

**PROPOSED AMENDMENTS TO THE SUPREME COURT
RULES FOR THE GOVERNMENT OF THE BAR OF OHIO AND THE SUPREME
COURT RULES FOR THE GOVERNMENT OF THE JUDICIARY OF OHIO**

Comments Requested: The Supreme Court of Ohio will accept public comments until April 21, 2022, on the following proposed amendments to the Supreme Court Rules for the Government of the Bar of Ohio and the Supreme Court Rules for the Government of the Judiciary of Ohio.

Comments on the proposed amendments should be submitted in writing to: Gina Palmer, Attorney Services Division Director, Supreme Court of Ohio, 65 South Front Street, 5th Floor, Columbus, Ohio 43215-3431, or gina.palmer@sc.ohio.gov not later than April 21, 2022. Please include your full name and mailing address in any comments submitted by e-mail.

Key to Proposed Amendments:

1. Existing language appears in regular type. Example: text
2. Existing language to be deleted appears in strikethrough. Example: ~~text~~
3. New language to be added appears in underline. Example: text

1 **SUPREME COURT RULES FOR THE GOVERNMENT OF THE BAR OF OHIO**

2
3 **RULE VI. REGISTRATION OF ATTORNEYS**

4
5 [Existing language unaffected by the amendments is omitted to conserve space]

6
7 **Section 8. Emeritus Pro Bono Attorney Registration.**

8
9 **(A) Definition**

10
11 As used in this section:

- 12
13 (1) “Pro bono organization” means a law school clinic, legal aid, public
14 defender's office, or legal services organization listed in or recognized pursuant to
15 Gov. Bar R. X, Section 5(~~H~~)(G).

16
17 [Existing language unaffected by the amendments is omitted to conserve space]

18
19
20 **RULE X. CONTINUING LEGAL EDUCATION**

21
22 [Existing language unaffected by the amendments is omitted to conserve space]

23
24 **Section 3. Continuing Legal Education Requirements for Attorneys.**

25
26 (A) *Total credit hours.* Each attorney admitted to the practice of law in this state and
27 each attorney registered for corporate counsel status pursuant to Gov. Bar R. VI, Section 6 shall
28 complete a minimum of twenty-four credit hours of continuing legal education for each biennial
29 compliance period.

30
31 (B) *Professional conduct credit hours.* As part of the minimum twenty-four credit
32 hours of continuing legal education required by division (A) of this section, ~~an~~ each attorney
33 admitted to the practice of law in this state and each attorney registered for corporate counsel status
34 shall complete a minimum of two and one-half credit hours of instruction on one or any
35 combination of the following professional conduct topics:

36
37 [Existing language unaffected by the amendments is omitted to conserve space]

38
39 **Section 4. Biennial Compliance Periods.**

40
41 An attorney whose last name begins with a letter from A through L shall complete the
42 number of continuing legal education credit hours required by Section 3 of this rule on or before
43 December 31st of each odd-numbered year. An attorney whose last name begins with a letter from
44 M through Z shall complete the number of continuing legal education credit hours required by
45 Section 3 of this rule on or before December 31st of each even-numbered year. If the name of an
46 attorney changes after the attorney is admitted to the practice of law or registers for corporate

47 counsel status pursuant to Gov. Bar R. VI, Section 6, the attorney shall remain in the same
48 alphabetical grouping for purposes of meeting the requirements of this section.

49
50 **Section 5. Allowance of Credit Hours.**

51
52 **[Existing language unaffected by the amendments is omitted to conserve space]**

53
54 (C) *Law school teaching credit.*

55
56 (1) As used in this section, “semester credit hour” means the number of academic
57 credit hours received by a student for successfully completing a specific higher education course.

58
59 (2) The Commission may allow three credit hours for each semester credit hour ~~of a~~
60 ~~course~~ taught by an adjunct or part-time professor for a course that is part of the curriculum of a
61 J.D., LL.M., or Ph.D. program at a law school accredited by the American Bar Association the
62 first time the course is taught by that professor and one-half credit hour for each semester credit
63 hour the course is subsequently taught by that professor.

64
65 (3) The Commission may allow one-half credit hour for each semester credit hour
66 taught by a full-time professor at a law school accredited by the American Bar Association for a
67 course that is part of the curriculum of a J.D., LL.M., or Ph.D. program.

68
69 (4) Prorated credit may be granted for quarter or trimester hours.

70
71 (D) *Publication of article or book credit.* The Commission may allow up to twelve
72 credit hours for the publication of an article or book personally authored by the applicant, with a
73 maximum of twelve credit hours for publications during a biennial compliance period.

74
75 (E) *Self-study credit.*

76
77 ~~(1) The Commission may allow up to twelve credit hours for approved self-study~~
78 ~~during a biennial compliance period.~~

79
80 ~~(2) The Commission may allow up to twenty four credit hours for approved live~~
81 ~~webinar self-study activities during a biennial compliance period.~~

82
83 ~~(F)~~ *Law school course credit.* The Commission may allow three credit hours for each
84 semester credit hour of a course taken as part of the curriculum of a J.D., LL.M., or Ph.D. program
85 at a law school accredited by the American Bar Association. Prorated credit may be granted for
86 quarter or trimester hours.

87
88 ~~(G)~~~~(E)~~ *Mayor’s court education credit.* The Commission may allow one credit hour for
89 every two credit hours of accredited mayor’s court education completed by an attorney for the
90 purpose of serving as a mayor’s court magistrate pursuant to ~~section~~ R.C. 1905.05 ~~of the Revised~~
91 ~~Code.~~

93 ~~(H)~~(G) *Pro bono credit.*

94
95 (1) As used in this rule, “pro bono legal service” means legal service provided in Ohio
96 either to a person of limited means or to a charitable organization.

