

Defending Attorney CLE Extension: Disability, Extended Illness or FMLA

Policy No. 105

Adopted: October 1, 2021

Policy and Purpose

This policy establishes a process for members of PDC's Defending Attorney Rosters to request an extension of time to meet CLE requirements when the attorney is unable to do so because of disability, extended illness, or leave under the U.S. Family and Medical Leave Act (FMLA) and such condition prevents the attorney from practicing law. The purpose of this policy is to give attorneys who are unable to complete required CLEs for the foregoing reasons an additional thirty (30) days to do so.

References

Idaho Code 19-850(1)(a)

New rules (Omnibus Temporary Rules effective July 1, 2021; Final rules pending Legislative adjournment)

IDAPA 61.01.02.090

Pursuant to Idaho Code 19-850(1)(a)(i) the PDC has adopted training and continuing legal education requirements for attorneys on the PDC's Rosters. IDAPA 61.01.02.090. These include required types of legal education and timeframes for completing a minimum number of credits. IDAPA 61.01.02.090.01-03. Attorneys who are unable to complete CLEs as required by PDC Rules due to disability, extended illness or leave under the FMLA and such condition prevents the attorney from practicing law, may request a 30-day extension to meet CLE requirements, which 30-day extension will begin running from the date the attorney returns to the attorney's regular work schedule. Attorneys needing an extension under this policy will complete an extension form as set forth in this policy and email it to info@pdc.idaho.gov for the PDC's Compliance and Policy Counsel.

Requests shall utilize the following Defending Attorney CLE Extension: Disability, Extended Illness or FMLA Request Form, which form may be amended by PDC Staff from time to time.

Name:

Date:

I am unable to meet PDC CLE requirements in IDAPA 61.01.02.090 because of disability, extended illness, or leave under the U.S. Family and Medical Leave Act (FMLA) and such condition prevents me from practicing law, and for these reasons I am requesting a 30-day extension to complete such requirements:

Yes No

I understand that I must complete the PDC CLE requirements within 30-days from the date I return to work: Yes No

I certify (or declare) under penalty of perjury pursuant to the law of the state of Idaho that the foregoing is true and correct. This certification or declaration is made pursuant to IDAHO CODE § 9-1406.

Signature of Attorney

Date

Return this form to info@pdc.idaho.gov