

**RESOLUTION OF THE  
BOARD OF BAR COMMISSIONERS  
NAVAJO NATION BAR ASSOCIATION, INC.**

**Approving Changes to the Mandatory Continuing Legal Education Standards**

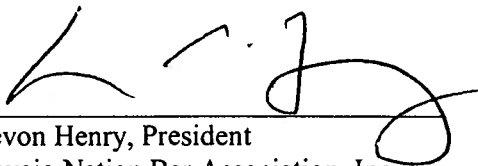
1. The Navajo Nation Bar Association, Inc. Mandatory Continuing Legal Education Standards (CLE Standards) were last amended in December 2006; and
2. During 2007 and 2008 the Navajo Nation Bar Association, Inc., Continuing Legal Education Committee (CLE Committee) reviewed the CLE Standards for possible amendment, in accord with the Regulations of the Continuing Legal Education Committee of the Navajo Nation Bar Association, Inc.; and
3. The CLE Committee review of the CLE Standards resulted in certain proposed amendments to the CLE Standards to eliminate duplicative CLE reporting of state CLE credit hours and to increase the requirement of Navajo law CLE credit hours in order to more efficiently and appropriately address the critical need for continuing legal education among the members of the NNBA; and
4. The CLE Committee reported the proposed CLE Standard amendments to the Board of Bar Commissioners and reported the same to the NNBA, Inc. membership at the 2008 NNBA, Inc. Annual Meeting and Conference in Ft. McDowell, Arizona to positive response; and
5. The CLE Committee recommended amendments to the CLE Standards are attached as Exhibit A to this resolution; and
6. Adopting these amendments will provide for efficient and effective administration of the CLE requirements.

**Now therefore be it resolved that:**

The Board of Bar Commissioners of the Navajo Nation Bar Association, Inc., approves the amendments to the Mandatory Continuing Legal Education Standards, attached as Exhibit A to this resolution, to be effective to all CLE credit hours to be reported for calendar year 2009 and until further amended by resolution of the Board of Bar Commissioners.

**CERTIFICATION**

I hereby certify that the foregoing resolution was duly considered by the Board of Bar Commissioners of the Navajo Nation Bar Association at a duly called meeting in Window Rock, Navajo Nation (Arizona) at which a quorum was present and that the same was passed by a vote of 9 in favor and 3 opposed, with 0 abstaining, this 15<sup>th</sup> day of November, 2008.

  
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Levon Henry, President  
Navajo Nation Bar Association, Inc.

Motion: Lee R. Belone  
Second: Victoria Yazzie

**NAVAJO NATION BAR ASSOCIATION  
MANDATORY CONTINUING LEGAL EDUCATION STANDARDS**

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- A. Every active member of the Navajo Nation Bar Association, Inc. (NNBA, Inc.), with the exception of Judicial members, shall attend no less than ~~eleven (11)~~ eight (8) credit hours of approved programs every calendar year, at least two (2) credit hours of which shall be in Navajo Ethics and at least ~~four (4)~~ six (6) credit hours of which shall be in Navajo Law, to fulfill the NNBA Mandatory Continuing Legal Education (MCLE) requirement. ~~The remaining five (5) credit hours of approved programs may be in Navajo Ethics or Navajo Law, or may be General Law credits.~~ No more than five (5) credit hours of MCLE credit may be earned by listening to audio or video recordings of approved programs or reading material from approved programs.
- B. Every inactive member of the NNBA seeking to be reinstated to active status shall attend six (6) credit hours of approved programs prior to being reinstated. The credit hours shall count towards the hours of MCLE required. Two (2) credit hours shall be in Navajo Ethics, and the remaining four (4) hours ~~may~~ shall be Navajo Law, ~~or General Law credits.~~
- C. All active NNBA Members shall report their MCLE credit hours earned during the calendar year with the payment of their bar dues. The member's signature on the report shall serve as verification that the member earned the credit hours reported.
- D. On request of the NNBA Continuing Legal Education Committee, members shall provide evidence substantiating their reported MCLE credit hours.
- E. ~~To be an approved program for General Law, a program must be offered by the following approved CLE providers:~~
- ~~1. Navajo Nation Bar Association;~~
  - ~~2. State Bar or County Bar Association;~~
  - ~~3. American Bar Association;~~
  - ~~4. ABA accredited law school;~~
  - ~~5. National Indian Justice Center;~~
  - ~~6. Judicial Branch of the Navajo Nation;~~
  - ~~7. National Institute of Trial Advocacy;~~
  - ~~8. Federal Bar Association;~~
  - ~~9. Defense Research Institute;~~