97
98 (2) The Commission may allow one credit hour for every six hours of pro bono legal
99 service performed, with a maximum of six credit hours for service performed during a biennial
100 compliance period, provided the legal service is assigned, verified, and reported to the Commission
101 by any of the following:

102
103 (a) An organization receiving funding for pro bono programs or services from the
104 Legal Services Corporation or the Ohio Access to Justice Foundation;

105
106 (b) A metropolitan or county bar association;

107
108 (c) The Ohio State Bar Association;

109
110 (d) The Ohio Access to Justice Foundation;

111
112 (e) Any other organization recognized by the Commission as providing pro bono
113 programs or services in Ohio.

114
115 (H) *Ohio precinct election official credit.*

116
117 (1) As used in this rule, “precinct election official” means an attorney who has
118 completed the precinct election official training required by a county board of elections and worked
119 for that county board of elections as a precinct election official, voting location manager, ballot
120 tabulator supervisor, paper ballot specialist, or field technician in Ohio on election day.

121
122 (2) The Commission may allow four credits for each election in which an attorney
123 serves as a precinct election official, with a maximum of twelve credit hours for service performed
124 during a biennial compliance period.

125
126 (3) Unless there is good cause shown, an attorney shall serve for a full day as a precinct
127 election official on election day to be awarded the credit.

128
129 (4) If an attorney has already completed the precinct election official training required
130 by a county board of elections and the attorney is not required to complete the training to serve as
131 a precinct election official on election day, to earn credit the attorney shall complete at least three
132 hours of election training offered by the office of the Secretary of State of Ohio, subject to the
133 following requirement and limitation:

134
135 (a) The training shall include statutory law and case law related to Ohio elections;

136
137 (b) The attorney may not also receive general continuing legal education credit if the
138 activity has been separately approved for such credit.

139
140 (5) The office of the Secretary of State of Ohio shall verify the attorney's completion
141 of the precinct election official training and service as a precinct election official and shall report
142 attendance credit in a manner approved by the Commission.

143
144 (6) Judges and magistrates shall not be eligible to receive the credit.

145
146 **Section 6. Standards for Granting Credit Hours.**

147
148 In establishing standards for the granting of credit hours for continuing legal education
149 programs or activities, the Supreme Court Commission on Continuing Legal Education shall
150 consider all of the following:

151
152 **[Existing language unaffected by the amendments is omitted to conserve space]**

153
154 (E) The program or activity ~~should~~ shall include thorough, high-quality written
155 materials.

156
157 **Section 7. Proration of Credit Hours.**

158
159 **[Existing language unaffected by the amendments is omitted to conserve space]**

160
161 (D) *Attorney exempt from rule for more than two years.* An attorney who was exempt
162 for ~~more than~~ at least two years from the requirements of this rule pursuant to Section 12(A) of
163 this rule may have the attorney's continuing legal education requirements prorated pursuant to CLE
164 Regulation 305 for the biennial compliance period in which the exemption ends.

165
166 **Section 8. Carryover of Credit Hours.**

167
168 If the Supreme Court Commission on Continuing Legal Education determines that an
169 attorney has timely completed in a biennial compliance period more than the number of continuing
170 legal education credit hours required by Section 3 of this rule, the Commission may apply a
171 maximum of twelve general credit hours to the next biennial compliance period.

172
173 **Section 9. ~~Newly-Admitted and Corporate-Registered Attorneys.~~**

174
175 (A) *Exemption from continuing legal education requirements.* An attorney newly
176 admitted to the practice of law ~~or registered for corporate status under Gov. Bar R. VI, Section 6~~
177 shall be exempt from the continuing legal educational requirements of Section 3 of this rule during
178 the attorney's first biennial compliance period, provided that if the attorney is admitted to the
179 practice of law ~~or registered for corporate status~~ during the second year of the attorney's biennial
180 compliance period, the attorney shall be exempt during the biennial compliance period that follows
181 the attorney's year of admission ~~or year of initial corporate registration~~. However, the attorney
182 shall complete the New Lawyers Training instruction in accordance with Section 14 of this rule
183 by the deadline set forth in this division.

184

185 (B) *Exemption from New Lawyers Training.* ~~The~~

186
187 (1) The following newly admitted attorneys shall be exempt from the New Lawyers
188 Training instruction requirements of Section 14 of this rule, but shall otherwise comply with the
189 applicable requirements of this rule:

190
191 ~~(1)~~(a) An attorney registered as inactive pursuant to Gov. Bar R. VI, Section 5;

192
193 ~~(2)~~(b) An attorney admitted to the practice of law in Ohio pursuant to Gov. Bar R. I,
194 Section 10;

195
196 ~~(3)~~(c) An attorney temporarily admitted to the practice of law in Ohio pursuant to Gov.
197 Bar R. I, Section 18;

198
199 (d) An attorney registered as corporate counsel pursuant to Gov. Bar R. VI, Section 6.

200
201 (2) Upon approval by the Commission on Continuing Legal Education, attorneys on
202 full-time military duty who received an exemption for two biennial compliance periods pursuant
203 to Section 12 of this rule may be exempted from the requirements of the New Lawyers Training
204 instruction requirements, but shall otherwise comply with the applicable requirements of this rule.

205
206 **[Existing language unaffected by the amendments is omitted to conserve space]**

207
208 **Section 10. Magistrates.**

209
210 **[Existing language unaffected by the amendments is omitted to conserve space]**

211
212 (C)(1) *Credit hours.* Each magistrate shall complete a minimum of forty credit hours of
213 continuing legal education for each biennial compliance period on subjects devoted to the law and
214 court administration. A magistrate shall be subject to the same self-study caps as judges under
215 Gov. Jud. R. IV, Section 5(E).

