

## **RULE 1:42. Continuing Legal Education**

### **1:42-1. Continuing Legal Education Required.**

An attorney holding a license to practice in this State shall be required to participate in a program of continuing legal education in accordance with regulations adopted under these rules. In satisfaction of the continuing legal education requirement, attorneys shall participate in twenty-four hours of qualifying continuing legal education over a two-year period. Four of the twenty-four hours of credit shall be concentrated in the areas of ethics and/or professionalism. Attorneys shall demonstrate that they have satisfied the continuing legal education requirement by certifying to their compliance at the end of the two-year period in a manner prescribed by the Board on Continuing Legal Education. In addition, attorneys shall maintain all necessary records and documentation to demonstrate such compliance in accordance with regulations adopted under these Rules.

*Note: Adopted December 18, 2009 to be effective immediately.*

### **1:42-2. Board on Continuing Legal Education.**

**(a) Organization.** The Supreme Court shall establish a Board on Continuing Legal Education to administer the program of continuing legal education in accordance with these rules. The Board shall consist of not more than eleven members of the bar of the State of New Jersey and shall be appointed by the Supreme Court. Three members of the Board must also be members of the Board on Attorney Certification. Additionally, one member shall be the annual designee of the New Jersey State Bar Association, and one shall be the annual designee of the New Jersey Commission on Professionalism in the Law. The Administrative Director of the Courts or the Administrative Director's designee shall serve as a non-voting member of the Board. Other than the designee of the New Jersey State Bar Association, the designee of the New Jersey Commission on Professionalism in the Law, and the Administrative Director or the Administrative Director's designee, members shall be appointed for three-year terms, with the terms of approximately one-third of those members expiring each year. No member who has served four full three-year terms successively shall be eligible for immediate reappointment. Members appointed to fill unexpired terms may be reappointed to four successive terms. The Supreme Court annually shall designate a chair and vice chair from among the members of the Board.

**(b) Authority.** The Board on Continuing Legal Education shall have the authority to administer the continuing legal education program including, without limitation, the following:

- (1)** to determine the courses and activities that qualify for continuing legal education credit under the program;
- (2)** to designate approved continuing legal education providers and approved courses and programs that shall qualify for continuing legal education credit;
- (3)** to monitor compliance with the program by continuing legal education providers and by attorneys;
- (4)** to promulgate regulations governing the continuing legal education program, subject to the approval of the Supreme Court;

**(5)** to establish a schedule of fees to be charged to continuing legal education providers and to attorneys to fund the administration of the program, subject to the approval of the Supreme Court;

**(6)** to cooperate with the Board on Attorney Certification in establishing and administering the continuing legal education requirement for certified attorneys under Rule 1:39-2(d); and

**(7)** to make recommendations to the Supreme Court regarding changes to Rule 1:42, to the Board's Regulations, or to the continuing legal education program.

**(c) Quorum.** One more than half of the sitting members of the Board shall constitute a quorum and all determinations of the Board shall be made by a majority of a quorum.

**(d) Staffing and Funding.** The day-to-day operations of the Board on Continuing Legal Education shall be performed by a staff operating under the supervision of the Supreme Court Clerk's Office. Staff salaries, benefits, and operational costs shall be funded from fees imposed in accordance with this rule and the Board's regulations. To the extent that the Board is not fully self-funding in any particular year, the additional funds necessary to maintain the operation of the continuing legal education program shall be provided by the Administrative Office of the Courts, subject to subsequent reimbursement by the Board from the program fees.

**(e) Audit.** The Board shall retain an auditor to conduct financial audits as recommended by the Administrative Director of the Courts.

**Note:** Adopted December 18, 2009 to be effective immediately.

### **1:42-3. Immunities.**

Members of the Board on Continuing Legal Education, their lawfully appointed designees, and staff to the Board shall be absolutely immune from suit based on their respective conduct in performing their official duties.

**Note:** Adopted December 18, 2009 to be effective immediately.