

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 Bar
4 member for 50 years or who is 75 years of age as of July 1 of the current year and who
5 qualifies for active emeritus status as defined under the Bar's rules, regulations and
6 policies;

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

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

11 (d) "Accredited" means:

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

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

16 (e) "Approved law school" means an ABA approved law school as defined under Rule
17 14-701;

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

19 (g) "Bar Examination" means the Bar Examination as defined in Rules 14-710 and 14-
20 711 and includes the UBE, regardless of where the UBE was taken;

21 (h) "Board" means the Utah Supreme Court Board of Mandatory Continuing Legal
22 Education as set forth in Rule 14-403;

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

24 (j) "Certificate of Compliance" means a report evidencing a lawyer's or paralegal
25 practitioner's completion of Accredited CLE as required and defined under Rule 14-414;

26 (k) "CLE" means continuing legal education, including Live-Verified CLE and ~~Self-~~
27 ~~Study-Elective~~ CLE;

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

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

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

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

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

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

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

45 (o) "Elective CLE" means CLE, other than Verified CLE, credited for a number of hours
46 as specified by these rules or determined by the Board on a case-by-case basis,
47 including:

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

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

54 (3) community outreach, as described in Rule 14-409; or

55 (4) Pro Bono Legal Services, as described in Rule 14-419.

56 ~~(o)~~ (p) "Full exam" means all components of the Bar Examination as defined under Rule
57 14-710;

58 ~~(p)~~ (q) "House Counsel" means a lawyer admitted with a restricted House Counsel
59 license as defined in Rule 14-719, which is required and limits the lawyer's practice of
60 law to the business of the lawyer's employer;

61 ~~(q)~~ (r) "In-person CLE" means CLE presented in a classroom setting where the lawyer
62 or paralegal practitioner is in the same room as the presenter;

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

65 ~~(s) "Live CLE" means In-person CLE, Remote Group CLE, or Verified E-CLE;~~

66 (t) "MCLE" or mandatory continuing legal education means CLE required by this
67 article;

68 (u) "New admittee" means a lawyer newly admitted to the Utah State Bar;

69 (v) "NLTP" means the New Lawyer Training Program as set forth in Rule 14-404 and
70 Rule 14-808;

71 (w) "OPC" means the Office of Professional Conduct;

72 (x) "OPC ethics school" means the OPC biannual seminar on the Utah Rules of
73 Professional Conduct which provides six CLE credit hours;

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

79 (z) "Presumptively approved sponsor" means a CLE sponsor or provider who qualifies
80 under the standards prescribed in Rule 14-412;

81 (aa) "Presumptive CLE Accreditation" means CLE that qualifies under the standards
82 prescribed in Rule 14-412;

83 (bb) "Pro Bono Legal Services" has the meaning described in Rule 6.1 of the Utah Rules
84 of Professional Conduct.

85 ~~(bb)~~(cc) "Professionalism and Civility CLE" means CLE on conduct consistent with
86 the tenets of the legal profession by which a lawyer demonstrates civility, honesty,
87 integrity, character, fairness, competence, ethical conduct, public service, and respect
88 for the rules of law, the courts, clients, other lawyers, witnesses and unrepresented
89 parties, including:

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

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

95 ~~(ee)~~(dd) "Remote Group CLE" means CLE, sponsored or cosponsored by the Bar, that
96 is presented from a location in Utah, via a live streaming audio-visual presentation, to

97 another location in Utah where the lawyer or paralegal practitioner is present, in
98 accordance with Rule 14-418;

99 ~~(dd) “Self Study CLE” means CLE, other than Live CLE, credited for a number of hours~~
100 ~~determined by the Board on a case-by-case basis, including:~~

101 ~~(dd)(1) viewing an audio, video, or webcast presentation, computer interactive~~
102 ~~program, or a telephonic program;~~

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

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

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

110 ~~(ee)-(ff) “Supreme Court” means the Utah Supreme Court; and~~

111 ~~(ff)-(gg) “UBE Transfers” means applicants who gain admission by transferring a~~
112 ~~uniform bar exam score;~~

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

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

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

- 121 (1) sustain or increase the capacity of attorneys and paralegal practitioners to strive
122 for and achieve the highest aspirational levels of professionalism, including
123 programs aimed at increasing attorney and paralegal practitioner well-being,
124 optimism, resilience, relationship skills, and energy and engagement in their
125 practices;
- 126 (2) help lawyers and paralegal practitioners re-connect with, strengthen, and apply
127 their values, strength of character, and sense of purpose toward achieving
128 outstanding professionalism;
- 129 (3) educate lawyers and paralegal practitioners about gender bias, diversity and
130 inclusion, and unlawful harassment, including sexual harassment;
- 131 (4) protect lawyers and paralegal practitioners, or help lawyers and paralegal
132 practitioners recover, from the deleterious effects on professionalism of stress,
133 mental health concerns, substance abuse, and poor staff management, financial
134 management, or time management; or
- 135 (5) support the development of organizational cultures within firms, law
136 departments, and legal agencies that recognize, support, and encourage outstanding
137 professionalism.