

Supreme Court of Kentucky

2014-02

ORDER

IN RE: REGULATIONS OF THE CONTINUING JUDICIAL EDUCATION COMMISSION

Under Supreme Court Rule (SCR) 8.00 et seq., the following Regulations of the Continuing Judicial Education Commission are hereby adopted:

Regulations of the Continuing Judicial Education Commission

Regulation 101 – Standards for Approval of Continuing Judicial Education Programs

Regulation 101.1

1. A continuing judicial education activity qualifies for accreditation if the commission determines that:
 - a. It is an organized program of learning (such as a workshop, symposium or lecture) which contributes directly to the professional competency of a judge;
 - b. It deals primarily with matters directly related to law or to the professional responsibility, administration or ethical obligations of a judge;
 - c. Each course is to be taught by a person qualified by practical or academic experience to teach in the topic or area of discipline covered by the course;

- d. Thorough, high quality, readable, carefully prepared, written topic outlines and /or materials are to be distributed to all judges participating during the course;
- e. The audience for the organized program of learning consists predominantly of lawyers or judges. This requirement (e) shall not apply to continuing judicial education credits used to fulfill the SCR 8.070 requirement for domestic violence training; and
- f. Live technological broadcast transmission, including webinars, webcast, satellite simulcast, video conference and teleconference or other appropriate live broadcast, shall count as an affidavit of attendance in accredited programs when a faculty is in attendance to answer questions and leading discussions.

Regulation 101.2

Accreditation will be given for activity presented by recorded technological transmission, when delivery method includes: video tape, audio tape, recorded broadcast transmission, satellite simulcast, teleconference, or video conference, CD-ROM, data conference, computer on-line courses or other appropriate recorded technology as approved by the Commission, if that activity qualifies under these rules for continuing judicial education (CJE) credit, judges shall be granted up to six (6) hours of CJE credit each educational year. An educational year shall begin on July 1 and ends one year later on June 30.

Regulation 101.3

Credit will not be given for speeches given at luncheons or banquets unless previously approved by the Commission.

Regulation 101.4

Credit shall be given on the basis of one hour which is not less than 60 minutes in duration.

Regulation 101.5

A judge, upon taking the office, may transfer hours of credit from the Kentucky Bar Association that was earned during the current CJE biennium, in accordance with SCR 8.070.

Regulation 101.6

Attendance at programs sponsored by the following organizations shall be approved for CJE credit:

- a. Administrative Office of the Courts;
- b. Kentucky Bar Association;
- c. National Judicial College;
- d. National Center for State Courts;
- e. Institute of Judicial Administration;
- f. National Council of Juvenile and Family Court Judges;
- g. American Bar Association;
- h. Law Schools accredited by the A.B.A.;

- i. Association of Trial Lawyers of America (*formally known as American Trial Lawyers Association*);
- j. American Judicature Society;
- k. American Judges Association
- l. Bureau of Justice Assistance;
- m. American Association for Justice (*also known as Association of Trial Lawyers of America*);
- n. American Institute for Justice;
- o. National Judicial Institute on Domestic Violence;
- p. National Association of Drug Court Professionals;
- q. National Drug Court Institute;
- r. Office of Juvenile Justice and Delinquency Prevention;
- s. American Academy of Matrimonial Lawyers;
- t. Pound Civil Justice Institute;
- u. National Foundation for Judicial Excellence; and
- v. The American Law Institute.

Regulation 101.7

Judges wishing to attend a program sponsored by an organization other than those listed above shall file with the Executive Secretary an agenda of the program, which will be submitted to the Commission for possible accreditation in accordance with SCR 8.060.

Regulation 101.8

Judges attending programs approved by the Kentucky Bar Association Continuing Legal Education Commission for accreditation are eligible to receive continuing judicial education credit for hours attended.

Regulation 101.9

Additional credit may be earned through teaching or participating (panel discussion participant, seminar chairperson, etc.) in an approved continuing legal or judicial education program. The Commission shall give one hour of credit for each two hours of preparation and actual presentation time of approved continuing legal or judicial education programs.

Regulation 101.10

Credit, not to exceed ten (10) hours for each biennium, may be earned through published legal writing upon submission of the final material to the Commission. Final approval of any credit awarded for a published legal writing shall be at the sole discretion of the Commission.

Regulation 101.11

A judge may receive continuing judicial education credit, not to exceed three (3) hours each educational year, for presiding at college or law school mock trial competitions or high school mock trial competitions. An educational year shall begin on July 1 and ends one year later on June 30.

Regulation 101.12

Justices and judges are exempt from the requirements of SCR 3.661 while serving as Justices or Judges of the Kentucky Court of Justice during any portion of an education year, because of such positions are prohibited from practicing law and have significant continuing education requirements by statute or rule of court as a result of the position they hold. Therefore, if a justice or judge leaves the bench during any portion of an educational year, the requirements of SCR 3.661 will not begin until the first full educational year begins on July 1.

- a. Justices and Judges of the Commonwealth leaving the bench will be allowed to use accumulated Continuing Judicial Education (CJE) credits towards the minimum twelve and one-half (12.5) Continuing Legal Education (CLE) credit hours including the minimum of two (2) credit hours devoted to ethics, professional responsibility or professionalism the first full education year beginning July 1 after leaving the bench;
- b. All credit hours that are accredited by the Kentucky Bar Association CLE Accreditation Division shall be applied towards CLE credit hours;
- c. An educational year shall begin on July 1 and ends one year later on June 30.

**Regulation 102 – Appeals from Decisions of the Continuing Judicial
Education Commission**

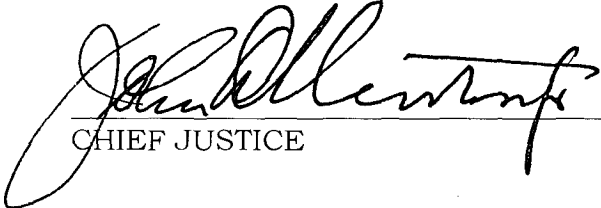
Regulation 102.1

Any judge or organization affected by an adverse decision of the Commission may appeal by filing a written petition with supporting materials with the Supreme Court. The Commission, at its discretion, may be represented by one of its members.

Regulation 102.2

An appeal shall be filed within thirty (30) days of such adverse decision.

Entered this 17th day of February 2014.


CHIEF JUSTICE