216
217 **[Existing language unaffected by the amendments is omitted to conserve space]**

218
219 **Section 12. Exemptions.**

220
221 (A) *Exemption by Commission.* Upon approval by the Supreme Court Commission on
222 Continuing Legal Education, the following attorneys may be exempted from the requirements of
223 Section 3 of this rule:

224
225 (1) An attorney on full-time military duty who does not engage in the private practice
226 of law in Ohio;

227
228 (2) An attorney suffering from severe, prolonged illness or disability preventing
229 participation in accredited continuing legal education programs and activities for the duration of
230 the illness or disability;

231
232 (3) An attorney who has demonstrated special circumstances unique to that attorney
233 and constituting good cause to grant an exemption for a period not to exceed one year and subject
234 to any prorated adjustment of the continuing legal education requirements;

235
236 (4) An attorney who is suspended pursuant to Gov. Bar R. VI, Section 10.

237
238 (B) ~~Substitute program or activity. An attorney who, because of a permanent physical~~
239 ~~disability or other compelling reason, has difficulty attending programs or activities may request,~~
240 ~~and the Commission may grant, approval of a substitute program or activity.~~

241
242 (C) Temporary Practice pending admission, temporary certified attorney, foreign legal
243 consultant, or pro hac vice admitted attorney. A person designated as practice pending admission
244 pursuant to Gov. Bar R. I, Section 19, certified to practice law temporarily pursuant to Gov. Bar
245 R. IX, registered as a foreign legal consultant registered pursuant to Gov. Bar R. XI, or an attorney
246 registered with the Office of Attorney Services for pro hac vice admission pursuant to Gov. Bar
247 R. XII shall be exempt from the requirements of this rule.

248
249 (D)(C) Federal judges and magistrate judges. The following attorneys ~~are~~ shall be
250 exempt from the requirements of this rule while in office upon notification from and in the manner
251 authorized by the Commission:

252
253 (1) United States judges appointed to office for life pursuant to Article III of the United
254 States Constitution;

255
256 (2) United States bankruptcy judges;

257
258 (3) United States magistrate judges.

259
260 (E)(D) Inactive and retired attorneys. An attorney registered as inactive pursuant to Gov.
261 Bar R. VI, Section 5 or as retired pursuant to former Gov. Bar R. VI, Section 3 shall be exempt
262 from the requirements of this rule.

263
264 **[Existing language unaffected by the amendments is omitted to conserve space]**

265
266 **Section 14. New Lawyers Training.**

267
268 (A) Requirement.

269
270 (1) Each attorney newly admitted to the practice of law ~~or registered for corporate~~
271 ~~status under Gov. Bar R. VI, Section 5~~ shall complete a minimum of twelve credit hours of New
272 Lawyers Training instruction in the time frame set forth in Section 9(A) of this rule. The twelve
273 credit hours of instruction shall include both of the following:

274
275 (a) Three credit hours of instruction in professionalism, law office management, and
276 client fund management consisting of sixty minutes of instruction on topics related to professional

277 conduct, professional relationships, obligations of attorneys, or aspirational ideals of the
278 profession; sixty minutes of instruction on topics related to fundamental law office management
279 practices; and sixty minutes of instruction on topics related to client fund management;

280
281 (b) Nine credit hours of instruction in one or more substantive law topics that focus on
282 handling legal matters in specific practice areas.

283
284 (2) An attorney newly admitted to the practice of law ~~or registered for corporate status~~
285 ~~under Gov. Bar R. VI, Section 5~~ may satisfy the New Lawyers Training instruction requirement
286 of division (A)(1) of this section by participating in and successfully completing the Supreme
287 Court Lawyer to Lawyer Mentoring Program, provided the attorney also completes three credit
288 hours of instruction on professionalism, law office management, and client fund management as
289 required in division (A)(1)(a) of this section.

290
291 (B) *Approval of activity.* To be approved by the Supreme Court Commission on
292 Continuing Legal Education as a New Lawyers Training activity, the activity shall satisfy the
293 following standards, together with any other standards as established by regulation of the
294 Commission:

295
296 (1) The activity shall consist of live instruction in a setting physically suited to the
297 educational activity of the program;

298
299 (2) The activity shall be a minimum of thirty minutes in length;

300
301 (3) The activity shall include thorough, high-quality, written materials that emphasize
302 and include, if applicable, checklists of procedures to follow, practical instructions, and forms with
303 guidance as to how they should be completed and when they should be used.

304
305 **[Existing language unaffected by the amendments is omitted to conserve space]**

306
307 **Section 17. Sanctions for Failure to Comply.**

308
309 **[Existing language unaffected by the amendments is omitted to conserve space]**

310
311 (C) *Judicial Orientation Program and Magistrate Orientation Program requirements.*
312 If a judge who is required to timely complete the Judicial Orientation Program pursuant to Gov.
313 Jud. R. IV, Section 10, or a magistrate who is required to timely complete the Magistrate
314 Orientation Program pursuant to Gov. Bar R. X, Section 10(B) and who, without good cause, fails
315 to complete the requirement, the Commission shall impose a monetary penalty of three hundred
316 dollars for a magistrate and five hundred dollars for a judge, and suspension from the practice of
317 law.

318
319 (D) *Sanctions.* When imposing a sanction for professional misconduct pursuant to Gov.
320 Bar R. V, a monetary penalty imposed under this section shall not be considered as prior discipline,
321 but a suspension shall be considered as prior discipline.

322

323 **Section 18. Enforcement Procedures for Failure to Comply with Biennial**
324 **Compliance Period.**

325
326 (A) ~~Late compliance~~ Failure to comply with continuing legal education requirements.

327
328 (1) An attorney or judge who fails to meet the applicable requirements of this rule or
329 Gov. Jud. R. IV, but does so within ninety days of the deadline set forth in Section 4 of this rule,
330 shall be assessed a late fee in accordance with the late fee schedule in CLE Regulation 503.

