

Supreme Court of Kentucky

2021-36

ORDER

IN RE: REGULATIONS OF THE CONTINUING JUDICIAL EDUCATION COMMISSION

Under Supreme Court Rules (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 judicial college, conference, webinar, 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 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, when CJE activity delivery method includes colleges, conferences, webinars, webcast, satellite simulcast, video conference and teleconference or other appropriate live broadcast, shall count as a certification of attendance in accredited programs when a faculty is in attendance to answer questions and leading discussions.
 - g. Recorded technological transmission where CJE activity delivery method is other than a live program and includes the judges'

eLibrary, computer on-line services, video tape, audio tape, satellite simulcast, teleconference, video conference, CD-ROM, DVD, data conference, self-study courses, pre-recorded webinars or other appropriate recorded transmission, shall count as a certification of completion for approved continuing judicial education program delivered by recorded technological means.

- h. Continuing judicial education credit hours may be earned by attending a live or recorded accredited program pursuant to SCR 8.070(a).

Regulation 101.2

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

Regulation 101.3

Credit shall be given on the basis of one hour which is not less than 60 minutes in duration, excluding 30-minute legal or judicial education program given during lunch.

Regulation 101.4

Justices, appellate judges and trial judges, upon taking office, may transfer hours of credit from the Kentucky Bar Association that were earned during the current CJE biennium, in accordance with SCR 8.070. A detailed copy of the KBA/CLE transcript should be forwarded to the Executive Secretary. CLE carry forward credits are limited up to 24 credit hours pursuant to SCR 3.645(3). CLE carry forward credits shall be entered on the CJE transcript as the carry forward balance for hours earned during the immediately preceding biennium in accordance with SCR 8.070(d).

Regulation 101.5

Attendance at programs sponsored by the following national organizations of legal and judicial education shall be approved for continuing judicial education (CJE) credit:

[Administrative Office of the Courts](#)

[American Judges Association](#)

[American Judicature Society](#)

[American Law Institute](#)

[American Academy of Matrimonial Lawyers](#)

[American Association for Justice](#) (formally the Association of Trial Lawyers of America and American Trial Lawyers Association)

[American Bar Association](#)

[American Board of Trial Advocates](#)

[American Constitution Society](#)

[American Institute for Judges](#)

[Appellate Judges Education Institute](#)

[Association of Family and Conciliations Courts](#)

[Bureau of Justice Assistance](#)

[Conference on Chief Justice and Conference of State Court Administrators – NCSC](#)

[Council on Criminal Justice](#)

[Federalist Society](#)

[Institute of Judicial Administration](#)

[Kentucky Bar Association](#)

[Kentucky Justice Association](#)

[Law Schools accredited by the ABA](#)

[National Association of Drug Court Professionals](#)

[National Association of Women Judges](#)

[National Association for Presiding Judges and Court Executive Officers](#)

[National Center for State Courts](#)

[National College of Probate Judges](#)

[National Computer Forensic Institute](#)

[National Conference on Addiction Disorders](#)

[National Council of Juvenile and Family Court Judges](#)

[National Drug Court Institute](#)

[National Foundation for Judicial Excellence](#)

[National Institute of Justice](#)

[National Judicial College](#)

[National Judicial Institute on Domestic Violence](#)

[Office of Juvenile Justice and Delinquency Prevention](#)

[Pound Civil Justice Institute](#)

[State Justice Institute](#)

[Thomson Reuters](#)

Regulation 101.6

Justices, appellate judges and trial judges wishing to attend a program sponsored by an organization other than those listed in Regulation 101.6 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. Program approval must meet the educational standards as outlined in Regulation 101.1.

Regulation 101.7

Justices and judges attending programs approved by the Kentucky Bar Association Continuing Legal Education Commission for accreditation qualify for continuing judicial education credit for hours attended. Justices and judges should certify hours with the Executive Secretary on CJE forms provided by the Administrative Office of the Courts, or other acceptable forms certifying attendance and hours.

Regulation 101.8

Additional credit may be earned through teaching or participating (panel discussion leader, moderator, facilitator, panelist, seminar or college, or conference or training 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 101.9

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

Regulation 101.10

Justices and judges 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 end one year later on June 30.

Regulation 101.11

Justice and judges are exempt from the requirements of SCR 3.645 while serving as justices or judges of the Kentucky Court of Justice during any portion of an education year, because 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 3.645 will not begin until the first full educational year that begins on July 1.

- a. Justices and judges of the Commonwealth leaving the bench will be allowed to transfer continuing judicial education credit hours provided the justice, appellate judge or trial judge is in good standing with the Mandatory Continuing Judicial Education requirements. The KBA Continuing Legal Education Commission will transfer 24 credits, including 4 credit hours devoted to ethics credits from the current education biennium to the first full CLE education year beginning July 1 after leaving the bench. The Executive Secretary for the Continuing Judicial Education Commission shall notify the KBA Continuing Legal Education Director after a justice or judge leaves the bench. For justices and judges serving on the bench one year or less, the KBA Continuing Legal Education Commission will transfer 12 credits, including 2 ethics credits from the current education biennium to the first full CLE educational year beginning on July 1 after leaving the bench;
- b. Justices, appellate judges and trial judges while serving on the bench may continue to report credit hours that are accredited by the Kentucky Bar Association CLE Accreditation Division towards CLE credit hours even though justices and judges are exempt from the requirements of SCR 3.645. Every justice, appellate judge and trial judge is mandated

under SCR VIII to report CJE credit hours to the CJE Commission for compliance pursuant to SCR VIII: Mandatory Continuing Judicial Education for the Kentucky Judiciary.

Regulation 102—Appeals from Decisions of the Continuing Judicial Education Commission

Regulation 102.1

Any justice, appellate judge or trial 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.

This Order shall be effective upon entry and until further Order of this Court.

Entered this 4th day of October 2021.


CHIEF JUSTICE

All sitting; all concur.