

M.R. 3140

**IN THE  
SUPREME COURT  
OF  
THE STATE OF ILLINOIS**

Order entered January 31, 2024.

(Deleted material is struck through, and new material is underscored.)

Effective February 1, 2024, Illinois Supreme Court Rules 9, 373, 472, 558, 794, and 796 amended, as follows.

**Amended Rule 9**

**Rule 9. Electronic Filing of Documents**

**(a) Electronic Filing Required.** Unless exempt as provided in paragraph (c), all documents in civil cases shall be electronically filed with the clerk of court using an electronic filing system approved by the Supreme Court of Illinois.

**(b) Personal Identity Information.** If filing a document that contains Social Security numbers as provided in Rule 15 or personal identity information as defined in Rules 138 or 364, the filer shall adhere to the procedures outlined in Rules 15, 138, and 364.

**(c) Exemptions.** The following types of documents in civil cases are exempt from electronic filing:

- (1) Documents filed by a self-represented litigant incarcerated in a local jail or correctional facility at the time of the filing;
- (2) Wills;
- (3) Documents filed under the Juvenile Court Act of 1987; and
- (4) Documents filed by any person, including an attorney or a self-represented litigant, with a disability, as defined by the Americans with Disabilities Act of 1990, whose disability prevents e-filing; and
- (5) Documents in a specific case upon good cause shown by certification.

(A) Good cause exists where a self-represented litigant is not able to e-file documents for the following reasons:

- (i) no computer or Internet access in the home and travel represents a hardship;
- (ii) a language barrier or low literacy (difficulty reading, writing, or speaking in English); or

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(iii) a self-represented litigant tries to e-file documents but is unable to complete the process and the necessary equipment and technical support for e-filing assistance is not available to the self-represented litigant.

(B) Good cause also exists where any person, including an attorney or self-represented litigant, is filing a pleading of a sensitive nature, such as a petition for an order of protection or a civil no-contact/stalking order.

A Certification for Exemption From E-filing, which includes a certification under section 1-109 of the Code of Civil Procedure, and any accompanying documents shall be filed with the court—in person, by e-mail or by mail, or by third-party commercial carrier. ~~The Certification for Exemption From E-filing and documents may also be filed by other means, such as e-mail, if permitted by the local court.~~ The court shall provide, and parties shall be required to use, a standardized form expressly titled “Certification for Exemption From E-filing” adopted by the Illinois Supreme Court Commission on Access to Justice. Judges retain discretion to determine whether good cause is shown. If the court determines that good cause is not shown, the court shall enter an order to that effect stating the specific reasons for the determination and ordering the litigant to e-file thereafter.

Judges retain discretion to determine whether, under particular circumstances, good cause exists without the filing of a certificate, and the court shall enter an order to that effect.

**(d) Timely Filing.** Unless a statute, rule, or court order requires that a document be filed by a certain time of day, a document is considered timely if submitted before midnight (in the court’s time zone) on or before the date on which the document is due. A document submitted on a day when the clerk’s office is not open for business will, unless rejected, be file stamped as filed on the next day the clerk’s office is open for business. The filed document shall be endorsed with the clerk’s electronic file mark setting forth, at a minimum, the identification of the court, the clerk, the date, and the time of filing.

(1) If a document is untimely due to any court-approved electronic filing system technical failure, the filing party may seek appropriate relief from the court, upon good cause shown.

(2) If a document is rejected by the clerk and is therefore untimely, the filing party may seek appropriate relief from the court, upon good cause shown.

**(e) Filer Responsible for Electronic Submissions.** The filer is responsible for the accuracy of data entered in an approved electronic filing system and the accuracy of the content of any document submitted for electronic filing. The court and the clerk of court are not required to ensure the accuracy of such data and content.

**(f) Effective Date.** This rule is effective July 1, 2017 for proceedings in the Supreme Court and the Appellate Court. For proceedings in the circuit court, this rule is effective January 1, 2018.

Adopted June 22, 2017, eff. July 1, 2017; amended Dec. 13, 2017, eff. immediately; amended Dec. 12, 2018, eff. immediately; amended Dec. 19, 2019, eff. Jan. 1, 2020; amended August 14, 2020, eff. immediately; amended Feb. 4, 2022, eff. immediately; amended Jan. 31, 2024, eff. Feb. 1, 2024.