331
332 ~~(B) Failure to comply.~~ (2) An attorney or judge who fails to meet the applicable
333 requirements of this rule or Gov. Jud. R. IV shall be notified of the apparent noncompliance by the
334 Supreme Court Commission on Continuing Legal Education. The Commission shall send notice
335 of the apparent noncompliance by regular mail to the attorney or judge at the most recent address
336 provided by the attorney or judge to the Office of Attorney Services. The notice shall inform the
337 attorney or judge that the attorney or judge will be subject to one or both of the sanctions set forth
338 in Section 17 of this rule unless, on or before the date set forth in the notice, the attorney or judge
339 either files evidence of compliance with the applicable requirements of this rule or Gov. Jud. R.
340 IV or comes into compliance. The attorney or judge shall come into compliance by taking
341 sufficient credit hours to meet the requirements and paying the late fee set forth in CLE Regulation
342 503 by the date set forth in the notice of apparent noncompliance.

343
344 (3) If ~~the~~ an attorney or judge does not file evidence of compliance or come into
345 compliance on or before the date set forth in the notice, the attorney or judge shall be subject to
346 sanction as set forth in Section 17 of this rule. The Commission shall send the sanction order by
347 certified mail to the attorney or judge at the most recent address provided by the attorney or judge
348 to the Office of Attorney Services. The Supreme Court Reporter shall publish notice of the
349 Commission's sanction orders in the *Ohio Official Reports* and the *Ohio State Bar Association*
350 *Report*.

351
352 (B) Failure to comply with Magistrate Orientation Program or Judicial Orientation
353 Program.

354
355 (1) A magistrate or judge who fails to meet the applicable requirements of Gov. Bar R.
356 X, Section 10(B) or Gov. Jud. R. IV, Section 10, respectively, shall be notified of the apparent
357 noncompliance by the Commission on Continuing Legal Education. The Commission shall send
358 notice of apparent noncompliance, within thirty days of receiving notice of noncompliance from
359 the Judicial College Board of Trustees, by regular mail to the magistrate or judge at the most recent
360 address provided by the magistrate or judge to the Office of Attorney Services. The notice shall
361 inform the magistrate or judge that the magistrate or judge will be subject to a monetary penalty
362 of three hundred dollars for failure to comply by a magistrate, or a monetary sanction of five
363 hundred dollars for failure to comply by a judge, and shall be suspended from the practice of law
364 pursuant to Gov. Bar R. X, Section 17(C), unless, within one hundred and eighty days from the
365 date of the notice of apparent noncompliance, the magistrate or judge comes into compliance
366 within the requirements of Gov. Bar R. X, Section 10(B) or Gov. Jud. R. IV, Section 10, as
367 applicable, and pays the late fee.

368

369 (2) If a magistrate or judge comes into compliance within one hundred and eighty days
370 from the date of the notice of apparent noncompliance, the Commission shall send a notice of
371 withdrawal of noncompliance by regular mail at the most recent address provided by the magistrate
372 or judge to the Office of Attorney Services.

373
374 (3) If a magistrate or judge, without good cause, does not come into compliance within
375 one hundred and eighty days from the date of the notice of apparent noncompliance, the magistrate
376 or judge shall be subject to a monetary penalty and suspension from the practice of law as provided
377 in Gov. Bar R. X, Section 17(C). The Commission shall send the sanction order by certified mail
378 to the attorney or judge at the most recent address provided by the attorney or judge to the Office
379 of Attorney Services. Copies of the sanction order issued to the magistrate or judge shall be sent
380 to the Chief Justice, the Office of Disciplinary Counsel, the Director of the Ohio Judicial College,
381 the administrative judge of the court where the magistrate or judge serves, and the president of the
382 local bar association for the jurisdictions in which the magistrate or judge serves. The Supreme
383 Court Reporter shall publish notice of the Commission’s sanction orders in the *Ohio Official*
384 *Reports* and the *Ohio State Bar Association Report*.

385
386 **Section 19. Reinstatement.**

387
388 **[Existing language unaffected by the amendments is omitted to conserve space]**

389
390 (C) *Publication.* Any sanction or reinstatement ordered by the Commission pursuant
391 to this rule shall be published by the Supreme Court Reporter in the *Ohio Official Reports* and the
392 *Ohio State Bar Association Report*. ~~Certified copies~~ Copies of any sanction or reinstatement order
393 entered by the Commission pursuant to this rule shall be sent to those persons or organizations
394 named in Gov. Bar R. V, Section 17(D)(1).

395 **APPENDIX I: ATTORNEY CONTINUING LEGAL EDUCATION REGULATIONS**

396

397

Regulation 100: Definitions

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399

In these Regulations, the following definitions shall apply:

400

401

[Existing language unaffected by the amendments is omitted to conserve space]

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406

(J) Electronic Interactive Skill-Based Activity: a CLE Activity of individualized learning engaged in by an Attorney or Judge outside of the standard classroom or seminar setting that utilizes multi-phase internet communications between qualified faculty, as set forth in Regulation 406, and the Attorney or Judge.

407

408

409

410

(K) Established Sponsor: a person or organization whose entire continuing legal education program has been accredited by the Commission pursuant to Regulation 404 of these Regulations.

411

412

413

414

415

~~(K)~~**(L) Exemption:** relief from the duty to meet the CLE Requirements of Rule X granted by the Commission or through the operation of Rule X, Sections 9(A) or (B) or 12 or Rule IV, Section 8. An Exemption specifically requested, if granted, is for a limited time as determined by the Commission.

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~~(L)~~**(M) Good Cause:** circumstances not within the reasonable control of the Attorney or Judge and having the effect of preventing, substantially hindering, or delaying Compliance, filing, or payment. Good Cause shall not include mere neglect or inadvertence. Good Cause may be taken into consideration when reviewing an Attorney's or Judge's failure to comply with the CLE Requirements or failure to pay any applicable fee.

