

Elder Abuse Reporting Requirement Frequently Asked Questions

1) When will the elder abuse reporting credit requirement become effective?

The MCLE Rule and Regulation amendments requiring elder abuse reporting credit are effective January 1, 2015.

2) Do I need to complete an elder abuse reporting credit?

Beginning with the 2015 reporting year, all active OSB members in a three year reporting period will need to complete an elder abuse reporting credit. For reporting periods ending 2015, 2016 or 2017, this credit will be required instead of a child abuse reporting credit. After that, the requirement will alternate every time you report – you will need a child abuse reporting credit in your next reporting period (in 2018, 2019 or 2020), elder abuse in the next one (in 2021, 2022 or 2023), child abuse in the next one, and so on.

MCLE Reg. 3.300(d)

Your Member Dashboard (seen when you log in to the bar's website) will always tell you which credit(s) are required for your current reporting period.

3) Do I still need to complete a child abuse reporting credit?

If your current reporting period ends on December 31, 2014, you will need a child abuse reporting credit. The elder abuse credit is required in 2015-2017 and in alternate three-year reporting periods thereafter.

MCLE Reg. 3.300(d)

4) I was recently reinstated and assigned a new reporting period, which ends December 31, 2015. Do I need to complete an elder abuse or child abuse reporting credit?

No. Effective January 1, 2015, the child abuse or elder abuse reporting credit is required only for members in a three-year reporting period. In the first year after reinstatement your MCLE requirement is 15 credits including 2 legal ethics. If you complete child abuse or elder abuse reporting credits in this reporting period, they will be applied as general or practical skills credits.

MCLE Rule 3.3(a) and Regulation 3.300(c)

5) I was admitted to the Oregon State Bar in 2014 and my first reporting period ends December 31, 2015. Do I need to complete an elder abuse or child abuse reporting credit?

No. Effective January 1, 2015, the child abuse or elder abuse reporting credit is required only for members in a three-year reporting period. Your MCLE requirement is 15 credits including 10 practical skills, 2 legal ethics and a three credit hour introductory course in access to justice. If you complete child abuse or elder abuse reporting credits in this reporting period, they will be applied as general or practical skills credits.

MCLE Rule 3.3(b) and Regulation 3.300(d)

6) **My three-year reporting period ends December 31, 2015 and I have already completed a child abuse reporting credit. What happens to that credit?**

For members in a three-year reporting period, one child abuse or elder abuse reporting credit earned in a non-required reporting period may be applied to the ethics credit requirement. Additional child abuse and elder abuse reporting credits will be applied to the general or practical skills requirement.

MCLE Reg. 3.300(c)

7) **How did this requirement come about?**

Section 5 of House Bill 2205 (passed during the 2013 Legislative Session) amends ORS 124.050 to add lawyers to the list of mandatory reporters for elder abuse. Section 7 of HB 2205 requires the Oregon State Bar to "...adopt rules to establish minimum training requirements for all active members of the bar relating to the duties of attorneys under ORS 124.060 and 419B.010." Such rules must be approved by the Supreme Court.

8) **How do I find out when my current MCLE reporting period ends and which type(s) of credits I need?**

Log in to your member dashboard through the OSB website at www.osbar.org/secured/login.asp.

9) **I still have questions. Who should I contact?**

Contact the Oregon State Bar MCLE Department at (503) 620-0222, ext. 368 or email mcle@osbar.org.