## Committee Comments

(December 13, 2017)

(Revised February 4, 2022)

a. The implementation of electronic filing in Illinois courts should not impede a person's access to justice. If courts are unable to meet their obligation due to an emergency situation under M.R. 18368 to provide "designated space, necessary equipment, and technical support for self-represented litigants seeking to e-file documents during regular court hours," that party is exempted from e-filing under Rule 9(c)(5) and permitted to file in person or by mail. An exempted party may also file through other means, such as e-mail, as permitted by the local court.

b. Where a party has filed a Certification for Exemption From E-filing or the court has granted a good-cause exemption *sua sponte*, that party may file documents in person or by mail. That party may also file through other means, such as e-mail, as permitted by the local court. Each court should consider establishing a process allowing exempt self-represented litigants to file documents remotely by e-mail to reduce the number of self-represented litigants traveling to the courthouse for the sole purpose of filing documents.

c. Although a document meets the criteria for an exemption (for example, for good cause shown), any document may be electronically filed if that is the filer's preferred method of filing the court documents.

### **Amended Rule 373**

#### **Rule 373. Date of Filing in Reviewing Court.**

**(a)** Except as provided in paragraph (b), ~~Unless received after the due date,~~ the time of filing records, briefs or other documents required to be filed within a specified time will be the date on which they are actually received by the clerk of the reviewing court.

**(b)** If received after the due date, the time of mailing, or the time of delivery to a third-party commercial carrier for delivery to the clerk within three business days, for any filing exempt from electronic filing under Rule 9(c) by an incarcerated, self-represented litigant shall be deemed the time of filing. Proof of mailing, or delivery to a third-party commercial carrier, shall be as provided in Rule 12(b).

**(c)** This rule also applies to a motion directed against the judgment and to the notice of appeal filed in the trial court.

Amended January 5, 1981, effective February 1, 1981; amended July 1, 1985, effective August 1, 1985; amended December 17, 1993, effective February 1, 1994; amended December 29, 2009, effective immediately; amended September 19, 2014, eff. immediately; amended Oct. 6, 2016, eff. Nov. 1, 2016; amended June 22, 2017, eff. July 1, 2017; amended Jan. 31, 2024, eff. Feb. 1, 2024.

#### **Committee Comments**

(Revised July 1, 1985)

Rule 373 was new in 1967. It was designed to make it unnecessary for counsel to make sure that briefs and other papers mailed before the filing date actually reach the reviewing court within the time limit. Receipt of the paper in the clerk's office a day or two later will not delay the appeal.

As originally adopted the rule provided that the time of mailing might be evidenced by the post mark affixed by a United States Post Office. Because of problems with the legibility of post marks, and delay in affixing them in some cases, the rule was amended in 1981 to provide for the use of affidavits of mailing or United States Postal Service certificates of mailing.

The 1985 amendment regarding the recording of a filing date was intended to simplify record keeping in the appellate and supreme courts.

Commentary  
(December 17, 1993)

The rule is revised to make the method of proof of mailing consistent with practice under Rule 12.

Reference to the notice of appeal coming within the scope of the rule is a reflection of existing law (see *Harrisburg-Raleigh Airport Authority v. Department of Revenue* (1989), 126 Ill. 2d 326).

Committee Comments  
(December 29, 2009)

The rules on service and filing have been revised to provide for sending documents via third-party commercial carrier. Under these rules, the term “delivery” refers to all the carrier’s standard pick-up methods, such as dropping a package in a UPS or FedEx box or with a UPS or FedEx contractor.

**Amended Rule 472**

**Rule 472. Correction of Certain Errors in Sentencing.**

(a) In criminal cases, the circuit court retains jurisdiction to correct the following sentencing errors at any time following judgment and after notice to the parties, including during the pendency of an appeal, on the court’s own motion, or on motion of any party:

- (1) Errors in the imposition or calculation of fines, fees, assessments, or costs;
- (2) Errors in the application of *per diem* credit against fines;
- (3) Errors in the calculation of presentence custody credit; and

(4) Clerical errors in the written sentencing order or other part of the record resulting in a discrepancy between the record and the actual judgment of the court.

(b) Where a circuit court’s judgment pursuant to this rule is entered more than 30 days after the final judgment, the judgment constitutes a final judgment on a justiciable matter and is subject to appeal in accordance with Supreme Court Rule 303.

(c) No appeal may be taken by a party from a judgment of conviction on the ground of any sentencing error specified above unless such alleged error has first been raised in the circuit court. When a post-judgment motion has been filed by a party pursuant to this rule, any claim of error not raised in that motion shall be deemed forfeited.