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426

(N) Judicial Orientation Program: a mandatory program developed and administered by the Supreme Court Judicial College for new Judges appointed by the governor or elected to a judgeship after January 1, 2007, who have not already completed the Judicial Orientation Program for that jurisdiction as defined in Rule IV.

427

428

429

430

~~(M)~~**(O) Judge:** judicial officers subject to the Supreme Court Rules for the Government of the Judiciary. Unless otherwise provided in Rule X or Rule IV, Judge includes those considered full-time, part-time, or retired who are eligible for assignment to active duty.

431

432

433

434

435

(P) Magistrate Orientation Program: a mandatory program developed and administered by the Supreme Court Judicial College for new Magistrates admitted after January 1, 2019, who have not already completed the Magistrate Orientation Program for that jurisdiction.

436

437

438

439

~~(N)~~**(Q) New Lawyers Training Instruction:** an educational course for lawyers newly admitted to the practice of law that satisfies the requirements of Rule X, Section 14 and the requirements of Regulation 414 and is approved by the Commission pursuant to Regulation 414.

440

~~(O)~~**(R) Noncompliance:** failure to be in Compliance with the CLE Requirements.

441
442 **(S) Precinct Election Official:** an attorney who has completed the precinct election
443 official training required by a county board of elections and worked for that county board of
444 elections as a Precinct Election Official, voting location manager, ballot tabulator supervisor, paper
445 ballot specialist, or field technician in Ohio on election day.

446
447 **~~(P)~~(T) Pro bono legal services Bono Legal Services:** the provision of legal service in
448 Ohio either to a person of limited means or to a charitable organization.

449
450 **~~(Q)~~(U) Professional Conduct Requirement:** the professional conduct requirement of
451 Rule X, Section 3(B) and the judicial conduct requirement of Rule IV, Section (3)(C).

452
453 **~~(R)~~(V) Qualified Speaker:** Sponsors may utilize videotape, motion picture, audiotape,
454 simultaneous broadcast, computer-based education, or other such systems or devices, provided
455 they meet the applicable standards of Regulation 406. If the faculty members are not available
456 either in person or via live telecommunication, then a Qualified Speaker, familiar with the recorded
457 materials, shall be present to expand upon and provide supplemental commentary and to answer
458 questions posed by Attendees. The Qualified Speaker shall have reviewed the recorded materials
459 in their entirety prior to the replay and shall remain in the room with the Attendees the entire time.

460
461 **~~(S)~~(W) Rule X:** Supreme Court Rules for the Government of the Bar, Rule X, Continuing
462 Legal Education for Attorneys.

463
464 **~~(T)~~(X) Rule IV:** Supreme Court Rules for the Government of the Judiciary, Rule IV,
465 Continuing Legal Education for Judges.

466
467 **~~(U)~~(Y) Secretary:** Secretary of the Supreme Court Commission on Continuing Legal
468 Education.

469
470 **~~(V)~~(Z) Self-Study Activity:** a CLE Activity of individualized learning engaged in by an
471 Attorney or Judge outside of the standard classroom or seminar setting, including but not limited
472 to live interactive educational methods such as a real-time video, teleconference, or webinar.
473 Special methods of instruction pursuant to Regulation 408 using electronic methodology, such as
474 on-demand courses, DVDs, CDs, or MP3s, may be accredited as Self-Study Activities pursuant to
475 Regulation 409.

476
477 **~~(W)~~(AA) Semester Credit Hours:** the number of academic credit hours received by a
478 student for successfully completing a specific higher education course.

479
480 **~~(X)~~(BB) Skills-Based Activity:** educational training by doing or performing. In contrast
481 to education based on mastery of written materials, such as statutes and case law, it is education
482 on how to act or perform. The training teaches Attorneys effective and appropriate behaviors and
483 methods for handling particular problems or situations.

484
485 **~~(Y)~~(CC) Special Program:** a CLE Activity sponsored by a law firm; a corporation,
486 including a corporate legal department; a governmental agency; a group of Attorneys in public

487 service, for example the Ohio Attorney General's office, a County Prosecuting Attorney's office,
488 a U.S. Attorney's office, a Public Defender's office, a legal department of a State or Federal
489 agency, a legal services program, or a law department of a municipal corporation; or a similar
490 entity primarily for the education of its employees, members, associates, or clients.

491
492 ~~(Z)~~**(DD) Sponsor:** a person or organization that is responsible for the costs associated with
493 conducting or presenting a CLE Activity.

494
495 ~~(AA)~~**(EE) Transcript:** a copy of the CLE Record.

496
497 ~~(BB) Electronic Interactive Skill-Based Activity:~~ a CLE Activity of individualized
498 learning engaged in by an Attorney or Judge outside of the standard classroom or seminar setting
499 that utilizes multi-phase internet communications between qualified faculty, as set forth in
500 Regulation 406, and the Attorney or Judge.

501
502 **[Existing language unaffected by the amendments is omitted to conserve space]**

503
504 **Regulation 303: Attorney's and Judge's Review of Transcript**

505
506 Each Attorney or Judge shall have a continuing obligation to review the Attorney's or
507 Judge's Transcript and inform the Commission if information contained in the CLE Record is
508 inaccurate or if information that should be contained in the record is missing, within the time period
509 prescribed in Rule X, Section 18.

