

SUPREME COURT OF KENTUCKY

Kentucky Bar Association, CLE Commission v. John Rudd McGeeney

McGeeney · Decided February 19, 2009

SUMMARY

The Kentucky Supreme Court sanctioned John Rudd McGeeney for failing to complete the minimum continuing legal education requirements for the 2007–2008 educational year. The Court imposed a \$750 fine, required payment of applicable late fees, and ordered McGeeney to complete sufficient CLE credits to cure the deficiency.

CASE DETAILS

COURT	Supreme Court of Kentucky
JURISDICTION	Kentucky
DECIDED	February 19, 2009
DISPOSITION	other
PROCEDURAL POSTURE	The Kentucky Bar Association Continuing Legal Education Commission moved the Supreme Court of Kentucky to sanction an attorney for failing to satisfy mandatory continuing legal education requirements. After an order to show cause, the respondent failed to establish good cause for noncompliance.
PRECEDENTIAL VALUE	Published opinion and order; precedential status is not independently verified from the provided text.
PARTIES	Kentucky Bar Association, CLE Commission v. John Rudd McGeeney

TOPICS

administrative law agency adjudication appellate procedure

PRACTICE AREAS

legal ethics and professional responsibility continuing legal education compliance attorney discipline
administrative law

QUESTIONS PRESENTED

1. Whether McGeeney failed to satisfy the mandatory CLE requirements for the 2007-2008 educational year.
2. Whether McGeeney established good cause sufficient to avoid sanctions for his CLE noncompliance.
3. What sanction and remedial requirements should be imposed for the CLE deficiency.

HOLDINGS

1. McGeeney failed to complete the minimum CLE requirements for the 2007-2008 educational year.
2. McGeeney failed to show good cause for his failure to meet the minimum CLE requirements; increased workload, travel, and financial difficulties did not excuse his noncompliance.
3. The Court imposed a \$750 fine, required payment of applicable late fees to obtain credit for the late-reported CLE hours, ordered completion of sufficient CLE credits to cure the deficiency, and reserved the right to suspend McGeeney if he failed to comply.

KEY QUOTATIONS

“Because Respondent has failed to show good cause for his failure to meet the CLE's minimum requirements, we find cause to fine him in the amount of \$750.00 and reserve the right to suspend him according to SCR 3.669(4) should he fail to comply with the following orders.”

“An increased work load for the year in question does not excuse Respondent from his CLE responsibilities.”

FACTUAL BACKGROUND

John Rudd McGeeney was required to complete 12.5 hours of CLE for the educational year ending June 30, 2008, but received credit for only 0.25 hours. He later reported 4.75 hours taken on June 30, 2008, but the report was not accepted because it was late and lacked the required late fees. Despite repeated notices and an opportunity to show good cause, McGeeney did not timely cure the deficiency or file a hardship-extension request, citing increased workload, travel, and financial difficulties.

PROCEDURAL HISTORY

The CLE Commission reported that McGeeney had completed only 0.25 of the required 12.5 CLE hours for the 2007-2008 educational year and had filed a hardship-extension request after the deadline. The Commission renewed its request for suspension or another sanction. The Supreme Court adopted the Commission's recommendation, imposed a \$750 fine, required payment of applicable late fees for late-reported credits, ordered completion of sufficient credits to cure the deficiency, and required a non-hardship extension application for the next educational year.

DISPOSITION

other

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