

IN THE SUPREME COURT, STATE OF WYOMING

October Term, A.D. 2012

In the Matter of Amendments to)
Rule 4 of the)
Rules of the Wyoming State Board of)
Continuing Legal Education)

**ORDER ADOPTING AMENDMENTS TO RULE 4 OF THE RULES OF THE
WYOMING STATE BOARD OF CONTINUING LEGAL EDUCATION**

In conjunction with adoption of amendments to the Rules and Procedures Governing Admission to the Practice of Law, which amendments include the adoption of the Uniform Bar Examination, the Court has determined that it should amend Rule 4 of the Rules of the Wyoming State Board of Continuing Legal Education. The Court, having carefully reviewed the attached amendments, finds that the attached amendments should be adopted. It is, therefore,

ORDERED that the amendments to Rule 4 of the Rules of the Wyoming State Board of Continuing Legal Education, attached hereto, be and hereby are adopted by the Court to be effective immediately. The amendments shall apply to those new admittees who sought admission, whether by motion or examination, with the February 2013 examination applicants. These amendments shall also apply to all applications for admission filed thereafter. In addition, any new admittee admitted before February of 2013 may satisfy the requirements of Rule 4(b) by attending the “old” four hour course (as long as that course remains available) or by attending the “new” six hour course. With regard to the new admittees described in the preceding sentence, those who attend the six hour course will satisfy the “old” four hour requirement and will have two additional credits to apply to any remaining mandatory CLE requirements. Further, for 2013, the Wyoming State Bar shall have discretion with regard to whether the six-hour course will be conducted three times in the year. The Wyoming State Bar will also have discretion on whether it will conduct the “old” four hour course in 2013. However, between the two courses, the Wyoming State Bar shall conduct a total of at least three courses; and it is further

ORDERED that this order and the attached amendments shall be published in the advance sheets of the Pacific Reporter; the attached amendments shall be published in the Wyoming Court Rules Volume; and that this order and the attached amendments shall be published online at the Wyoming Judicial Branch’s website, <http://www.courts.state.wy.us>. The amendments shall thereafter be spread at length upon the journal of this Court.

DATED this 14th day of December, 2012.

BY THE COURT:

/s/

MARILYN S. KITE
Chief Justice

Rules of the Wyoming State Board of Continuing Legal Education

Rule 4. Continuing Legal Education Requirement.

(a) A minimum of 15 hours of continuing legal education, including one hour of legal ethics, must be completed by each attorney in each calendar year.

(b) Each new admittee to the Wyoming State Bar shall complete, within the first year after admission, a ~~six~~ ~~four~~-hour continuing legal education course, ~~which~~ The course shall be conducted by the Wyoming State Bar and shall be available at least three times a year, at such times and places as the Wyoming State Bar may designate. No other course or courses may be used to satisfy the requirements of this subsection. The course shall covers the following criteria:

(1) General procedures, with focus on Professional Conduct Rules 1.1 (competence), 1.3 (diligence), 1.4 (communication), 1.5 (fees), 1.7, 1.8 and 1.9 (conflicts of interest) and 1.15 (safeguarding property);- ~~2.5 hours.~~ (2) ~~C~~ourtroom professionalism, civility, and other litigation-related matters;- ~~1.0 hour.~~ (3) ~~and~~ ~~T~~he function of the Wyoming State Bar and Bar Committees including the Member Assistance Program. ~~0.5 hour.~~ 3.0 hours; and

(2) A course on Wyoming specific law, which shall be developed under the authority of the Board of Law Examiners. 3.0 hours.

~~(4)~~ (3) The continuing legal education hours required of new admittees, as described in Rule 4(b) subsections 1 through ~~3~~ 2, will be counted toward the 15 hours of continuing legal education that must be obtained pursuant to this Rule.

(c) Continuing legal education credit may be obtained by attending or participating in a continuing legal education activity accredited by the Board under these rules. Credits will not be granted for attending duplicate courses in the same calendar year.

(d) Hours completed in any year in excess of the minimum number, including legal ethics credits, may be carried forward for two years.

(e) Attorneys who lecture in an accredited continuing legal education activity will receive credit for three hours for each hour spent lecturing. If an attorney lectures as part of a panel, the total length of the lecture will be divided by the number of panelists and that portion will be multiplied by three for instruction credit. Credit will not be granted for instructing duplicate courses in the same calendar year unless substantive changes are made in the program.

(f) The final published course schedule of an accredited continuing legal education activity shall be determinative of the number of hours of accredited continuing legal education available through such activity. In all other cases, the Board will determine the number of hours of accredited continuing legal education available through such activity.

(g) A maximum of three hours of accredited continuing legal education credit may be granted to those lawyers who provide representation or mentoring activities as approved by the Wyoming Pro Bono Organization (WYPBO).

(1) The attorney will receive one hour of continuing legal education credit for every five billable-equivalent hours. In the case of participation in the WYPBO program, the number of hours of credit is not to exceed three per year for civil case representation. Representation is defined as providing legal services to one or more clients in a single or series of related matters.

(2) Upon completion of a WYPBO matter, the participating attorney shall receive a letter from the WYPBO director certifying the number of hours of credit earned for the representation.

The attorney shall report this activity on the form referenced in Rule 4(h), and attach a copy of the certification letter.

(3) A WYPBO attorney who acts as a mentor to another attorney for a pro bono case will be awarded one continuing legal education credit per case and shall not be eligible to receive more than three continuing legal education credits for pro bono work in any one calendar year. Mentors will be assigned at the time of referral by indigent client and the mentor. Mentors shall be available to the attorney representing the indigent client for information and advice on all aspects of the case, but the mentor will not be required to file or otherwise enter an appearance on behalf of the indigent client. Mentors may not be members of the same firm or in association with the attorney representing the indigent client.

(4) A WYPBO attorney who acts as a mentor for a law student who has successfully completed at least four semesters at an ABA accredited law school on a case will be awarded three continuing legal education credits and shall not be eligible to receive more than three continuing legal education credits for pro bono work in any one calendar year. Mentors will be assigned to law students at the time of referral by the WYPBO coordinator with the consent of the law student, the law school and the mentor. Mentors will be available to the law student for information and advice on all aspects of the case and mentor the law student on the case while supervising. However, the mentor will allow the law student to provide services with the direct supervision of the mentoring attorney. The mentor shall file or otherwise enter an appearance on behalf of the indigent client if an appearance is required in accord with Rule 12, Rules of the Supreme Court of Wyoming Providing for the Organization and Government of the Bar Association and Attorneys