(d) If a motion is filed or judgment pursuant to this rule is entered after a prior notice of appeal

has been filed, and said appeal remains pending, the pending appeal shall not be stayed. Any appeal from a judgment entered pursuant to this rule shall be consolidated with the pending appeal.

(e) In all criminal cases pending on appeal as of March 1, 2019, or appeals filed thereafter in which a party has attempted to raise sentencing errors covered by this rule for the first time on appeal, the reviewing court shall remand to the circuit court to allow the party to file a motion pursuant to this rule.

(f) No motion filed pursuant to this rule shall be subject to a filing fee.

Adopted Feb. 26, 2019, eff. March 1, 2019; amended May 17, 2019, eff. immediately; amended Jan. 31, 2024, eff. Feb. 1, 2024.

### **Amended Rule 558**

#### **Rule 558. Correction of Certain Errors in Sentencing.**

(a) In traffic cases, conservation cases, or ordinance violation cases, the circuit court retains jurisdiction to correct the following sentencing errors at any time following judgment after notice to the parties, including during the pendency of an appeal, on the court's own motion, or on motion of any party:

- (1) Errors in the imposition or calculation of fines, fees, assessments, or costs;
- (2) Errors in the application of *per diem* credit against fines;
- (3) Errors in the calculation of presentence custody credit; and
- (4) Clerical errors in the written sentencing order or other part of the record resulting in a discrepancy between the record and the actual judgment of the court.

(b) Where a circuit court's judgment pursuant to this rule is entered more than 30 days after the final judgment, the judgment constitutes a final judgment on a justiciable matter and is subject to appeal in accordance with Supreme Court Rule 303.

(c) No appeal may be taken by a party from a judgment of conviction on the ground of any sentencing error specified above unless such alleged error has first been raised in the circuit court. When a post-judgment motion has been filed by a party pursuant to this rule, any claim of error not raised in that motion shall be deemed forfeited.

(d) If a motion is filed or judgment pursuant to this Rule is entered after a prior notice of appeal has been filed, and said appeal remains pending, the pending appeal shall not be stayed. Any appeal from a judgment entered pursuant to this rule shall be consolidated with the pending appeal.

(e) In all traffic, conservation, or ordinance violation cases pending on appeal as of March 1, 2019, or appeals filed thereafter in which a party has attempted to raise sentencing errors covered by this rule for the first time on appeal, the reviewing court shall remand to the circuit court to allow the party to file a motion pursuant to this rule.

(f) No motion filed pursuant to this rule shall be subject to a filing fee.

Adopted Feb. 26, 2019, eff. March 1, 2019; amended May 17, 2019, eff. immediately; amended Jan.

## **Amended Rule 794**

### **Rule 794. Continuing Legal Education Requirement**

#### **(a) Hours Required**

Except as provided by Rules 791 or 793, every Illinois attorney subject to these Rules shall be required to complete 30 hours of CLE activity during the attorney's two-year reporting period (as determined on the basis of the lawyer's last name pursuant to paragraph (b), below) ending on June 30.

#### **(b) Reporting Period**

The applicable two-year reporting period shall begin on July 1 of even-numbered years for lawyers whose last names begin with the letters A through M, and on July 1 of odd-numbered years for lawyers whose last names begin with the letters N through Z.

#### **(c) Carryover of Hours**

(1) For attorneys with two-year reporting periods

All CLE hours may be earned in one year or split in any manner between the two-year reporting period.

An attorney who earns more than the required 30 CLE hours for a two-year reporting period may carry over to the next reporting period a maximum of 10 hours. Those carryover hours may include up to six hours approved for professional responsibility credit. Professional responsibility credit carried over to the next reporting period may be used to meet the professional responsibility requirement of the next reporting period.

(2) For newly-admitted attorneys subject to Rule 793

A newly-admitted attorney may carry over to his or her first two-year reporting period a maximum of 15 CLE hours earned in excess of those required by Rule 793(c) or Rule 793(f)(2) if those excess hours were earned after the attorney's admission to the Illinois bar and before the start of the attorney's first two-year reporting period. Those carryover hours may include up to six hours approved for professional responsibility credit. Professional responsibility credit carried over to the next reporting period may be used to meet the professional responsibility requirement of the next reporting period. Attorneys removed from the master roll pursuant to Rule 796(e) for failure to comply with their newly-admitted attorney requirement and who are reinstated to the master roll pursuant to Rule 796(h) before the start of their first two-year reporting period may carry over a maximum of 15 CLE hours, including up to six hours approved for professional responsibility credit, earned after reinstatement but before the start of their first two-year reporting period.

