

IN THE SUPREME COURT, STATE OF WYOMING

April Term, A.D. 2007

In the Matter of Amendments to the)
Rules of the Wyoming State Board of)
Continuing Legal Education)

**ORDER ADOPTING AMENDMENTS TO THE RULES OF THE WYOMING
STATE BOARD OF CONTINUING LEGAL EDUCATION**

The Wyoming State Board of Continuing Legal Education has recommended that the Wyoming Supreme Court amend the Rules of the Wyoming State Board of Continuing Legal Education. The Court, having carefully reviewed the proposed amendments, finds that the proposed amendments should be adopted. It is, therefore,

ORDERED that the amendments to the Rules of the Wyoming State Board of Continuing Legal Education, attached hereto, be and hereby are adopted by the Court to be effective June 1, 2007; and it is further

ORDERED that the amendments to the Rules of the Wyoming State Board of Continuing Legal Education, attached hereto, shall be published in the advance sheets of the Pacific Reporter, the Wyoming Reporter, and in the Wyoming Court Rules; and that the amendments to the Rules of the Wyoming State Board of Continuing Legal Education shall thereupon be spread at length upon the journal of the Court.

DATED this 3rd day of April, 2007.

BY THE COURT:

BARTON R. VOIGT
Chief Justice

RULES OF THE WYOMING STATE BOARD OF CONTINUING LEGAL EDUCATION

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Rule 7. Hardships or extenuating circumstances.

(a) The Board may, in individual cases involving hardship or extenuating circumstances, grant waivers of the continuing legal ~~minimum~~ educational requirements or extensions of time. Requests for waivers or extensions of time shall be submitted in writing to the Board prior to the end of the reporting period for which the request is being made. The Board shall have discretion to review an untimely request made pursuant to this section, or Rule 4(h), if the attorney shows good and sufficient cause as to why his request was not submitted within the time required by this rule, and if the untimely request is submitted to the Board before the matter has been referred to the Court.

(b) Waivers of the continuing legal ~~minimum~~ educational requirements may be granted by the Board for any period of time not to exceed one year. If the hardship or the extenuating circumstances upon which a waiver has been granted continue beyond the period of the waiver, the attorney must reapply for an extension of the waiver. The Board may, as a condition of any waiver granted, require the applicant to make up a certain portion or all of the ~~minimum~~ continuing legal educational requirements waived by such methods as may be prescribed by the Board.

(c) Extensions of time within which to fulfill the continuing legal ~~minimum~~ educational requirements may, in individual cases involving hardship or extenuating circumstances, be granted by the Board for a period not to exceed six months immediately following expiration of the year in which the requirements were not met. Hours of continuing legal ~~minimum~~ educational requirements completed within an extension period will be applied first to the continuing legal ~~minimum~~ educational requirements for the preceding year and will be applied to the current or following year only to the extent that the hours are not required to fulfill the ~~minimum~~ continuing legal educational requirements for the preceding year.

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Rule 10. Penalties for failure to satisfy continuing legal education requirement.

(a) On or before March 31 of each year, the Wyoming State Bar shall serve each active attorney who has not complied with the continuing legal education requirements for the previous calendar year, a Notice of Noncompliance. On or before March 31 of each year, the Wyoming State Bar shall also give notice to each new admittee who has not taken the mandatory CLE class described in Rule 4(b) of these Rules. Delinquent attorneys and new admittees failing to comply with Rule 4(b) will have until April 30 to submit applications for adequate credits to cure the delinquency, along with payment of a \$100 noncompliance fee, payable to the Board of Continuing Legal Education.

(b) On or before May 1 of each year, the Wyoming State Bar shall serve each active attorney who failed to comply with the continuing legal education requirements for the previous year by March 31, a Final Notice of Noncompliance. On or before May 1 of each year, the Wyoming State Bar shall also give notice to each new admittee who has not taken the mandatory CLE class described in Rule 4(b) of these Rules. Delinquent attorneys and new admittees failing to comply with Rule 4(b) will have until May 31 to submit application for adequate credits to cure the delinquency, along with payment of an additional \$200 noncompliance fee, payable to the Board of Continuing Legal Education.

(c) On or before June 15 of each year, the Wyoming State Bar shall forward a Recommendation for Suspension for Noncompliance of continuing legal education requirements to the Court for each active attorney who failed to comply with the continuing legal education requirements for the previous year by May 31, or for any delinquent attorney who has failed to pay the appropriate noncompliance fee. On or before June 15 of each year, the Wyoming State Bar shall also forward a Recommendation for Suspension for Noncompliance of continuing legal education requirements to the Court for each new admittee who has not taken the mandatory CLE class described in Rule 4(b) of these Rules by May 31, or for any new admittee who has failed to pay the appropriate noncompliance fee.

(d) Upon receipt of the Recommendation for Suspension for Noncompliance of continuing legal education requirements, the Court shall issue an Order to Show Cause as to why the delinquent attorney's or new admittee's license to practice law in the State of Wyoming should not be suspended, sent by certified mail, return receipt requested, addressed to the attorney at the official address listed with the Wyoming State Bar. The attorney has 30 days to cure the delinquency, along with payment of an additional \$300 noncompliance fee, payable to the Board of Continuing Legal Education.

(e) If an attorney fails to cure the delinquency within the allotted time period, the delinquent attorney's or new admittee's license to practice law in the State of Wyoming shall be suspended by order of the Court. The order of suspension shall be served by the Court by certified mail, return receipt requested.

(f) If an attorney has not cured the delinquency within one year after the date of the order of suspension, upon notification from the Board to the Court, the delinquent attorney's or new admittee's license to practice law in the State of Wyoming shall be terminated by order of the Court. The order of termination shall be served by the Court by certified mail, return receipt requested.

Rule 11. Duties of suspended attorneys.

(a) Within 15 days of the date of an order of suspension, the suspended attorney shall notify the following persons by registered or certified mail, return receipt requested, of the attorney's suspension and the attorney's consequent inability to act as an attorney after the effective date of the suspension:

(1) All clients ~~with in~~ pending matters in the State of Wyoming. The attorney shall advise clients to seek legal advice elsewhere and to obtain another attorney for litigated matters or administrative proceedings in the State of Wyoming.

(2) Any co-counsel who is involved in litigated matters or administrative proceedings in the State of Wyoming.

(3) The attorney for each adverse party or, in the absence of such counsel, the adverse party or parties in litigated matters or administrative proceedings in the State of Wyoming. The notice to parties shall state the place of residence of the client of the suspended attorney.

(4) All courts or administrative bodies in which the attorney has matters pending in the State of Wyoming.

(b) If an attorney has not cured the suspension within six months from the date of the order, the attorney shall within 15 days deliver to all present and former clients all client files.

(c) A suspended attorney shall notify the client of all deadlines and scheduled court dates.

(d) A suspended attorney, after entry of the suspension order, shall not accept any new legal matters in the State of Wyoming. During the period from the entry date of the order to its effective date, the attorney may wind up and complete, on behalf of any client, all matters which were pending on the entry date.

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Rule 12. Reinstatement.

(a) Any attorney may, within six months of the order of suspension, be reinstated by performing the following:

(1) File a written petition for reinstatement, ~~on a form prescribed by~~ with the Board with the requisite fee set forth in Rule 10 ~~listed on the form, with the Board~~.

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