

STATE OF WEST VIRGINIA

At a Regular Term of the Supreme Court of Appeals continued and held at Charleston, Kanawha County, on the 26th day of January, 2012, the following order was made and entered:

IN RE: **Request for Comment on Proposed Amendments to West Virginia State Bar Rules and Regulations, Chapter VII. Rules To Govern Mandatory Continuing Legal Education ¶4.4**

On the 4th day of November, 2011 came The West Virginia State Bar, by Anita Casey, Executive Director, and presented to the Court proposed amendments to Chapter VII of the West Virginia State Bar Rules and Regulations, Rules to Govern Mandatory Continuing Legal Education, Rule 4.4. The proposed amendments were recommended by the MCLE Commission and were approved by The West Virginia State Bar Board of Governors.

Upon Consideration whereof, the Court is of the opinion to and does hereby approve a period of public comment on the proposed amendments, to conclude on February 29, 2012, with comments to be filed in writing with the Clerk of this Court. Additions are indicated by underlining, deletions are indicated by strikethrough, to read as follows:

Chapter VII. Rules To Govern Mandatory Continuing Legal Education.

* * *

“¶4.4 To be accredited, a course shall have significant intellectual or practical content; it shall deal primarily with matter directly related to the practice of law (which includes professional responsibility and office practice); it shall be taught by persons who are qualified by practical or academic experience in the subjects covered and ~~preferably should~~ shall include the distribution of good quality written materials pertaining to the subjects covered. One hour courses presented by local bar associations shall be exempt from the written materials requirement. In rare instances, sponsors other than local bar associations may exhibit good cause for waiver of the written materials requirement. A sponsor seeking a waiver of the written materials requirement shall present a written request of such waiver to the MCLE Commission, explaining the reasons why the sponsor believes that written

materials should not be provided. The MCLE Commission will consider each request for a material waiver on a case-by-case basis.”

A True Copy

Attest

Deputy Clerk, Supreme Court of Appeals