#### **(d) Professional Responsibility Requirement**

(1) Each attorney subject to these Rules shall complete a minimum of six of the total CLE hours for each two-year reporting period in the area of professionalism, civility, legal ethics, sexual harassment prevention, diversity and inclusion, or mental health and substance abuse.

(2) Beginning with the two-year reporting period ending June 30, 2019, these minimum

six hours shall include either completing the Rule 795(d)(11) yearlong Lawyer-to-Lawyer Mentoring Program or:

- (i) At least one hour in the area of diversity and inclusion and
- (ii) At least one hour in the area of mental health and substance abuse.

Adopted September 29, 2005, effective immediately; amended October 1, 2010, effective immediately; amended September 27, 2011, effective immediately; amended Apr. 3, 2017; eff. July 1, 2017; amended Apr. 11, 2023, eff. immediately; amended Jan. 31, 2024, eff. Feb. 1, 2024.

### **Amended Rule 796**

#### **Rule 796. Enforcement of MCLE Requirements**

The following provisions apply to all two-year reporting periods ending June 30, 2023, and after and all newly-admitted attorney reporting periods ending January 31, 2024, and after.

For all two-year reporting periods ending June 30, 2022, and before and newly-admitted attorney reporting periods ending December 31, 2023, and before, the prior version of Rule 796 applies.

#### **(a) Report of Compliance**

The MCLE Board maintains a list of MCLE credits earned during an attorney's reporting period and reported to the MCLE Board. An attorney's credit list is available to the attorney via a secured login through the MCLE Board's website.

The MCLE Board determines an attorney's compliance with the MCLE requirements based on the attorney's credit list. On the date an attorney's credit list reflects the attorney's compliance with the MCLE requirements for a given reporting period, the MCLE Board will automatically enter a report of compliance on behalf of the attorney.

##### **(1) Notice of Requirement to Comply With the MCLE Requirements**

The MCLE Board shall send to attorneys as set forth in (i), (ii), and (iii) below a notice of the requirement to comply with the MCLE requirements, request a grace period extension of time to comply with the MCLE requirements or report an exemption ("Initial MCLE Notice").

##### **(i) Newly-admitted attorney requirement**

On or before the first day of the month preceding the end of an attorney's newly-admitted attorney requirement reporting period, the Director shall mail or email to the attorney, at a mailing or email address maintained by the ARDC, an Initial MCLE Notice.

##### **(ii) Two-year reporting period**

On or before May 1 of each two-year reporting period, the Director shall mail or email to the attorney, at a mailing or email address maintained by the ARDC, an Initial MCLE notice.

##### **(iii) The MCLE Board does not need to send an Initial MCLE Notice to the following:**

- (A) Attorneys on inactive or retirement status pursuant to Supreme Court Rule 756(a)(5) or (a)(6), respectively, or on inactive status pursuant to the former Supreme

Court Rule 770 or who have previously been placed on voluntarily removed status by the ARDC;

(B) Attorneys on disability inactive status pursuant to Supreme Court Rules 757 or 758;

(C) Attorneys known by the Director to be fully exempt from these Rules pursuant to Rule 791(b);

(D) Attorneys who have already been removed from the master roll of attorneys due to the attorney's failure to comply with the MCLE requirements for two consecutive reporting periods or more;

(E) Attorneys whose compliance has been determined by the MCLE Board based on the credit list;

(F) Attorneys who have reported to the MCLE Board a full exemption under Rule 791(a)(3), (a)(5), or (a)(6) by means of the Board's online reporting system; or

(G) Attorneys who have requested a grace period extension under Rule 796(c).

(2) Every Illinois attorney who is either subject to these Rules or who is sent an MCLE Initial Notice must have one of the following reports on file with the MCLE Board no later than 31 days after the end of their reporting period (the "initial reporting deadline"): (i) a report of compliance entered by the MCLE Board indicating that, based on the attorney's credit list, the attorney completed all the required credits for the reporting period by the last day of that reporting period ("initial credit completion deadline"), (ii) a request for a grace period extension submitted by the attorney using the Board's online reporting system, or (iii) a valid report of a full exemption from MCLE requirements.