- ~~10. Lorman Educational Services;~~
- ~~11. National Business Institute;~~
- ~~12. CLE International;~~
- ~~13. American Association for Justice.~~

~~To be considered an offered program, one of the above-referenced entities must be the sponsor or co-sponsor of the program. It is insufficient for the program to be merely recognized or accepted by any of the above-referenced entities for their MCLE requirements.~~

- F. To be an approved program for the categories of Navajo Law or Navajo Ethics, the program must be approved by the NNBA Continuing Legal Education Committee.
- G. F. A person preparing an article used in a Program or presenting at a Program may, on application to and approval by the NNBA Continuing Legal Education Committee, receive MCLE credit for the article or presentation.
1. In general, an approved article will receive credit hours at the rate of .5 credit hours per page (double-spaced 12 point type) or two (2) credit hours for each credit hour of the presentation. The approval of additional credit hours over this rate shall require a majority vote of the entire CLE Committee, and shall be based upon the complexity of the legal issues addressed in the article or presentation, the thoroughness and comprehensive nature of the article or presentation.
  2. Persons seeking credit hours for articles or presentations shall make a written request for approval of the credit hours to the NNBA Continuing Legal Education Committee, providing a copy of the article or presentation outline; the program brochure or agenda; and required fees, and such other information as the Committee may require.
- H. G. The ~~eleven (11)~~ eight (8) credit hour requirement is modified for NNBA active members who have not been active members for the full year for which reports are required:
1. If a member has been an active member for six (6) months or more, but less than nine (9) months, the MCLE requirement is one-half of the regular requirement.
  2. If a member has been an active member for less than six (6) months, there is no MCLE requirement.
- I. H. Excess credit hours earned during one year may be carried over to the next consecutive year, but shall not be carried over into any other future year.

~~J.~~ I. If an active member of the NNBA fails to meet the MCLE requirement, within the time periods set forth in the NNBA MCLE Regulations, the NNBA Continuing Legal Education Committee shall refer the matter to the NNBA Disciplinary Committee for action.

~~K.~~ J. The NNBA Continuing Legal Education Committee is authorized to develop and implement such regulations, forms, and procedures as may be required to implement this MCLE requirement.

~~L.~~ K. The NNBA Board of Bar Commissioners may re-delegate authority with respect to monitoring and enforcing compliance with the MCLE Policy to another Committee of the NNBA.

~~M.~~ L. Definitions: For purposes of the MCLE Policy:

1. "Navajo Ethics" means the provisions of the Navajo Code of Professional Responsibility as adopted by the Navajo Nation Supreme Court; the Navajo Code of Judicial Conduct, and Navajo Common Law as it affects standards of practice in the Courts of the Navajo Nation, including Navajo principles of respect (k'e) and harmony (hozho).

2. "Navajo Law" means Navajo statutory law, decisional law issued by the Navajo Courts and administrative agencies, and Navajo custom and tradition.

3. A "credit hour" for purposes of MCLE Credit is a sixty (60) minute hour.

~~N.~~ M. Amendments: These MCLE Standards may be amended by the NNBA Board of Bar Commissioners upon the recommendation of the NNBA Continuing Legal Education Committee. Amendments to these MCLE Standards are effective upon approval by the NNBA, Inc. Board of Bar Commissioners.

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