

**RESOLUTION BY THE BOARD OF BAR COMMISSIONERS  
NAVAJO NATION BAR ASSOCIATION  
(APPROVAL OF AMENDMENT TO THE MCLE STANDARDS)**

**WHEREAS**, the CLE Committee has provided a Memorandum to the Bar Commissioners regarding Annual CLE Reporting and Compliance; and

**WHEREAS**, the Chair of the CLE Committee has reported to the Bar Commissioners regarding recommended revisions to the NNBA Mandatory Continuing Legal Education Standards; and

**WHEREAS**, the Bar Commissioners have had the opportunity to review the report of the CLE Committee and ask questions of the Chair of the Committee; and

**WHEREAS**, the MCLE Standards may be amended by the Bar Commissioners upon the recommendation of the CLE Committee; and

**WHEREAS**, the Bar Commissioners have reviewed the proposed recommended amendments and find it in the best interest of the Commissioners to approve the recommendations;

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

The MCLE Standards are amended as follows:

The first sentence Paragraph A of the NNBA MCLE Standards be amended to read as follows:

Every active member of the Navajo Nation Bar Association, Inc. (NNBA), with the exception of Judicial members, shall attend no less than 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 six (6) credit hours of which shall be in Navajo Law of which up to two (2) credit hours may be replaced with Skills Course(s), to fulfill the NNBA Mandatory Continuing Legal Education (MCLE) requirement.

Amend Paragraph A by deleting the last sentence and inserting the following in its place:

The eight (8) credit hours of approved programming may be attended in person, through online courses or by listening to audio or video recordings. No audio or video recordings from approved programs may be used for credit hours more than a single time.

Amend Paragraph C as follows to include the additional language:

If an active member of the NNBA fails to submit the NNBA, Inc., Mandatory Continuing Legal Education Form demonstrating compliance with the required MCLE hours for the previous calendar year, including supporting documentation, the NNBA shall assess a late fee of \$100 for every month that the form is not submitted after the deadline for submission, but the total fee shall not exceed \$200. If the active member of the NNBA fails to submit the NNBA, Inc., Mandatory Continuing Legal Education Form within sixty (60) days after the deadline for submission, the member shall be subject to suspension if the fee is not paid. Prior to

reinstatement, the member shall be required to demonstrate that he or she has completed the CLE requirements and if the member is out of compliance shall take additional courses to meet both the current and previous year's MCLE requirement. The CLE Committee may waive compliance with completion of the MCLE requirement if the member demonstrates on the form good cause, as determined by the committee.

Amend Paragraph I as follows:

If an active member of the NNBA submits the NNBA, Inc., Mandatory Continuing Legal Education Form but the NNBA Continuing Legal Education Committee determines that the member has failed to meet the MCLE requirement, the NNBA Continuing Legal Education Committee may assist the member to come into compliance with MCLE Requirement but if unable to do so shall refer the matter to the NNBA administrative office for suspension.

Amend Paragraph L to include an addition definition as follows:

4. "Skills Course" means a course that is directed at training how to practice law including such matters as taking a deposition, best court room practices, motion and brief writing, negotiations, contract and resolution drafting, how to read financial statements and such other legal skills. A Skills Course may be taken through any reputable training program including through State and Navajo Bars, Law Schools, the ABA, or any commercial reputable training program and does not require pre-approval by the CLE Committee.

**BE IT FINALLY RESOLVED THAT** the President and Vice President of the NNBA and its Executive Director shall take such other and further action as consistent with this Resolution.

DATED this 30<sup>th</sup> day of July, 2020.