Exemptions under Rule 791(a)(1)-(5) that are known to the MCLE Board based on an attorney's registration status with the ARDC are entered by the MCLE Board on the attorney's behalf. Attorneys entitled to an exemption under Rule 791(a)(6) must submit a report of this exemption to the MCLE Board using the Board's online reporting system by the reporting deadline.

It is the responsibility of each attorney on the master roll to notify the ARDC of any change of address or email address. Failure to receive an Initial MCLE Notice shall not constitute an excuse for failure to comply with the MCLE requirements or report of an exemption from those requirements.

**(b) Failure to Report Compliance**

(1) Attorneys who fail to have a report of compliance or exemption entered for them by the MCLE Board or fail to report an exemption under Rule 791(a)(6) by the initial reporting deadline, or who request a grace period extension and pay the late fee required under paragraph (d)(2) by the initial reporting deadline, shall be given 92 additional days from the initial reporting deadline provided in Rule 796(a)(2) to achieve compliance (the "grace period completion deadline").

(2) The Director shall mail or e-mail a noncompliance notice to each attorney given the additional time pursuant to paragraph (b)(1). The Director shall not send a noncompliance notice to attorneys (i) whom the Director knows, based on the status of the attorneys' licenses



with the ARDC as inactive, retirement, disability inactive, judicial, judicial staff, or military are fully exempt from these Rules; or (ii) who have already been removed from the master roll of attorneys due to the attorney's failure to comply with the MCLE requirements for two consecutive reporting periods or more.

**(3) Attorneys with a Grace Period Extension to Achieve Compliance.**

(i) Attorneys with a grace period extension to achieve compliance pursuant to paragraph (b)(1) must have one of the following reports on file with any outstanding applicable late fees as required by paragraph (d)(1) paid no later than the reporting deadlines listed in paragraph (b)(3)(ii) below ("grace period reporting deadlines"):

(A) A report of having complied, entered by the MCLE Board based on the credit list demonstrating that the attorney achieved compliance by the grace period deadline; or

(B) A report of a valid full exemption under Rule 791(a)(6) submitted by the attorney using the Board's online reporting system.

(ii) Grace period reporting deadlines and fees

(A) For attorneys in two-year reporting periods, the grace period reporting deadline is 30 days after the grace period completion deadline. Attorneys in two-year reporting periods must have on file one of the reports in paragraph (b)(3)(i) and have paid any outstanding late fee required by paragraph (d)(1) below by the grace period reporting deadline.

(B) For attorneys in newly-admitted attorney reporting periods, the grace period reporting deadline is 60 days after the grace period completion deadline. Attorneys in newly-admitted attorney reporting periods must have on file one of the reports in paragraph (b)(3)(i) and have paid any outstanding late fees required by paragraph (d)(1) below by the grace period reporting deadline.

**(c) Grace Period**

Attorneys given additional time pursuant to paragraph (b) to comply with the requirements of these Rules may use that "grace period" to attain the adequate number of hours for compliance. Credit hours earned during a grace period may be counted toward compliance with the previous reporting period requirement, and hours in excess of the requirement may be used to meet the current reporting period's requirement. No attorney may receive more than one grace period with respect to the same reporting period, and the grace period shall not be extended if the Director fails to send, or the attorney fails to receive, a notice pursuant to paragraph (b).

**(d) Late Fees**

(1) Attorneys who are not fully exempt under Rule 791(a)(1), (2), (3), (4), or (5) and who, for whatever reason, fail to have a report of compliance or exemption submitted pursuant to Rule 796(a)(2) within 31 days after the end of their reporting period shall pay a late fee, in an amount set by the MCLE Board fee schedule. The Director shall not assess a late fee to an attorney whom the Director knows, based on the status of the attorney's license with the ARDC as inactive, retirement, disability inactive, judicial, judicial staff, or military are fully exempt from these Rules.

(2) Attorneys who submit a request for the grace period extension to complete their credits within 31 days after their reporting period ends shall pay a late fee with that request, in an amount set by the MCLE Board fee schedule and that is less than the late fee imposed pursuant to paragraph (d)(1).