510
511 **[Existing language unaffected by the amendments is omitted to conserve space]**

512
513 **Regulation 305: Proration of Credit Hour Requirements**

514
515 Except as is otherwise provided by Rule X, Section 7 or Rule IV, Section 6, the CLE
516 Requirements for Attorneys or Judges becoming subject thereto after the commencement of a
517 biennial compliance period shall be adjusted as follows:

518
519 (A) If the Attorney or Judge becomes subject to Rule X or Rule IV on or after January
520 1st of the first year of the biennial compliance period, but before July 1st of the first year of the
521 period, there shall be no reduction in the CLE Requirement;

522
523 (B) If the Attorney or Judge becomes subject to the CLE Requirements on or after July
524 1st of the first year of the biennial compliance period, but before January 1st of the second year of
525 the Attorney's or Judge's period, the Attorney or Judge shall be required to complete three-quarters
526 of the required CLE Credit hours and the entire Professional Conduct Requirement during the
527 remainder of the period;

528
529 (C) If the Attorney or Judge becomes subject to the CLE Requirements on or after
530 January 1st of the second year of the biennial compliance period, but before July 1st of the second
531 year of the Attorney's or Judge's period, the Attorney or Judge shall complete one-half the required
532 CLE Credit hours and the entire Professional Conduct Requirement during the remainder of the

533 period. Upon timely application made to the Commission, the Commission may vary the
534 provisions of this paragraph where prejudice would result.

535
536 (D) If the Attorney or Judge becomes subject to the CLE Requirements on or after July
537 1st of the second year of the biennial compliance period, the Attorney or Judge shall not be required
538 to complete CLE Credit hours during the remainder of the period.

539
540 **[Existing language unaffected by the amendments is omitted to conserve space]**

541 **401.2 Law School Teaching Credit**

542
543
544 (A) An Attorney or Judge who is an adjunct or part-time professor may receive three
545 credit hours of CLE Credit for each ~~semester hour~~ Semester Credit Hour of a course that is part of
546 the curriculum of a J.D., LL.M., or Ph.D. program taught at an ABA-accredited law school the
547 first time the course is taught by that Attorney or Judge and one-half credit hour for each ~~semester~~
548 ~~hour~~ Semester Credit Hour the course is subsequently taught by that Attorney or Judge. Prorated
549 credit will be granted for quarter or trimester hours.

550
551 (B) An Attorney or Judge who is a full-time professor may receive one-half credit hour
552 of CLE Credit for each ~~semester hour~~ Semester Credit Hour of a course that is part of the
553 curriculum of a J.D., LL.M., or Ph.D. program taught at an ABA-accredited law school. Prorated
554 credit will be granted for quarter or trimester hours.

555
556 **[Existing language unaffected by the amendments is omitted to conserve space]**

557 **Regulation 402: Law School Course Credit**

558
559
560 (A) An Attorney or Judge may receive three hours of CLE Credit for each ~~semester~~
561 ~~hour~~ Semester Credit Hour of a course that is part of the curriculum of a J.D., LL.M., or Ph.D.
562 program completed at an ABA-accredited law school. Prorated credit will be granted for quarter
563 or trimester hours.

564
565 **[Existing language unaffected by the amendments is omitted to conserve space]**

566 **Regulation 404: Accreditation of Established Sponsors and Established Self-Study** 567 **Sponsors**

568
569
570 **404.1(A)** The Commission may, upon submission of an application in a manner authorized
571 by the Commission, designate Established Sponsors of CLE Activities.

572
573 **[Existing language unaffected by the amendments is omitted to conserve space]**

574
575 (D) Designation as an Established Sponsor or Established Self-Study Sponsor shall be
576 for a term not to exceed one calendar year and may be renewed by the Commission annually if the
577 Established Sponsor or Established Self-Study Sponsor continues to meet the criteria set forth in
578 these Regulations. Established Sponsor or Established Self-Study Sponsor status may be revoked

579 by the Commission if, upon review of the CLE Activities or Self-Study Activities presented, the
580 Commission determines that the quality of those CLE Activities or Self-Study Activities does not
581 meet the standards set forth in these Regulations; the annual fee has not been paid; or the
582 Commission finds violations of any other applicable Regulations.

583
584 (E) CLE Activities presented by Established Sponsors, other than New Lawyers
585 Training courses, and Self-Study Activities presented by Established Self-Study Sponsors shall be
586 deemed to be approved and shall not individually be subject to the approval process set forth in
587 these Regulations. However, individual activities presented by Established Sponsors and
588 Established Self-Study Sponsors may be reviewed and subject to denial if the Secretary determines
589 they do not meet the requirements of Rule X or these Regulations.

590
591 (F) Established Sponsors and Established Self-Study Sponsors shall pay the annual fee
592 by ~~March~~ January 1st of each year. Established Sponsor and Established Self-Study Sponsor status
593 shall be effective the date the annual fee is paid and shall not be retroactive. For any period of
594 time a sponsor does not have Established Sponsor status, the sponsor shall be subject to all the fees
595 and deadlines of non-Established Sponsors.

596
597 (G) An Established Sponsor shall announce each CLE Activity in a manner authorized
598 by the Commission a minimum of thirty days prior to the presentation of the CLE Activity. ~~An~~
599 ~~Established Self-Study Sponsor shall announce each Self-Study Activity in a manner authorized~~
600 ~~by the Commission no later than of the Self-Study Activity.~~

601
602 **[Existing language unaffected by the amendments is omitted to conserve space]**

603
604 **Regulation 406: Standards for Accreditation**

605
606 CLE Activities approved for CLE Credit shall meet the following standards:

607
608 (J) For an Electronic Interactive Skill-Based Activity, the program faculty shall meet
609 the standards set forth in Regulation ~~409.3~~ 409.2(G) in addition to all requirements set forth in this
610 section.

611
612 **[Existing language unaffected by the amendments is omitted to conserve space]**

613
614 **409.1(A)** A Self-Study Activity may be approved for CLE Credit if it meets the
615 requirements of this Regulation. The Self-Study Activity shall also meet the standards set forth in
616 Regulation 406 to the extent they are applicable to a program of individualized learning.

