Thirty-six (36) jurisdictions have adopted a statement on tech competence. They are:

Alaska
Arizona
Arkansas
Colorado
Connecticut
Delaware
Florida
Idaho
Illinois
Indiana
Iowa
Kansas
Kentucky
Massachusetts
Michigan
Minnesota
Missouri
Montana – (See (5) of the Preamble. MT has not adopted official comments.)
Nebraska
New Hampshire
New Mexico
New York
North Carolina
North Dakota (Comment [5])
Ohio
Oklahoma (Comment [6])
Pennsylvania
Tennessee
Texas
Utah
Vermont
Virginia (Comment [6])
Washington
West Virginia
Wisconsin
Wyoming

These sixteen (15) jurisdictions have not adopted a tech competence statement in their Rules of Professional Conduct, five of which have not adopted formal comments to their RPC.

Jurisdictions with Comments, but no statement on tech competence:

Alabama
California, but see Formal Opinion 2015-193 on tech competence.¹

DC
Georgia
Hawaii
Maine
Maryland
Mississippi
Rhode Island
South Carolina

**Jurisdictions without formal comments that have not adopted a tech component for competence:**

Louisiana, but see Louisiana State Bar Association Public Opinion 19-RPCC-021. Ambrogi counts Louisiana in his collection.

Nevada
New Jersey (except for 8.4 and a few other Rules)
Oregon
South Dakota

¹ Digest notes: An attorney’s obligations under the ethical duty of competence evolve as new technologies develop and become integrated with the practice of law. Attorney competence related to litigation generally requires, among other things, and at a minimum, a basic understanding of, and facility with, issues relating to e-discovery, including the discovery of electronically stored information (“ESI”). On a case-by-case basis, the duty of competence may require a higher level of technical knowledge and ability, depending on the e-discovery issues involved in a matter, and the nature of the ESI.