

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF AMENDMENTS
TO SCR 208 AND SCR 211
REGARDING THE ADMINISTRATION
OF THE STATE OF NEVADA BOARD
OF CONTINUING LEGAL
EDUCATION.

ADKT 0577

FILED

MAR 22 2021

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
CHIEF DEPUTY CLERK*ORDER AMENDING SUPREME COURT RULES 208 AND 211*

WHEREAS, on February 10, 2021, James W. Hardesty, Chief Justice, Ron D. Parraguirre, Associate Chief Justice, and Lidia S. Stiglich, Associate Justice, of the Nevada Supreme Court, filed a petition seeking to amend Supreme Court Rule (SCR) 208 and SCR 211 regarding the Board of Continuing Legal Education and its administration. An amended petition was filed on February 11, 2021; and

WHEREAS, this court solicited public comment on the petition and a public hearing was held in this matter on March 3, 2021; and

WHEREAS, this court concludes that the proposed amendments to SCR 208 and SCR 211 are warranted; accordingly,

IT IS HEREBY ORDERED that SCR 208 shall be amended and shall read as set forth in Exhibit A.

IT IS FURTHER ORDERED that SCR 211 shall be amended and shall read as set forth in Exhibit B.

IT IS FURTHER ORDERED that commencing on April 1, 2021, the CLE Board and staff will cooperate and provide as requested any and all documents, contracts, and information related to its operations to the Nevada State Bar.

IT IS FURTHER ORDERED that commencing on or before May 1, 2021, all funds held by the CLE Board in reserve at the direction of the Supreme Court shall be transferred to the Nevada State Bar.

IT IS FURTHER ORDERED that commencing on or before June 15, 2021, all books, records and funds held by the CLE Board shall be transferred to the Nevada State Bar and used for the benefit of the CLE program. Thereafter, all funds coming to the CLE Board will be directed to the Nevada State Bar.

IT IS FURTHER ORDERED that, until the effective date of the rule amendments and commencing on June 15, 2021, the Nevada State Bar shall carry out or supervise all operational duties and all agreements on behalf of the CLE Board.

IT IS FURTHER ORDERED that pursuant to SCR 208, the CLE Board shall file the annual report on or before March 31, 2021 for the period ending December 31, 2020.

IT IS FURTHER ORDERED that the Nevada State Bar shall provide to the Supreme Court on or before June 15, 2021, a status report on the transition of operations from the CLE staff to the Nevada State Bar.

IT IS FURTHER ORDERED that the rule amendments shall be effective on August 1, 2021. The clerk of this court shall cause a notice of entry of this order to be published in the official publication of the State Bar of Nevada. Publication of this order shall be accomplished by the clerk

disseminating copies of this order to all subscribers of the advance sheets of the Nevada Reports and all persons and agencies listed in NRS 2.345, and to the executive director of the Nevada State Bar. The certificate of the clerk of this court as to the accomplishment of the above- described publication of notice of entry and dissemination of this order shall be conclusive evidence of the adoption and publication of the foregoing amendments.

Dated this 22nd day of March, 2021.

J. Hardesty, C.J.
Hardesty

Parraguirre, J.
Parraguirre

Stiglich, J.
Stiglich

Cadish, J.
Cadish

Silver, J.
Silver

Pickering, J.
Pickering

Herndon, J.
Herndon

cc: Eric Dobberstein, President, State Bar of Nevada
Kimberly Farmer, Executive Director, State Bar of Nevada
Francis C. Flaherty, Chair, Board of Continuing Education,
State of Nevada
All District Court Judges

Clark County Bar Association
Washoe County Bar Association
First Judicial District Bar Association
Elko County Bar Association
Douglas County Bar Association
Administrative Office of the Courts

EXHIBIT A

AMENDMENT TO SUPREME COURT RULE 208

Rule 208. Powers and duties of board. ~~[The]~~ Subject to oversight by the court, the board shall administer these rules. Without limiting the generality of this duty, the board has the following specific powers and duties:

1. To accredit individual courses and all or portions of programs of continuing legal education which, in the judgment of the board, will satisfy the educational requirements of these rules, according to regulations adopted by the board and to assess fees regarding such programs upon sponsors and attorneys subject to these rules in accordance with regulations adopted by the board.

2. To grant accredited sponsorship status to certain sponsors of continuing legal education courses or programs, on such terms or conditions as the board may deem appropriate, according to regulations adopted by the board.

3. To determine the number of hours of credit each participant shall be entitled to receive for attendance or participation in each accredited course or educational activity, according to regulations adopted by the board.

4. To discover and encourage the offering of courses and programs which will satisfy the educational requirements of these rules, whether offered within or without the State of Nevada.

5. ~~[To adopt, publish and enforce regulations pertinent to these powers and duties.]~~ To adopt, publish, and enforce regulations within the limits of and consistent with these powers and duties; provided, any significant alteration of the board's business model is subject to prior court approval.

6. To adopt and publish forms to facilitate compliance with these rules and the board's regulations.

7. Subject to prior court approval, to adopt bylaws to govern the internal conduct of its affairs. Any amendments to existing bylaws shall, however, require prior court approval.

8. To make recommendations to the court concerning these rules.

9. ~~[To maintain its own offices and employ an executive director and other such persons as the board deems necessary for the proper administration of these rules.]~~

~~10.]~~ 10. To report at least annually, no later than ninety (90) days after December 31, to the court and board of governors concerning its operations and financial condition. On the application of the board of governors or on its own motion, the court may order the board to review these rules or any of its regulations, forms, or bylaws and to report to the court concerning any proposed amendments thereto.

~~[11.]~~ 10. To collect an annual fee from each attorney subject to these rules, and to assess fees and other penalties for noncompliance with these rules. All fees collected must be utilized for the cost of administration by the board of these rules.

~~[12.]~~ 11. To sue and be sued in its own name, and to carry out and defend the purposes, duties, and powers imposed upon or granted to the board in these rules. Individual members of the board, its executive director, and all staff persons assisting them shall have absolute immunity from civil liability for all acts undertaken in the course of their official duties pursuant to these rules.

~~[13.]~~ 12. To refer to the state bar for appropriate disciplinary action any attorney who engages in perceived illegal or unethical conduct in response to any of the requirements of these rules.

EXHIBIT B

AMENDMENT TO SUPREME COURT RULE 211

Rule 211. ~~[Reserved.]~~ Administration of board. The board of governors, after consultation with the board, shall provide offices and employ staff as the board of governors deems necessary for the proper administration of these rules and regulations adopted by the board. The costs of administration shall be paid from the fees established and collected by the board under these rules.