617
618 **[Existing language unaffected by the amendments is omitted to conserve space]**

619
620 (G) The Sponsor shall notify the Commission within thirty days if a material change is
621 made to the Self-Study Activity, including a change in ~~internet service providers~~ delivery format.
622 Upon notice of the change, the Secretary or Commission may reconsider accreditation of the Self-
623 Study Activity and shall notify the Sponsor if accreditation of the Self-Study Activity is modified
624 or revoked. An Attorney or Judge who completed a Self-Study Activity for which accreditation

625 is later modified or revoked shall receive credit that was originally awarded for the Self-Study
626 Activity, provided completion of the Self-Study Activity occurred prior to notice of the
627 modification or revocation.

628
629 (H) The Sponsor shall demonstrate it can identify the Attorneys or Judges who engaged
630 in the Self-Study Activity using a minimum of two of the following methods of identification:
631 email address and confidential password combinations, security or challenge questions, image and
632 image phrases authentication, or other methods acceptable to the Commission. For an Electronic
633 Interactive Skill-Based Activity, the Attorney or Judge shall identify himself or herself to the
634 qualified faculty member or Sponsor representative using reliable methods disclosed for approval
635 by the Commission. The Sponsor of an Electronic Interactive Skill-Based Activity shall report
636 completion of the activity by the Attorney or Judge, including the appropriate time for credit hours.

637
638 **[Existing language unaffected by the amendments is omitted to conserve space]**

639
640 (L) The Sponsor of a Self-Study Activity shall provide to Attendees of Self-Study
641 Activities ~~mandatory~~ evaluation forms, ~~with evaluation data submitted to the Commission every~~
642 ~~six months, beginning six months from the date of accreditation of the Self Study Activity to~~
643 ~~determine their effectiveness and the extent to which the activity meets the needs of Attorneys and~~
644 ~~Judges.~~

645
646 (M) ~~The Sponsor of each Self-Study Activity shall inform all Attendees of the twelve~~
647 ~~hour limitation on Self-Study CLE Credit provided in Rule X, Section 5(E) and Regulation 409.2.~~

648
649 (N) The Sponsor of each Self-Study Activity shall provide a Certificate of Completion
650 for each Attorney or Judge who successfully completes the Self-Study Activity. The Certificate
651 shall include the Ohio Activity Code, the title of the program, the name of the Sponsor, the number
652 and type of CLE Credits earned, and the date upon which the Self-Study Activity was completed
653 by the Attorney or Judge.

654
655 (O)(N) The Sponsor shall provide the Self-Study Activity's approval status in Ohio and
656 the name of the Sponsor to participants before they pay for the Self-Study Activity.

657
658 (P)(O) Self-study materials shall be current and, in any event, shall have been prepared no
659 earlier than the calendar year immediately preceding the date the application for accreditation is
660 filed.

661
662 (Q)(P) Any violation of these Regulations shall subject the Established Sponsor or Sponsor
663 to late fees established by the Commission.

664
665 **409.2** ~~Except for a substitute CLE program pursuant to Regulation 304.4 and an approved~~
666 ~~live webinar self-study activity pursuant to Rule X, Section 5(E)(2), no more than twelve hours of~~
667 ~~CLE Credit for any biennial compliance period may be earned by an Attorney or Judge under this~~
668 ~~Regulation.~~

669

670 ~~409.3~~(A) An Electronic Interactive Skill-Based Activity shall be classified as a Self-Study
671 Activity subject to the requirements of Regulation 409.

672
673 **[Existing language unaffected by the amendments is omitted to conserve space]**
674

675 **414.1** A Sponsor may apply for accreditation of a New Lawyers Training course to be
676 presented by the Sponsor in a manner authorized by the Commission. ~~The application for~~
677 ~~accreditation shall be accompanied by a nonrefundable fee of twenty five dollars.~~ An application
678 for a New Lawyers Training course is subject to the application fee pursuant to Reg. 405(A).
679

680 **[Existing language unaffected by the amendments is omitted to conserve space]**
681

682 **Regulation 416: Credit for Ohio Precinct Election Official Training and Serving as a**
683 **Precinct Election Official on Election Day**
684

685 An Attorney may receive up to four hours of CLE Credit for attending Precinct Election
686 Official training and working for a county board of elections as a Precinct Election Official on
687 election day. An attorney may receive a maximum of twelve hours CLE Credit for such training
688 attended and services performed during a biennial compliance period. The CLE Credit shall be
689 subject to the following requirements and limitations:
690

691 (A) The Attorney serves for a full day as a Precinct Election Official;
692

693 (B) If the Attorney has previously attended the required precinct election training, the
694 Attorney shall take three hours of training provided by the office of the Secretary of State, which
695 shall include statutory law and case law on elections;
696

697 (C) The credit shall be verified and reported to the Commission by the office of the
698 Secretary of State in a manner approved by the Commission;
699

700 (D) The Attorney is not a Judge or Magistrate when serving as a Precinct Election
701 Official;
702

703 (E) The Attorney is not serving as an election observer, who are not Precinct Election
704 Officials for purposes of CLE Credit.
705

706 **Regulation 503: Sanctions**
707

708 **503.1(A)** If an Attorney, other than with respect to New Lawyers Training requirements,
709 or a Judge, without Good Cause, is not in Compliance, the Commission shall impose the sanctions
710 contained in Rule X, Section 17(A).
711

712 (B) The Commission ~~may~~ shall impose the following monetary penalty sanctions
713 pursuant to Rule X, Section 17(A)(1) for failure to satisfy the CLE Requirements, including any
714 applicable modifications of those requirements contained in Regulation 305:
715

DEFICIENCY:	RECOMMENDED SANCTION:
Six hours or less	\$75
More than six hours but not more than 12 hours	\$150
More than twelve hours but not more than eighteen hours	\$225
More than eighteen hours	\$300

716

717 **503.2** The sanctions contained in Rule X, Section 17(A) and Regulation 503.1 may be
718 cumulative.

