) "Board of Bar Commissioners" means the governing board of the Bar;

28 ~~[(i)]~~ (j) "Certificate of Compliance" means a ~~[written]~~ report evidencing a lawyer's or
29 paralegal practitioner's completion of Accredited CLE as required and defined under
30 Rule 14-414;

31 ~~[(j)]~~ (k) "CLE" means continuing legal education, including Live CLE and Self-Study
32 CLE;

33 ~~[(j)(1)]~~ "Live CLE" means a CLE program presented in a classroom setting where the
34 lawyer is in the same room as the presenter;]

35 ~~[(j)(2)]~~ "Live Attendance" means in person attendance at a Utah state courthouse where
36 a course is streamed by live audio-visual communication from another Utah state
37 courthouse or from the Law and Justice Center;]

38 ~~[(j)(3)]~~ "Self-Study CLE Program" means a program presented in a suitable setting
39 where the lawyer can view approved self-study activities;]

40 ~~[(k)]~~ (l) "Comity Certificate" is a Certificate ~~[that is]~~ filed by a Utah lawyer to show
41 ~~[MCLE]~~ CLE compliance with ~~[a]~~ an approved reciprocal jurisdiction (Idaho, Oregon, or
42 Washington) where the lawyer practices law;

43 ~~[(f)]~~ (m) “Compliance Cycle” ~~means the period of 2 years beginning July 1 through~~
44 ~~June 30;~~ means the fiscal year period (July 1 through June 30) during which:

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

47 (m)(2) a paralegal practitioner licensed in Utah is required to complete a minimum of 6
48 hours of Accredited CLE;

49 ~~[(m)]~~ (n) “Ethics CLE” means ~~[standards set by]~~ CLE regarding compliance with the
50 Utah Rules of Professional Conduct with which a lawyer must comply to remain
51 authorized to practice law in Utah and remain in good standing[;], including:

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

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

57 ~~[(n)]~~ (o) “Full exam” means all components of the Bar Examination as defined under
58 Rule 14-710;

59 ~~[(o)]~~ (p) “House Counsel” means a lawyer admitted with a restricted House Counsel
60 license as defined in Rule 14-719, which is required and limits ~~[his or her]~~ the lawyer’s
61 practice of law to the business of [his or her] the lawyer’s employer;

62 (q) “In-person CLE” means CLE presented in a classroom setting where the lawyer or
63 paralegal practitioner is in the same room as the presenter.

64 ~~[(p)]~~ (r) "Inactive status" ~~[or "inactive status lawyer"]~~ means a lawyer or paralegal
65 practitioner who has elected to be on inactive status as defined under the Bar's rules,
66 regulations and policies;

67 (s) "Live CLE" means In-person CLE, Remote Group CLE, or Verified E-CLE.

68 ~~[(q)]~~ (t) "MCLE" ~~[means]~~ or mandatory continuing legal education ~~[as defined under]~~
69 means CLE required by this article;

70 ~~[(r) "Multi-State Compliance Reciprocity" means Utah has established that MCLE~~
71 ~~compliance in certain states (Idaho, Oregon, Washington) may be used as MCLE~~
72 ~~compliance in Utah by an active lawyer whose principal practice is in one of the~~
73 ~~established reciprocal states;]~~

74 ~~[(s)]~~ (u) "New admittee" means a lawyer newly admitted to the Utah State Bar;

75 ~~[(t)]~~ (v) "NLTP" means the New Lawyer Training Program as set forth in Rule 14-404
76 and Rule 14-808;

77 ~~[(x)]~~ (w) "OPC" means the ~~[Bar's]~~ Office of Professional Conduct;

78 ~~[(y)]~~ (x) "OPC ethics school" means the OPC biannual seminar on the Utah Rules of
79 Professional Conduct which provides six CLE credit hours;

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

85 [~~(u)~~] (z) "Presumptively approved sponsor" means [~~these CLE sponsors or providers~~
86 ~~who qualify~~] a CLE sponsor or provider who qualifies under the standards [~~set forth~~]
87 prescribed in Rule 14-412;

88 [~~(v)~~] (aa) "Presumptive CLE Accreditation" means [~~these CLE courses or activities that~~
89 ~~qualify~~] CLE that qualifies under the standards [~~set forth~~] prescribed in Rule 14-412;

90 [~~(w)~~] (bb) "Professionalism and Civility CLE" means CLE on conduct consistent with
91 the tenets of the legal profession by which a lawyer demonstrates civility, honesty,
92 integrity, character, fairness, competence, ethical conduct, public service, and respect
93 for the rules of law, the courts, clients, other lawyers, witnesses and unrepresented
94 parties[;], including:

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

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

100 (cc) "Remote Group CLE" means CLE, sponsored or cosponsored by the Bar, that is
101 presented from a location in Utah, via a live streaming audio-visual presentation, to
102 another location in Utah where the lawyer or paralegal practitioner is present, in
103 accordance with Rule 14-418;

104 (dd) "Self-Study CLE" means CLE, other than Live CLE, credited for a number of hours
105 determined by the Board on a case-by-case basis, including:

106 (dd)(1) viewing an audio, video, or webcast presentation, computer interactive

107 program, or a telephonic program;

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

112 (dd)(3) community outreach, as described in Rule 14-409.

113 [~~z~~] (ee) "Supreme Court" means the Utah Supreme Court; and

114 [~~aa~~] (ff) "UBE Transfers" means applicants who gain admission by transferring a
115 uniform bar exam score;

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

127 (hh)(2) help lawyers and paralegal practitioners re-connect with, strengthen, and apply

128 their values, strength of character, and sense of purpose toward achieving outstanding
129 professionalism;

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

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

136 (hh)(5) support the development of organizational cultures within firms, law departments,
137 and legal

138 *Effective May 1, 2021.*