

RULE 504 CONTINUING LEGAL EDUCATION OF THE JUDICIARY

(a) Purpose. Only by continuing their legal education can the Judiciary fulfill its obligation to competently serve the State. This Rule establishes minimum requirements for such continuing legal education and the means by which the requirements shall be enforced. For the purposes of this Rule, the term "judge" means all justices of the South Carolina Supreme Court, all judges of the Court of Appeals, all judges of the circuit court, all full-time and part-time masters-in-equity, all family court judges, and all probate judges (including associate and deputy probate judges and other persons, regardless of job description or title, who perform the duties of a probate judge either full-time or part-time). Nothing in this Rule shall be construed as preventing the Supreme Court from requiring mandatory attendance of judges at designated continuing legal education programs.

(b) Continuing Legal Education Requirement. A judge shall complete a minimum of 15 hours of continuing legal education approved by the Commission on Continuing Legal Education and Specialization (Commission). The annual reporting period for purposes of this Rule shall run from March 1 through the last day of February. A judge may be given credit in one or more succeeding reporting periods, not exceeding 3 such periods, for completing more than 15 hours of approved education during any one reporting period.

(c) Annual Report. On or before April 15 of each year, each judge shall make a written report to the Commission, on a form approved by the Commission, concerning his or her completion of approved continuing legal education during the preceding year. The form shall be accompanied by filing fees as prescribed by the Commission.

(d). Non-Compliance.

1. If it appears to the Commission that a judge has failed to comply with the requirements of this Rule, the Commission shall notify the judge in writing of this apparent non-compliance by certified mail, return receipt requested, addressed to him or her at his or her last known address. The judge shall then have sixty (60) days from the mailing of the notice to file an affidavit responding to it. The response may include documents demonstrating that the judge has cured any deficiency. If after receiving the judge's response, the Commission believes the judge is still in violation of this Rule, the Commission shall report the matter to the Supreme Court. Upon receiving a report of non-compliance, the Supreme Court may take such action as it deems appropriate.

2. In addition, any judge who willfully fails to comply with this Rule, may be subject to disciplinary action under Rule 502, SCACR.

3. For good cause shown, the Commission may, in individual cases involving hardship or extenuating circumstances, grant waivers of the minimum education requirements or extensions of time within which to fulfill the same or make the required reports.