



STATE BAR OF TEXAS

Minimum Continuing Legal Education

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MCLE Requirements for Attorneys Serving a Disciplinary Suspension

All attorneys, whether active or suspended for disciplinary reasons, are required to comply with MCLE requirements. Failure to comply with MCLE requirements subjects an attorney to MCLE suspension even if the attorney is unable to practice law due to a disciplinary suspension.

The MCLE compliance year begins on the first day of the birth month and ends on the last day of the month preceding the birth month. For example, an attorney with the birth month of April will have a compliance year that begins on April 1 and ends on March 31 yearly. MCLE compliance is due each year during the birth month for the immediately preceding compliance year. If an attorney fails to comply by the end of the birth month, the attorney falls into a "non-compliance" status with MCLE. Disciplinary suspended attorneys who do not comply with MCLE requirements are subject to MCLE non-compliance and payment of fees owed for non-compliance.

Once a disciplinary suspension has been lifted, an attorney who has not complied with yearly MCLE requirements will be subject to MCLE suspension. If an attorney is non-compliant for more than one year, the attorney is responsible for completion of all requirements for all outstanding compliance years in order to avoid MCLE suspension. Failure to comply with MCLE requirements and payment of all non-compliance fees within a 60-day time period will result in MCLE suspension.

MCLE Compliance Options for Attorneys Serving a Disciplinary Suspension

- 1) Completion of CLE Hours. An attorney who practices law in Texas during any portion of the MCLE compliance year is responsible for demonstrating compliance with the 15-hour CLE requirement, which includes completion of three hours of legal ethics/professional responsibility. If an attorney practiced law during the compliance year before his or her disciplinary suspension became effective, the attorney is responsible for completion of CLE hours for that compliance year.
- 2) Non-practicing Exemption. If an attorney is suspended for disciplinary reasons and does not practice law in Texas during the *entire* compliance year, (first day of the birth month through last day of the month immediately preceding the birth month) the attorney may claim a non-practicing exemption for purposes of complying with MCLE requirements.