

The Supreme Court of Ohio

ADMINISTRATIVE ACTIONS

August 30, 2021

[Cite as *08/30/2021 Administrative Actions, 2021-Ohio-2991.*]

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 2021 (Tuesday, November 2)

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 for one year;

WHEREAS, the United States Centers for Disease Control and Prevention has noted the Delta variant of COVID-19 has demonstrated increased levels of transmissibility and that early evidence suggests that people who are vaccinated and become infected with the Delta variant may transmit the virus to others;

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, on March 17, 2021, the Court issued the order 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 Primary Election Day 2021 (Tuesday, May 4)”;

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, there is a continuing Precinct Election Official (“PEO”) deficiency in Ohio due to COVID-19.

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 General Election Day, November 2, 2021.

(B) Attorneys who complete their county board of elections’ PEO training and work for their county board of elections as a PEO on General Election Day, November 2, 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.