

SENATE BILL NO. 1311

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR SCHROER.

5117S.011

KRISTINA MARTIN, Secretary

AN ACT

To amend supreme court rule 15.05, relating to continuing legal education requirements for lawyers.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Supreme court rule 15.05 is amended, to read
2 as follows:

15.05. Continuing Legal Education Requirements

2 (a) After July 1, 1988, except as provided in Rule
3 15.05(c), each lawyer shall complete and report, during each
4 reporting year, a total of at least 15 credit hours of
5 accredited programs, seminars, and activities. For each
6 reporting year:

7 (1) at least **[three]** **two** of the total 15 credit hours
8 must be devoted exclusively to accredited ethics programs,
9 seminars, and activities, including professionalism,
10 substance abuse, mental health, legal or judicial ethics,
11 malpractice prevention, explicit or implicit bias,
12 diversity, inclusion, or cultural competency programs,
13 seminars, and activities[; and

14 (2) at least one of the three ethics credit hours
15 required under Rule 15.05(a)(1) must be devoted exclusively
16 to explicit or implicit bias, diversity, inclusion, or
17 cultural competency].

EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

18 (b) Completion of the requirements of Rule 15.05(a)
19 shall be reported to The Missouri Bar as specified by The
20 Missouri Bar. A lawyer reporting completion of more than a
21 total of 15 credit hours of accredited programs, seminars,
22 and activities during one reporting year may receive credit
23 in the next succeeding reporting year for the excess credit
24 hours.

25 (c) A lawyer is not required to complete or report any
26 credit hours in the reporting year in which the lawyer is
27 initially licensed to practice law in this state except as
28 provided in Rule 15.05(d). Any lawyer not an active judge
29 who has not actively practiced law in Missouri during a
30 reporting year or has given notice of inactive status
31 pursuant to Rule 6.03 shall not be required to complete or
32 report any credit hours during that reporting year. Upon
33 written application and for good cause shown, waivers or
34 extensions of time of the credit hour or reporting
35 requirements of this Rule 15 may be granted in individual
36 cases or classes of cases involving hardship or extenuating
37 circumstances.

38 (d) A person seeking admission under Rule 8.10 shall,
39 prior to being issued a license, attend The Missouri Bar
40 Annual Law Update Program or a continuing legal education
41 program accredited as provided in this Rule 15 that has
42 intellectual and practical content substantially equivalent
43 to The Missouri Bar Annual Law Update Program. Attendance
44 shall be no earlier than 12 months prior to the date the
45 application for admission under Rule 8.10 is filed. The
46 person shall report the completion of this requirement to
47 the board of law examiners as the board shall specify.

48 (e) For each reporting year, not more than six credit
49 hours may consist of self-study, videotape, audiotape, or

50 other similar accredited programs, seminars, or activities.
51 A speaker at an accredited program, seminar, or activity may
52 receive credit for preparation and presentation time. An
53 author may receive credit for research and composition time
54 for written materials that have been or will be published by
55 an accredited sponsor, in a professional journal, or as a
56 monograph.

57 (f) Each judge of the family court division and each
58 commissioner of the family court division shall complete at
59 least six hours of continuing legal education courses
60 relating to family court issues and law not later than six
61 months after designation or appointment. The hours completed
62 to fulfill this requirement may be used to fulfill the
63 requirements of Rule 15.05(a).

64 Each year thereafter, such judges and commissioners
65 shall complete at least six hours of continuing legal
66 education courses relating to family court issues and law.
67 The hours completed on an annual basis may be used to
68 fulfill the requirements of Rule 15.05(a).

69 Completion of the requirements of this Rule 15.05(f)
70 shall be reported to The Missouri Bar as specified by The
71 Missouri Bar.

72 This Rule 15.05(f) shall apply to all reporting years
73 beginning on or after September 1, 2020. This Rule 15.05(f)
74 shall not apply to judges who are temporarily transferred or
75 assigned to family court divisions; however, judges who have
76 met the requirements of this Rule 15.05(f) shall be
77 preferred for such transfers and assignments.

78 (g) Each lawyer who is a member or employee of the
79 general assembly may report in each reporting year credit
80 for 15 hours of continuing legal education for service
81 during that reporting year's regular legislative session.

82 Such credits shall not satisfy the Rule 15.05(a) (1)
83 requirement for [three] **two** credit hours devoted exclusively
84 to ethics programs, seminars, or activities.

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