

**Proposed Rules 2.51, 2.53, 2.55, 2.71, 2.140, 2.141, 2.142,  
2.143, 2.144, 2.150, 2.151, 2.152, and 2.153 of the Rules of the  
State Bar (Redline Version)**

**Rule 2.51 Definitions**

- (A) An “MCLE activity” is continuing legal education that the State Bar approves as meeting standards for MCLE credit.
- (B) An “LSMCLE” activity is legal specialty minimum continuing legal education that is accredited by the State Bar as meeting the standards for LSMCLE and MCLE credit as set forth in rule 3.114. Any requirements for an MCLE activity as set forth in these rules apply to an LSMCLE activity.
- (C) A “provider” is an individual or entity approved by the State Bar to grant MCLE credit for an MCLE activity.
- (D) “MCLE credit” is the number of credit hours that a licensee may claim to meet the requirements of these rules.
- (E) A “credit hour” is sixty minutes actually spent in an MCLE activity, less any time for breaks or other activities that lack educational content. A credit hour is reported to the nearest quarter hour in decimals.
- (F) An “approved jurisdiction” is recognized by the State Bar as having MCLE requirements that substantially meet State Bar standards for MCLE activities and computing MCLE credit hours in a manner acceptable to the State Bar. Approved jurisdictions are listed on the State Bar Web site.
- (G) A “participatory activity” is an MCLE activity for which the provider must verify attendance. Participatory activities may be presented in person or delivered by electronic means. Methods for verification include sign-in writing or electronically at the start of the course.
- (H) A “self-study activity” is any MCLE activity identified in Rule 2.83. Self-study activities may be presented in person or delivered by electronic means.
- ~~(I) State Bar New Attorney Training is MCLE that is developed and made available directly from the State Bar and is focused on law practice competency for newly admitted licensees.~~

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### Rule 2.53 New licensees

- (A) A new licensee is permanently assigned to a [MCLE](#) compliance group on the date of admission.
- (B) The initial [MCLE](#) compliance period for a new licensee begins on the first day of the month in which the licensee was admitted. It ends when the period ends for the compliance group. If the initial period is less than the period for the compliance group, the required credit hours may be reduced as provided in these rules.<sup>1</sup>
- (C) A new licensee may not claim credit for education taken before the initial compliance period.
- ~~(D) A new licensee is required to complete a State Bar New Attorney Training program during the first year of admission.~~
- ~~(E) New licensees who have completed any portion of the New Attorney Training program while enrolled in the State Bar's Provisional Licensure Program<sup>2</sup> are deemed to have satisfied that portion of the requirement and, therefore, do not have to retake that portion of the New Attorney Training program.~~
- ~~(F) New licensees can apply New Attorney Training hours to their regular MCLE requirement, provided that the hours are completed within the licensee's MCLE compliance period.~~

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### Rule 2.55 Modifications

A licensee prevented from fulfilling the MCLE requirement for a substantial part of a compliance period because of a physical or mental condition, natural disaster, family emergency, financial hardship, or other good cause may apply for modification of MCLE compliance requirements. ~~The State Bar must approve any modification.~~ [Compliance requirements remain in effect unless a modification is approved by the State Bar.](#)

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<sup>1</sup> Rule 2.72 (C).

~~<sup>2</sup> California Rule of Court, Rule 9.49.~~

## **Rule 2.71 Compliance periods**

- (A) A compliance period consists of thirty-six months. It begins on the first day of February and ends three years later on the last day of January. The three compliance groups begin and end their compliance periods in different years. A licensee must report MCLE compliance no later than the day following the end of the compliance period. The report must be made online using My State Bar Profile or with an MCLE Compliance Form. Fees for noncompliance are set forth in the Schedule of Charges and Deadlines.
- (B) ~~Compliance with State Bar New Attorney Training must be effectuated and reported completed, in a manner established by the State Bar, by the last day of the month of an attorney's one-year anniversary as a State Bar licensee. Fees for noncompliance are set forth in the Schedule of Charges and Deadlines.~~

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## **DIVISION 6. NEW ATTORNEY TRAINING**

### **Chapter 1. Purpose and scope**

#### **Rule 2.140 Definition of New Attorney Training**

State Bar New Attorney Training is made available directly from the State Bar and is focused on law practice competency for newly admitted licensees.

#### **Rule 2.141 Compliance Period**

- (A) A new licensee is required to complete a State Bar New Attorney Training program during the first year of admission. Compliance with State Bar New Attorney Training must be effectuated and reported completed, in a manner established by the State Bar, by the last day of the month of an attorney's one-year anniversary as a State Bar licensee. Fees for noncompliance are set forth in the Schedule of Charges and Deadlines.
- (B) New licensees who have completed any portion of the State Bar New Attorney Training program while enrolled in the State Bar's Provisional Licensure Program<sup>1</sup> are deemed to have satisfied that portion of the requirement and, therefore, do not have to retake that portion of the New Attorney Training program.

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<sup>1</sup> California Rule of Court, Rule 9.49.

### **Rule 2.142 Relationship to MCLE**

- (A) The State Bar New Attorney Training is not MCLE.
- (B) Notwithstanding paragraph (A), new licensees can apply State Bar New Attorney Training hours to their MCLE requirement, provided that the hours are completed within the licensee's MCLE compliance period.

### **Rule 2.143 Exemptions**

There are no exemptions from the State Bar New Attorney Training.

### **Rule 2.144 Modifications**

A licensee prevented from fulfilling the State Bar New Attorney Training requirement because of a physical or mental condition, natural disaster, family emergency, financial hardship, or other good cause may apply for modification of their compliance requirements. Compliance requirements remain in effect unless a modification is approved.

## **Chapter 2. Noncompliance**

### **Rule 2.150 Definition**

Noncompliance is failure to:

- (A) Complete the required State Bar New Attorney Training during the compliance period or an extension of it; or
- (B) Pay fees for noncompliance.

### **Rule 2.151 Notice of noncompliance**

A licensee who is sent a notice of noncompliance must comply with its terms or be involuntarily enrolled as inactive. An inactive licensee is not eligible to practice law.

### **Rule 2.152 Enrollment as inactive for State Bar New Attorney Training noncompliance**

A licensee who fails to comply with a notice of noncompliance is enrolled as inactive and is not eligible to practice law. The enrollment is administrative and no hearing is required.

**Rule 2.153 Reinstatement following State Bar New Attorney Training noncompliance**

Enrollment as inactive for State Bar New Attorney Training noncompliance terminates when a licensee completes the training and pays noncompliance fees and reinstatement fees.