

VIRGINIA:

*In the Supreme Court of Virginia held at the Supreme Court Building in the
City of Richmond on Thursday the 1st day of May, 2014.*

It is ordered that the Rules heretofore adopted and promulgated by this Court and now in effect be and they hereby are amended to become effective immediately:

Amend Section IV, Paragraph 17 of the Rules for Integration of the Virginia State Bar, Part Six of the Rules of Court to read as follows:

17. Mandatory Continuing Legal Education Rule.

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B. *Continuing Legal Education Board.* - A Continuing Legal Education Board shall be established for the purpose of administering the program.

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(2) Notice of Meetings/Quorum: The board shall meet on reasonable notice by the Chair, Vice chair or the Executive Director. Five members shall constitute a quorum and the action of a majority of a quorum shall constitute action of the board; however, new regulations or amendments shall be approved by a majority of the full membership of the board.

(3) Powers: The board shall have those general administrative and supervisory powers necessary to effectuate the purposes of this Rule, including the power to adopt, following the advice and comment of Council, reasonable and necessary regulations consistent with this Rule. The effective date of any regulations or amendments to the regulations adopted by the board shall be as prescribed by

the board, but in no event earlier than one hundred twenty (120) days following such adoption. The Council may reject any regulations or amendments to the regulations adopted by the board on or after July 1, 2010, by a 2/3 vote of those members of Council present and voting. Council's rejection of any regulations or amendments to the regulations shall have the effect of suspending the regulation or amendment until the Supreme Court has reviewed and approved, rejected, or modified the proposed regulation or amendment. The Virginia State Bar shall have the responsibility for funding the board and for enforcing Mandatory Continuing Legal Education requirements. The board may delegate to the Virginia State Bar staff as it deems appropriate to carry out its responsibilities under this Rule.

The board shall specifically have the following powers and duties:

- (a) To approve CLE programs and sponsors;
- (b) To establish procedures for the approval of Continuing Legal Education courses, whether those courses are offered within the Commonwealth or elsewhere. These procedures should include the method by which CLE sponsors could make application to the board for approval, and if necessary, make amendments to their application;
- (c) To authorize sponsors of Continuing Legal Education programs to advertise that participation in their program fulfills the CLE requirements of this Rule;
- (d) To formulate and distribute to all members of the Virginia State Bar appropriate information regarding the requirements of this Rule, including the distribution of a

certification form to be filed annually by each active member.

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H. *Standards.* In evaluating specific programs for approval, consideration shall be given to the following factors:

(1) Whether the course tends to increase the participant's professional competence as a lawyer.

(2) The number of hours of actual presentation, lecture, or participation, so that the appropriate number of credit hours can be identified and published.

(3) The usage of written educational materials which reflect a thorough preparation by the provider of the course, and which assist course participants in improving their legal competence.

(4) To qualify for mandatory legal education credit, a course is not required to have a component on legal ethics or professionalism, although such components are encouraged. When topics on legal ethics or professionalism are offered, either as an entire course or component thereof, they must be clearly identified as such.

A Copy,

Teste:

Dan C. Hammit

Clerk