

SUPREME COURT OF OKLAHOMA

In re Amendments to Rules for Mandatory Continuing Legal Education

2017 OK 103 (Okla. 2017) · Decided December 18, 2017

SUMMARY

The Oklahoma Supreme Court approved amendments to Rules 1, 2, and 3 of the Rules for Mandatory Judicial Continuing Legal Education. The order addresses annual continuing legal education requirements for Oklahoma judges and justices, approved courses, and recordkeeping by the Administrative Office of the Courts, with the amendments stated to be effective January 1, 2017.

CASE DETAILS

COURT	Supreme Court of Oklahoma
WRITING FOR THE COURT	All Justices
JURISDICTION	Oklahoma
DECIDED	December 18, 2017
DISPOSITION	approved
PROCEDURAL POSTURE	The Supreme Court of Oklahoma exercised its superintending and administrative authority to amend its rules governing mandatory judicial continuing legal education.
PRECEDENTIAL VALUE	Published Oklahoma Supreme Court order; the opinion text states that it had not yet been released for publication and was subject to revision or withdrawal.

TOPICS

administrative law rulemaking separation of powers

PRACTICE AREAS

administrative law judicial administration legal education regulation

QUESTIONS PRESENTED

1. Whether the Supreme Court of Oklahoma should amend Rules 1, 2, and 3 of the Rules for Mandatory Judicial Continuing Legal Education under its constitutional superintending and administrative authority.

HOLDINGS

1. The Supreme Court of Oklahoma approved and adopted amendments to Rules 1, 2, and 3 of the Rules for Mandatory Judicial Continuing Legal Education.
2. Judges of the Oklahoma District Courts, the Court of Civil Appeals, and the Court of Criminal Appeals, and justices of the Oklahoma Supreme Court, must complete at least twelve hours of mandatory judicial continuing legal education annually, subject to the amended rules governing qualifying programs, teaching credit, and administrative recordkeeping.

KEY QUOTATIONS

“Pursuant to our general superintending control over all inferior courts, Okla. Const., art. 7, § 4, and our general administrative authority over state courts, Okla. Const., art. 7, § 6, we hereby amend Rules 1, 2, and 3 of the Rules for Mandatory Judicial Continuing Legal Education, 5 O.S., ch. 1, app. 4-B.”

“It is therefore ordered that the amended Rules for Mandatory Judicial Continuing Legal Education are hereby approved and adopted and shall be effective from January 1, 2017.”

FACTUAL BACKGROUND

The Oklahoma Supreme Court determined that amendments were needed to the rules governing mandatory judicial continuing legal education. The amendments addressed the judges and justices subject to annual education requirements, qualifying courses and programs, credit for teaching and presentations, and recordkeeping by the Administrative Office of the Courts.

PROCEDURAL HISTORY

The court acted in conference on its own authority and approved amendments to Rules 1, 2, and 3 of the Rules for Mandatory Judicial Continuing Legal Education. The amended rules were ordered adopted, included in the official publication of the Oklahoma Statutes, and made effective January 1, 2017.

DISPOSITION

approved

OPINION

PER CURIAM.

OSCN Found Document:IN RE AMENDMENTS TO RULES FOR MANDATORY CONTINUING LEGAL EDUC. OSCN navigation Home Courts Court Dockets Legal Research Calendar Help Previous Case Top Of Index This Point in Index Citationize Next Case Print Only IN RE AMENDMENTS TO RULES FOR MANDATORY CONTINUING LEGAL EDUC.2017 OK 103Decided: 12/18/2017THE SUPREME COURT OF THE STATE OF OKLAHOMA Cite as: 2017 OK 103, __ P.3d __ NOTICE: THIS OPINION HAS NOT BEEN RELEASED FOR PUBLICATION.

UNTIL RELEASED, IT IS SUBJECT TO REVISION OR WITHDRAWAL. In re: Amendments to Rules For Mandatory Judicial Continuing Legal Education ORDER Pursuant to our general superintending control over all inferior courts, Okla. Const., art. 7, § 4, and our general administrative authority over state courts, Okla. Const., art. 7, § 6, we hereby amend Rules 1, 2, and 3 of the Rules for Mandatory Judicial Continuing Legal Education, 5 O.S., ch. 1, app.

4-B. The amended rules are set out in the attachments hereto, with Exhibit "A" showing markup and Exhibit "B" a clean copy of the new rules. It is therefore ordered that the amended Rules for Mandatory Judicial Continuing Legal Education are hereby approved and adopted and shall be effective from January 1, 2017. It is further ordered that the Rules for Mandatory Judicial Continuing Legal Education as amended shall be included in the official publication of the Oklahoma Statutes.

DONE BY ORDER OF THE SUPREME COURT IN CONFERENCE this 18th day of December, 2017. /S/CHIEF JUSTICE ALL JUSTICES CONCUR Exhibit "A" Rules for Mandatory Judicial Continuing Legal Education Chapter 1, App. 4-A Rule 1. Judges Who Must Obtain Annual Judicial Continuing Legal Education. All Judges of the Oklahoma District Courts, the Court of Civil Appeals, Court of Criminal Appeals, and Justices of the Oklahoma Supreme Court, shall complete at least twelve (12) hours annually of Mandatory Judicial Continuing Legal Education (MJCLE).

Credit may be earned through teaching in an approved continuing legal education program or approved judicial continuing legal education program. Presentations accompanied by thorough carefully prepared written materials will qualify for MJCLE credit on the basis of six (6) hours of credit for each hour of presentation. Rules for Mandatory Judicial Continuing Legal Education Chapter 1, App.

4-A Rule 2. Approved Courses for Mandatory Judicial Continuing Legal Education. The hours of Mandatory Judicial Continuing Legal Education must be obtained by attendance at MJCLE courses or programs provided by the Administrative Office of the Courts, or a National Judicial College course, or programs presented at monthly meetings of the Oklahoma Chapters of the American Inns of Court, or any other program specially approved by the Chief Justice of the Oklahoma Supreme Court for MJCLE.

General continuing legal education programs or courses may not be used to satisfy no more than six (6) hours of the MJCLE requirement. Rules for Mandatory Judicial Continuing Legal Education Chapter 1, App. 4-A Rule 3. Judicial Continuing Education Programs at Meetings of the Oklahoma Judicial Conference.

The Administrative Office of the Courts shall provide MJCLE courses or programs at all meetings of the Oklahoma Judicial Conference, and at other times as scheduled by the Administrative Office

of the Courts. The Administrative Office of the Courts shall maintain records of those Judges and Justices attending MJCLE programs and courses provided by the Administrative Office of the Courts.

Exhibit "B" Rules for Mandatory Judicial Continuing Legal Education Chapter 1, App. 4-A Rule 1. Judges Who Must Obtain Annual Judicial Continuing Legal Education. All Judges of the Oklahoma District Courts, the Court of Civil Appeals, Court of Criminal Appeals, and Justices of the Oklahoma Supreme Court, shall complete at least twelve (12) hours annually of Mandatory Judicial Continuing Legal Education (MJCLE).

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