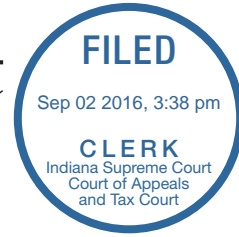


In the
Indiana Supreme Court



Cause No. 94S00-1602-MS-86

Order Amending Indiana Rules for Admission to the Bar and the Discipline of Attorneys

Under the authority vested in this Court pursuant to Article 7, Section 4 of the Indiana Constitution providing for the admission and discipline of attorneys in this state, Indiana Rules for Admission to the Bar and the Discipline of Attorneys, Rules 28 and 29 are amended as follows (deletions shown by ~~striking~~ and new text shown by underlining):

Indiana Rules for Admission to the Bar and the Discipline of Attorneys

...

Rule 28. Mandatory Continuing Judicial Education

...

SECTION 5. EXEMPTIONS AND OTHER RELIEF FROM THE RULE.

- (a) United States Supreme Court Justices, United States Court of Appeals Judges, United States District Court Judges and full-time Magistrates, and United States Bankruptcy Court Judges are exempt from this Rule and Rule 29 on Mandatory Continuing Legal Education. The educational requirements imposed on such Judges and full-time magistrates by federal rules are deemed to satisfy the requirements of this Rule and Rule 29.
- (b) A Judge shall be exempted from the educational requirements of the Rule for such period of time as shall be deemed reasonable by the Commission upon the filing of a verified petition with the Commission and a finding by the Commission that special circumstances unique to the petitioning Judge have created undue hardship. Subsequent exemptions may be granted. Judges in the military who are mobilized or deployed outside the United States and who present their orders to the Commission along with a verified petition to establish undue hardship may be CLE exempted for a period of up to three years. The Commission may set forth further requirements and/or limitations for any exemption that is issued or granted under this subsection, including but not limited to the requirement of annual renewals or reporting.
- (c) A Judge who is physically impaired shall be entitled to establish an alternative method of completing the educational requirements of this Rule upon the filing of a verified petition with the Commission and a finding by the Commission that the

alternative method proposed is necessary and consistent with the educational intent of this Rule. Any petition filed under this subsection shall contain a description of the physical impairment, a statement from a physician as to the nature and duration of the impairment, a waiver of any privileged information as to the impairment and a detailed proposal for an alternative educational method. Judges in the military who are on active duty in the United States and who present their orders to the Commission along with a verified petition may be allowed to complete their educational requirements through an alternative educational method. This allowance may be extended for a period of up to three years.

- (d) A Judge who believes that he or she will be unable to make timely compliance with the educational requirements imposed by this Rule may seek relief from a specific compliance date by filing a verified petition with the Commission. The petition shall set forth reasons from which the Commission can determine whether to extend such compliance date. A petition seeking such an extension of time must be filed as much in advance of the applicable compliance date as the reasons which form the basis of the request afford. The Commission, upon receipt and consideration of such petition, shall decide if sufficient reasons exist, and may grant an extension for such period of time as shall be deemed reasonable by the Commission. Judges in the military who are on active duty may petition for an extension of time to complete their educational requirements. In no event shall such an extension be granted beyond the time when the next compliance date, as required by the Rule, occurs.

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Rule 29. Mandatory Continuing Legal Education

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SECTION 8. EXEMPTIONS AND OTHER RELIEF FROM THE RULE.

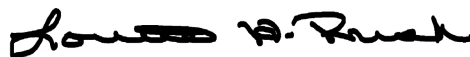
- (a) An Attorney shall be exempted from the educational requirements of the Rule for such period of time as shall be deemed reasonable by the Commission upon the filing of a verified petition with the Commission and a finding by the Commission that special circumstances unique to the petitioning Attorney have created undue hardship. Subsequent exemptions may be granted. Attorneys in the military who are mobilized or deployed outside the United States and who present their orders to the Commission along with a verified petition to establish undue hardship may be CLE exempted for a period of up to three years. The Commission may set forth further requirements and/or limitations for any exemption that is issued or granted under this subsection, including but not limited to the requirement of annual renewals or reporting.
- (b) An Attorney who is physically impaired shall be entitled to establish an alternative method of completing the educational requirements of this Rule upon the filing of a verified petition with the Commission and a finding by the Commission that the alternative method proposed is necessary and consistent with the educational intent

of this Rule. Any petition filed under this subsection shall contain a description of the physical impairment, a statement from a physician as to the nature and duration of the impairment, a waiver of any privileged information as to the impairment, and a detailed proposal for an alternative educational method. Attorneys in the military who are on active duty in the United States and who present their orders to the Commission along with a verified petition may be allowed to complete their educational requirements through an alternative educational method. This allowance may be extended for a period of up to three years.

- (c) An Attorney shall be exempt from the educational and reporting requirements of this Rule if the Attorney has filed an affidavit of inactivity or a retirement affidavit under Section (c) or (d) of Ind. Admission and Discipline Rule 2. An Attorney who has been inactive for less than a year, and desires to resume active status, shall complete any balance of his or her yearly Educational Period requirements as of the date of inactive status.
- (d) An Attorney who believes that he or she will be unable to make timely compliance with the educational requirements imposed by this Rule may seek relief from a specific compliance date by filing a verified petition with the Commission. The petition shall set forth reasons from which the Commission can determine whether to extend such compliance date. A petition seeking such an extension of time must be filed as much in advance of the applicable compliance date as the reasons which form the basis of the request afford. The Commission, upon receipt and consideration of such petition, shall decide if sufficient reasons exist, and may grant an extension for such period of time as shall be deemed reasonable by the Commission. Attorneys in the military who are on active duty may petition for an extension of time to complete their educational requirements. In no event shall such an extension be granted beyond the time when the next compliance date, as required by the Rule, occurs.

These amendments shall take effect on January 1, 2017.

Done at Indianapolis, Indiana, on 9/2/2016 .



Loretta H. Rush
Chief Justice of Indiana

All Justices concur.