The Supreme Court of Ohio

ADMINISTRATIVE ACTIONS

March 17, 2021

[Cite as *03/17/2020 Administrative Actions*, 2021-Ohio-815.]

In re Temporary Waiver of Gov.Bar R. X(6)(A) and Appendix I, Reg. 406(A) to Allow Attorneys to Receive Continuing-Legal-Education ("CLE") Credit for Undergoing Training and Serving as Precinct Election Officials Related to Primary Election Day 2021 (Tuesday, May 4)

WHEREAS, on March 9, 2020, the Governor of Ohio issued Executive Order 2020-01D and declared a state of emergency in Ohio in response to COVID-19;

WHEREAS, on March 11, 2020, the World Health Organization publicly characterized COVID-19 as a global "pandemic" requiring "urgent and aggressive action" to control the spread of COVID-19;

WHEREAS, on March 13, 2020, the President of the United States declared a National Emergency concerning COVID-19;

WHEREAS, on February 24, 2021, the President of the United States continued the National Emergency concerning COVID-19;

WHEREAS, on August 5, 2020, the Court issued the order nunc pro tunc entitled "In re Temporary Waiver of Gov.Bar R. X(6)(A) and Appendix I, Reg. 406(A) to Allow Attorneys to Receive Continuing-Legal-Education ('CLE') Credit for Undergoing Training and Serving as Precinct Election Officials Related to General Election Day 2020 (Tuesday, November 3)";

WHEREAS, Gov.Bar R. X(6)(A) dictates that, for the Commission on CLE to approve CLE programs or activities for credit, "[t]he program or activity shall

have significant intellectual or practical content and the primary objective shall be to improve the participant's professional competence as an attorney * * *";

WHEREAS, Gov.Bar R. Appendix I, Reg. 406(A) dictates that "[t]he CLE Activity shall have significant intellectual or practical content, the primary objective of which is to improve the participants' professional competence as an Attorney * * *";

WHEREAS, based upon a recommendation from the Ohio Secretary of State, the Commission on CLE, on March 12, 2021, resolved to temporarily suspend Gov.Bar R. X(6)(A) and Appendix I, Reg. 406(A) to address the urgent, but narrow, issue of a significant Precinct Election Official ("PEO") deficiency in Ohio due to COVID-19, and grant approval for up to four hours of general CLE credit for attorneys who participate in Ohio county board of elections' PEO training and staff the polls across Ohio on Primary Election Day, Tuesday, May 4, 2021.

NOW THEREFORE, the Court hereby orders the following:

(A) In light of the circumstances created by the COVID-19 pandemic, the applicable Gov.Bar R. X rules and regulations, specifically including Gov.Bar R. X(6)(A) and Appendix I, Reg. 406(A), shall be waived solely for purposes of each of Ohio's board of elections' PEO training and the attorney requesting credit working for his or her county board of elections as a PEO on Primary Election Day, May 4, 2021.

(B) Attorneys who complete their county board of elections' PEO training and work for their county board of elections as a PEO on Primary Election Day, May 4, 2021, may be granted up to four hours of CLE credit. Unless there is good cause shown, to be awarded the CLE credit, an attorney must actually serve for a full day as a poll worker on election day.