719

720 **503.3** CLE Credit obtained to make up a deficiency for a prior biennial compliance period
721 shall not be applied to satisfy the CLE Requirement for the period in which the Credit is obtained.

722

723 **503.4** If an Attorney, without Good Cause, is not in Compliance with Rule X or these
724 Regulations for failure to timely complete the New Lawyers Training requirements, the
725 Commission shall impose the sanction of suspension as provided in Rule X, Section 17(A)(2).
726 However, if prior to the imposition of the sanction of suspension, the Attorney completes the New
727 Lawyers Training requirements, demonstrates to the Commission Compliance with Rule X and
728 these Regulations, and pays a the applicable late filing compliance fee of three hundred dollars,
729 the Commission shall not impose the sanction of suspension.

730

731 **503.5** If a Magistrate, without Good Cause, is not in compliance with the requirements of
732 Rule X, Section 10(B) due to the failure to timely complete the Magistrate Orientation Program,
733 or a Judge, without Good Cause, is not in compliance with the requirements of Rule IV, Section
734 10 due to the failure to timely complete the Judicial Orientation Program, the Commission shall
735 impose a monetary penalty of three hundred dollars for a Magistrate or five hundred dollars for a
736 Judge, and a sanction of suspension pursuant to Rule X, Section 17(C). Copies of the sanction
737 order issued to the Magistrate or Judge shall be sent to the Chief Justice, the Office of Disciplinary
738 Counsel, the Director of the Ohio Judicial College, the administrative judge of the court where the
739 Magistrate or Judge serves, and the president of the local bar association for the jurisdictions in
740 which the Magistrate or Judge serves.

741

742 **Regulation 504: Enforcement Procedures**

743

744 **504.1(A)** If an Attorney or Judge fails to comply with Rule X, Rule IV, or these
745 Regulations, the Commission shall send the Attorney or Judge a notice of Noncompliance. The
746 notice shall specify the nature of the Noncompliance and state that unless the Attorney or Judge
747 comes into Compliance or files evidence of Compliance that is satisfactory to the Commission by
748 the date set forth in the notice, the Commission shall issue an order imposing a sanction consistent
749 with Commission regulation. As a condition of acceptance of late Compliance, the applicable fee
750 shall accompany the Attorney's or Judge's report of completion.

751

752 **504.2(B)** If the Attorney or Judge submits evidence by the date set forth in the notice that
753 establishes timely Compliance or late Compliance, the notice of Noncompliance shall be
754 withdrawn, and the Commission shall so advise the Attorney or Judge.

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504.3(C) If the Attorney or Judge does not come into Compliance or file evidence of Compliance that is satisfactory to the Commission by the date set forth in the notice, the Commission shall issue an order imposing a sanction consistent with Commission regulation.

504.2(A) If the Commission is notified by the Judicial College Board of Trustees that a Magistrate is not in compliance with the requirements of Rule X, Section 10(B) for failure to timely complete the Magistrate Orientation Program, the Commission shall, within thirty days of notification, issue to the Magistrate a Notice of Apparent Noncompliance as set forth in this regulation and do both of the following:

- (1) Impose a late fee of three hundred dollars;
- (2) Notify the Magistrate that failure to pay the late fee and become fully compliant with the requirements of Rule X, Section 10(B) within one hundred and eighty days from the date of the Notice of Noncompliance will result in the imposition of the sanction of suspension as provided in Rule X, Section 17(C).

(B) If the Magistrate pays the late fee and complies with the requirements of Rule X, Section 10(B) within the one hundred and eighty-day period, the Notice of Noncompliance will be withdrawn.

(C) If the Magistrate fails to become compliant with the requirements of Rule X, Section 10(B) and pay the late fee within the one hundred and eighty-day period, the Commission shall impose the sanction of suspension as provided in Rule X, Section 17(C).

504.3(A) If the Commission is notified by the Ohio Judicial College Board of Trustees that a Judge is not in compliance with the requirements of Rule IV, Section 10 for failure to timely complete the Judicial Orientation Program, the Commission shall, within thirty days of notification, issue to the Judge a Notice of Apparent Noncompliance as set forth in this regulation and do both of the following:

- (1) Impose a late fee of five hundred dollars;
- (2) Notify the Judge that failure to pay the late fee and become fully compliant with the requirements of Rule IV, Section 10 within one hundred and eighty days from the date of the Notice of Apparent Noncompliance will result in the imposition of the sanction of suspension as provided in Rule X, Section 17(C).

(B) If the Judge pays the late fee and complies with the requirements of Rule X, Section 10(B) within the one hundred and eighty-day period, the Notice of Noncompliance will be withdrawn.

(C) If the Judge fails to become compliant with the requirements of Rule IV, Section 10 and pay the late fee within the one hundred and eighty-day period, the Commission shall impose the sanction of suspension as provided in Rule X, Section 17(C).

801 SUPREME COURT RULES FOR THE
802 GOVERNMENT OF THE JUDICIARY OF OHIO
803

804 **RULE IV. Mandatory Continuing Legal Education for the Judiciary.**
805

806 [Existing language unaffected by the amendments is omitted to conserve space]
807

808 **Section 5. Allowance of Credit Hours.**
809

810 [Existing language unaffected by the amendments is omitted to conserve space]
811

812 (E) *Self-study credit.* ~~The~~
813

814 (1) The Commission may allow up to twelve general credit hours for approved self-
815 study by a full-time judge, part-time judge, or retired judge during a biennial compliance period.
816

817 (2) The Commission may allow up to twenty-four credit hours for approved live
818 webinar self-study activities by a full-time judge, part-time judge, or retired judge during a biennial
819 compliance period.
820

821 [Existing language unaffected by the amendments is omitted to conserve space]