

# In the Supreme Court of the State of Idaho

IN RE: AMENDMENTS TO SECTIONS OF )  
THE IDAHO BAR COMMISSION RULES )  
(I.B.C.R.) )  
\_\_\_\_\_ )

AMENDED  
ORDER

The Board of Commissioners of the Idaho State Bar having presented proposed changes to the Idaho Bar Commission Rules (I.B.C.R.), and the Idaho Supreme Court having reviewed and approved the recommendations;

NOW, THEREFORE, IT IS HEREBY ORDERED, that the Idaho Bar Commission Rules (I.B.C.R.), as they appear in the Idaho State Bar Desk Book and on the Idaho State Bar website be, and they are hereby, amended as follows:

1. That Rule 302 of SECTION III be, and the same is hereby, amended as follows:

## SECTION III Licensing

**RULE 302. Licensing Requirements.** Following admission as a member of the Bar, an attorney may maintain membership as follows:

- (a) **Active or House Counsel Member.** An Active or House Counsel Member shall:
  - (1) Pay the annual license fee required by Rule 304;
  - (2) Comply with trust account requirements;
  - (3) Comply with all applicable MCLE requirements under I.B.C.R. 402;
  - (4) Verify the attorney's membership information under Rule 303, including an email address for electronic service from the courts; and
  - (5) Certify to the Bar ~~on or before February 1 of each year~~ (1A) whether the attorney represents private clients; and (2B) if the attorney represents private clients, ~~whether the attorney is currently covered by professional liability insurance; and (3) whether the attorney intends to maintain professional liability insurance during the next twelve (12) months~~ submit proof of current professional liability insurance coverage at the minimum limit of \$100,000 per occurrence/\$300,000 annual aggregate. Each attorney admitted to the active practice of law in this jurisdiction who ~~reports being covered by~~ is required to have professional liability insurance shall identify the primary carrier and shall notify the Bar in writing within thirty (30) days if the professional liability insurance policy providing

coverage lapses, is no longer in effect, or terminates for any reason, unless the policy is renewed or replaced without substantial interruption.

...

2. That Rule 303 of SECTION III be, and the same is hereby, amended as follows:

**SECTION III  
Licensing**

**RULE 303. Membership Information.**

- (a) **Required Information.** All members of the Bar must provide the following membership information, which shall be considered public information:

- (1) Full name;
- (2) Name of employer or firm, if applicable;
- (3) Mailing address;
- (4) Phone number;
- (5) Email address for use by the Bar; and
- (6) In addition to the above information, an Active or House Counsel Member shall also provide:

(A) An email address for electronic service of notices and orders from the courts in those counties and district courts where electronic filing has been approved by the Supreme Court. This email address may be the same as the email address identified in subsection (a)(5) above. If no separate email address for electronic service from the courts has been designated, the email address identified in subsection (a)(5) will be used for such service; and

(B) Whether the attorney has professional liability insurance, if such ~~disclosure~~ insurance is required under Rule 302(a).

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3. That Rule 402(e) of SECTION IV be, and the same is hereby, amended as follows:

**SECTION IV  
Mandatory Continuing Legal Education**

**RULE 402. Education Requirement Report.**

...

- (e) **Exemptions.** Exemptions from all or part of the CLE requirements of subsection (a) may be granted as follows:

- (1) **Eligibility.** An exemption may be granted:
  - (A) Upon a finding by the Executive Director of special circumstances constituting an undue hardship for the attorney; or

- (B) Upon verification of the attorney's disability or severe or prolonged illness, in which case all or a specified portion of CLE credits may be earned through self-study; or
- (C) For an attorney on full-time active military duty who does not engage in the practice of law in Idaho.


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IT IS FURTHER ORDERED that the amendments to Rule 302 and 303 shall be effective January 1, 2018, and amendments to Rule 402 shall be effective immediately.

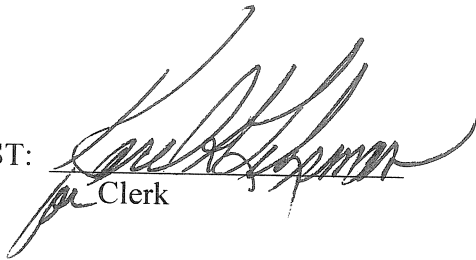
IT IS FURTHER ORDERED, that the above designation of the striking of words from the Rules by lining through them, and the designation of the addition of new portions of the Rules by underlining such new portion is for the purposes of information only as amended, and NO OTHER AMENDMENTS ARE INTENDED. The lining through and underlining shall not be considered a part of the permanent Rules.

DATED this 30 day of March, 2017.

By Order of the Supreme Court

  
 Daniel T. Eismann, Vice Chief Justice

ATTEST:

  
 Clerk

I, Stephen W. Kenyon, Clerk of the Supreme Court of the State of Idaho, do hereby certify that the above is a true and correct copy of the minutes entered in the above entitled case and now on record in my office. 3-30-17  
 WITNESS my hand and the Seal of the Court.

STEPHEN W. KENYON Clerk  
  
 Chief Deputy