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# SUPREME COURT OF ARKANSAS

Opinion Delivered: October 16, 2025

IN RE AMENDMENTS TO THE  
RULES FOR MINIMUM  
CONTINUING LEGAL EDUCATION  
(RULE 3 AND RULE 5) AND RULES  
OF THE ARKANSAS JUDGES AND  
LAWYERS ASSISTANCE PROGRAM  
(RULE 1)

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## PER CURIAM

There is a recommendation before the court to amend our Continuing Legal Education (“CLE”) requirements to include a one-hour lawyer “well-being” course. In August 2017, the National Task Force on Lawyer Well-Being published a report, *The Path to Lawyer Well-Being: Practical Recommendations for Positive Change*.<sup>1</sup> The National Report contains recommendations for stakeholders that are aimed at improving well-being in the legal profession. Specifically, the report explains,

To be a good lawyer, one has to be a healthy lawyer. Sadly, our profession is falling short when it comes to well-being. [Studies] reveal that too many lawyers and law students experience chronic stress and high rates of depression and substance use.

Nat’l Task Force on Lawyer Well-Being, *supra* note 1, at 2.

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<sup>1</sup>Nat’l Task Force on Lawyer Well-Being, *The Path to Lawyer Well-Being: Practical Recommendations for Positive Change* (2017), [https://www.americanbar.org/content/dam/aba/administrative/professional\\_responsibility/lawyer\\_well\\_being\\_report\\_final.pdf](https://www.americanbar.org/content/dam/aba/administrative/professional_responsibility/lawyer_well_being_report_final.pdf).

The court authorized the formation of an Arkansas Task Force on Lawyer Well-Being to review the National Report and make Arkansas-specific recommendations as an important first step toward addressing the issue of lawyer well-being in a comprehensive and holistic way.<sup>2</sup> In 2019, the Supreme Court Task Force issued its report and, consistent with the National Report, has recommended that our CLE requirements be amended to require a one hour “well-being” course. *See* Arkansas Supreme Court Task Force on Lawyer Well-Being, *supra* note 2, at 17. Stated differently, the annual twelve-hour CLE requirement will include one hour of ethics, as it currently does, and be amended to also include one hour of lawyer well-being. This proposal garnered the unanimous support of the Arkansas Judges and Lawyers Assistance Program (“JLAP”) Committee.

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<sup>2</sup>The Arkansas report explains that

[t]he National Task Force defined lawyer well-being as a continuous process whereby lawyers seek to thrive in each of the following areas: emotional health, occupational pursuits, creative or intellectual endeavors, sense of spirituality or greater purpose in life, physical health, and social connections with others.

Lawyer well-being is part of a lawyer’s ethical duty of competence. It includes lawyers’ ability to make healthy, positive work/life choices to ensure not only a quality of life within their families and communities, but also to help them make responsible decisions for their clients. It includes maintaining their own long-term well-being. This definition highlights that complete health is not defined solely by the absence of illness; it includes a positive state of wellness.

Arkansas Supreme Court Task Force on Lawyer Well-Being, *Report*, at 4 (2019), <https://arcourts.gov/sites/default/files/task-force-on-lawyer-well-being-report.pdf>.

JLAP will serve as one provider of well-being CLE programming, as it has already been offering well-being CLE programs.<sup>3</sup> JLAP will charge a reasonable fee for each hour of programming. Lawyers may also obtain this new CLE credit through other providers. As with all CLE programs, well-being programming must be approved by the Supreme Court Office of Professional Programs.

We now publish the following amendments for comment before the court considers these changes. The comment period shall end on December 31, 2025. Comments should be submitted in writing to: Kyle E. Burton, Clerk of the Arkansas Supreme Court, Attention: Amendments to Arkansas Rules for Minimum Continuing Legal Education and Rules of the Arkansas Judges and Lawyers Assistance Program, Justice Building, 625 Marshall Street, Little Rock, AR 72201, or by email: rulescomments@arcourts.gov. The amendments are set out in “line-in,” “line-out” fashion.

## **Rules for Minimum Continuing Legal Education**

### **Rule 3. Minimum Educational Requirements.**

(A) Every member of the Bar of Arkansas, except as may be otherwise provided by these rules and, excepting those attorneys granted voluntary inactive status by the Arkansas Supreme Court Committee on Professional Conduct, shall complete 12 hours of approved

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<sup>3</sup>In 2024, JLAP offered the following well-being CLE programming: (1) *Stress Preparedness*—Catherine Corless, JD; (2) *Workplace Well-Being in a Post Covid World*—Michael Moore, JD; (3) *Informed Lawyering: Addiction, Stress and Neuroscience*—Nihit Kumar, MD; (4) *Understanding the Basics of Trauma and Attachment*—Charmaine Beasley, LPC-S, MSMFT; (5) *Cultivating Joy*—Theresa Flowers, PhD, LCSW; and (6) *Introduction to Boundary Development*—Nakia Brim, LAC. In 2025, JLAP’s well-being programming includes the following: (1) *Rest as Resistance: Centering Rest in Uncertain Times*—Theresa Flowers, PhD, LCSW; (2) *Are We Well Yet? An Analysis of the Legal Profession’s Response to the National Report on Lawyer Well-Being*—Bill Putman, JD; (3) *We Are Not Saints: Recovery Principles for Lawyers*—Colin Jorgensen, JD; (4) *Why Am I Struggling? A Candid Look at Trauma in the Lives of Attorneys*—Nihit Kumar, MD; and (5) *Power of Positive Thinking*—Loretta Parker, LMFT.

continuing legal education during each reporting period as defined by Rule 5(A) below. Of those 12 hours, at least one hour shall be ethics, which may include professionalism as defined by Regulation 3.02. Of those 12 hours, at least one hour shall be attorney well-being. In addition, an attorney or judge may carry over accredited hours in accord with the provisions of Rule 5(A), including one hour of ethics and one hour of attorney well-being, which may be carried forward to the succeeding reporting period.

## **Rule 5. Reporting.**

(A) Credit for approved continuing legal education hours will be given for courses or activities conducted from July 1 through June 30 of each year, and for the purposes of these rules, this period of time shall be known as the “reporting period.” If an attorney or a judge acquires, during such reporting period, approved continuing legal education in excess of twelve (12) hours, the excess credit may be carried forward and applied to the education requirement for the succeeding reporting period only. The maximum number of CLE hours one may carry forward is twelve (12), which may include one hour of ethics and one hour of attorney well-being.

## **Rules of the Arkansas Judges and Lawyers Assistance Program**

### **Rule 1. Scope of Program.**

. . . .

(B) Purpose. JLAP has ~~three~~ four purposes: (1) to protect the interests of clients, litigants, and the general public from harm caused by impaired lawyers or judges; (2) to assist impaired members of the legal profession to begin and continue recovery; ~~and~~ (3) to educate the bench and bar to the causes of and remedies for impairments affecting members of the legal profession; and (4) as recommended by the Arkansas Supreme Court Task Force on Lawyer Well-Being, to develop and implement comprehensive well-being programming to educate the bench and bar regarding well-being as required under Rule 3 of the Rules for Minimum Continuing Education.

WEBB and HILAND, JJ., dissent without opinion.