



SUPREME COURT OF GEORGIA

Atlanta November 12, 2015

The Honorable Supreme Court met pursuant to adjournment.
The following order was passed:

It is ordered that Uniform State Court Rule 43 (relating to mandatory continuing judicial education) be amended, effective December 10, 2015, as follows:

Rule 43. MANDATORY CONTINUING JUDICIAL EDUCATION (MCJE)

Rule 43.1 Program Requirements

(A) Every state court judge, including senior state court judges, shall attend approved creditable judicial education programs or activities, totaling a minimum of 12 hours per year. At least one hour of the mandated 12 hours per year shall be devoted to the topic of legal or judicial ethics and/or legal or judicial professionalism. If a judge completes more than 12 hours for credit in any calendar year, the excess credit shall be carried over and credited to the education requirements for the next succeeding year only. The Institute of Continuing Judicial Education (ICJE) shall keep a record of the creditable hours for each judge and shall publish those hours on its website (under the judge's bar number or other agreed upon number, rather than his name), so that each judge can track the hours he has received credit for each calendar year.

(B) Each new judge must attend the pertinent ICJE in-state program of instruction for new judges. The new judge is required to attend the new judge program at the next available opportunity after the judge's election or appointment, preferably within one year after assuming office. Credit for the new judges' studies shall also apply to the requirement in paragraph (A) above.

(C) If a judge is appointed to the bench in the last five months of a calendar year, that judge shall not be required to attend approved creditable judicial education programs or activities for that calendar year, unless the required new judge program is offered during that time period.

(D) Additionally, every judge is encouraged to attend national or regional specialty, graduate or advanced programs of judicial and legal education.

(E) Qualifying creditable judicial education programs and activities shall include, but are not limited to:

(1) Programs sponsored by the ICJE.

(2) Programs of continuing legal education accredited by the State Bar of Georgia's Commission on Continuing Lawyer Competency, such as programs sponsored by the Institute of Continuing Legal Education (ICLE), however, such programs must be related to matters under state court jurisdiction.

(3) Additional programs approved on behalf of the Council of State Court Judges by the Mandatory Continuing Judicial Education (MCJE) Committee.

(4) Courses at a Georgia-based law school, whether for credit or not, that qualify an individual for a degree.

(5) Service on the Judicial Qualifications Commission or the State Bar Disciplinary Board for legal or judicial ethics or professionalism hours only.

(6) Service as a panelist or mock trial judge (three hours per year may be earned).

Rule 43.2. Administration

Administration of this program of mandatory continuing judicial education shall be conducted by the Council of State Court Judges, with the assistance of the ICJE.

Rule 43.3. Sanctioning Procedures

Sanctioning procedures for failure to comply with Rule 43.1 are as follows:

(A) In December of each year, the chair of the MCJE Committee shall request a report from ICJE detailing the creditable participation of judges in MCJE activities for that calendar year.

(B) A judge who fails to attain the required 12 hours in any year will be notified by the chair of the MCJE Committee, or his designee, that he has not met the MCJE requirement for that year, and a copy of this notice will be furnished to the Chief Judge for the State Court in which the judge presides.

(C) A judge who fails to earn a minimum of 12 hours per year may receive a private administrative admonition issued from the MCJE Committee, detailing the potential consequences of failure to fulfill the training requirements. Any required make-up of a prior calendar year's deficiency in accruing MCJE hours is expected to occur within

three months, or by March 31 of the next year, unless due to extraordinary circumstances a longer period for curing the deficiency is granted by the MCJE Committee.

(D) Upon a judge's failure to fulfill the training requirements at the end of a two-year period, the President of the Council of State Court Judges shall issue a public reprimand, with a copy spread upon the minutes of the county where the judge serves, except as otherwise provided herein. The public reprimand for a senior judge shall be spread upon the minutes of the county where the judge last served prior to retirement. However, one month prior to the public reprimand being issued, the MCJE Committee shall give to said judge notice of the impending public reprimand, and the judge shall have 10 days to respond with an explanation and a request that the public reprimand not be issued. The MCJE Committee shall then decide whether or not to ask the President of the Council to issue the public reprimand.

Rule 43.4. Exemptions

(A) The MCJE Committee shall receive and act upon requests for exemptions to the MCJE requirements of these rules. Exemptions may be granted, in the discretion of the Committee, for judges who, due to illness, were not able to attend continuing education in a calendar year; senior judges who are not actively sitting more than 30 days per year; judges who have obtained required CLE that might not otherwise qualify for continuing judicial education, and other matters to be determined each year upon request of the judge seeking exemption.

(B) It shall be the responsibility of the judge seeking exemption to make such a request in writing to the chair of the MCJE Committee no later than February 1 of the year following the year for which an exemption is sought (for example, by Feb. 1, 2017 if exemption is sought for 2016). The chair shall forward the request to the Committee within 10 days of receipt, and the Committee shall notify the judge seeking exemption if the exemption has been allowed, or if the judge must make up the missed hours. If the exemption is not allowed, the judge shall have until June 1 of that year to make up the missed hours.

SUPREME COURT OF THE STATE OF GEORGIA

Clerk's Office, Atlanta

I hereby certify that the above is a true extract from
the minutes of the Supreme Court of Georgia

Witness my signature and the seal of said court hereto
affixed the day and year last above written.

 Clerk