

§ 3-401.12. Reinstatement for inactive, resigned, retired, or suspended attorneys.

(A) Attorneys on inactive status as defined by § 3-401.2(F) and attorneys who have resigned or retired from the NSBA as of December 31 of any year who apply for reinstatement to active status pursuant to Neb. Ct. R. § 3-119(E) during any subsequent calendar year shall be required to complete ten (10) hours of approved CLE in the twelve (12) months immediately preceding the application as a condition of reinstatement. Such hours of credit required shall include two (2) hours of professional responsibility education as defined by § 3-401.2(J) and shall be subject to the limitations based on class type as defined by § 3-401.8. In addition if the attorney transferred to an inactive status or resigned while not in compliance with MCLE requirements, the attorney must cure the noncompliance and pay any late fees for the delinquent report. Only those credits earned in the calendar year of reinstatement exceeding the required hours for reinstatement shall be counted toward the credit requirement for the year of reinstatement to active status.

(B) Attorneys suspended from the practice of law for more than 12 months for reasons other than those listed in § 3-401.12(C) shall be required to complete ten (10) hours of approved CLE in the twelve (12) months immediately preceding the application for reinstatement as a condition of reinstatement. Such hours of credit required shall include two (2) hours of professional responsibility education as defined by § 3-401.2(J) and shall be subject to the limitations based on class type as defined by § 3-401.8. Only those credits earned in the calendar year of reinstatement exceeding the ten (10) hours of credit required for reinstatement shall be counted toward the credit requirement for the year of reinstatement to active status.

(C) Attorneys suspended from the practice of law due to the failure to file a report of MCLE or for failing to pay mandatory assessments, prior to reinstatement to the practice of law in Nebraska, shall submit to the Nebraska Supreme Court Attorney Services Division a written request for reinstatement upon the form provided. The Administrator of Attorney Services shall submit the application to the Supreme Court, together with a written statement evidencing the payment of any penalties as established by these rules and the making up of any deficiency in the CLE requirements incurred prior to suspension or, if applicable, during the suspension. In no event shall the hours required for reinstatement exceed a total of 20 hours.

§ 3-401.12(A) amended April 21, 2011; § 3-401.12(A) and (B) amended December 12, 2012; § 3-401.12(C) deleted December 12, 2012; § 3-401.12 amended October 15, 2014; § 3-401.12(A) amended April 13, 2016; § 3-401.12(A) amended January 2, 2019; § 3-401.12(C) amended September 4, 2019.