**(e) Failure to Comply, Failure to Report, or Failure to Pay Outstanding Fee**

(1) The Director shall refer to the ARDC the names of attorneys who were mailed or emailed a notice of noncompliance and who, by their grace period reporting deadlines, failed to have on file with the MCLE Board: (i) a report entered by the MCLE Board that the attorney achieved compliance with the requirements of these Rules by the grace period completion deadline; or (ii) a report of a valid, full exemption from the requirements of these Rules under Rule 791(a)(6) submitted by the attorney using the Board's online reporting system. The Director shall also refer to the ARDC the names of attorneys who, by their grace period reporting deadlines, failed to pay any outstanding MCLE fee. On the same date as the referrals are made by the Director, the ARDC shall remove the names of the referred attorneys from the master roll for MCLE noncompliance.

(2) An attorney removed from the master roll for MCLE noncompliance by the ARDC shall be mailed or e-mailed a notice by the Director informing the attorney of his or her removal. The Director need not send a notice of removal to an attorney who has already been removed from the master roll of attorneys due to the attorney's failure to comply with the MCLE requirements for two consecutive reporting periods or more.

**(f) Audits**

(1) The Board may conduct a reasonable number of audits, under a plan approved by the Court. At least some of these audits shall be randomly selected, to determine the accuracy of attorneys' compliance or exemption. With respect to audits that are not randomly selected, in choosing subjects for those audits the Board shall give increased consideration to attorneys who assumed inactive or retirement status under Supreme Court Rule 756(a)(5) or (a)(6), and were thereby fully exempt from these Rules pursuant to Rule 791(b) or (c), and who subsequently resumed active status.

(2) The ARDC may investigate an attorney's compliance with these Rules only upon referral from the Director; the ARDC will not investigate an attorney's compliance with these Rules as part of its other investigations. When the Director refers a matter to the ARDC, the investigation, and any resulting prosecution, shall be conducted in accordance with the rules pertaining to ARDC proceedings.

**(g) Audits That Reveal an Inaccurate Report**

(1) If an audit conducted pursuant to paragraph (f)(1) reveals that the attorney was not in compliance with or exempt from these Rules for any reporting period for which the attorney had filed a report of compliance or exemption, the Director shall provide the attorney with written notice containing: (i) the results of the audit, specifying each aspect of the Rules with which the attorney did not comply or the reason why the attorney is not exempt; (ii) a summary of the basis of that determination; and (iii) a deadline, which shall be at least 30 days from the date of the notice, for the attorney to file a written response if the attorney objects to any of the contents of the notice.

(2) After considering any response from the attorney, if the Board determines that the attorney filed an inaccurate report, the attorney shall be given 60 days in which to demonstrate full compliance with the applicable MCLE requirements. The attorney also shall pay a late fee in an amount to be set by the Board. The assessment of a late fee is not a disciplinary sanction.

(3) If the results of the audit suggest that the attorney willfully filed a false certification, the Board through its Director shall provide that information to the ARDC.

**(h) Reinstatement**

An attorney who has been removed from the master roll due to noncompliance with these Rules shall be reinstated by the ARDC for their MCLE removal, upon recommendation of the Board. That reinstatement by the ARDC shall take place on the same date as the recommendation is made by the Board. Such recommendation may be made only after the removed attorney's records with the MCLE Board show full compliance with or valid exemption from the applicable MCLE requirements for each reporting period for which the attorney was removed from the master roll due to MCLE noncompliance. For attorneys who have existing removals from the master roll of attorneys encompassing three MCLE reporting periods or more, the credits and reinstatement fees required to address those existing removals are capped at the credits and reinstatement fees required for the three most recent reporting periods for which the attorney is removed.

To be reinstated, the attorney shall pay a reinstatement fee for each reporting period for which the attorney was removed from the master roll due to MCLE noncompliance with the request, in an amount to be set by the Board. The attorney must also meet any further conditions and pay any additional fees as may be required by Rule 756.

The removed attorney may attain the necessary credit hours during the period of removal to meet the requirements for the years of noncompliance. Excess hours earned during the period of removal, however, may not be counted towards meeting the current or future reporting periods' requirements. The MCLE credits needed to address the existing removals are in addition to the credits that the attorney must earn for the reporting period in which the attorney returns to active status.

Adopted September 29, 2005, effective immediately; amended October 5, 2006, effective immediately; amended September 27, 2011; effective immediately; amended Nov. 19, 2015, eff. Feb. 1, 2016; amended Jan. 29, 2019, eff. Mar. 1, 2019; amended Mar. 18, 2022, eff. May 1, 2022; amended Apr. 11, 2023, eff. immediately; amended Jan. 31, 2024, eff. Feb. 1, 2024.