



STATE BAR OF TEXAS

Minimum Continuing Legal Education

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MCLE Guide for Bias Courses

Effective June 1, 2021, the State Bar of Texas Board of Directors approved proposed amendments to the MCLE Accreditation Standards to allow ethics credit for implicit and explicit bias courses. Such credit can be used to fulfill the three-hour ethics credit requirement for attorneys. To implement this change, the board approved the following definition to be included in the MCLE Accreditation Standards adopted by the MCLE Committee: *“Legal Professional Responsibility” shall include programs that address the recognition of bias that can impair an attorney’s ability to provide competent legal services.*

The information provided below will serve as a guide for CLE Sponsors for designing creditable legal education programs that include implicit and explicit bias topics.

Guidelines for Obtaining Legal Education Ethics/Professional Responsibility Credit

1. Implicit and explicit bias CLE courses must directly relate to issues in the legal profession and the practice of law.
2. Instructors or lecturers are either qualified attorneys or judges, or they are experts in the subject area based on their education and background.
3. The activity is designed for and targeted to attorneys.
4. MCLE credit may be granted for:
 - a. Courses that focus on recognition and elimination of bias with respect to:
 - Discriminatory behavior associated with categories including but not limited to gender, ethnicity, national origin or ancestry, religion, disability, age, or sexual orientation that occurs in or within the legal profession,
 - Attorney-client relationships and relationships with other attorneys,
 - Professional misconduct and avoiding legal malpractice.
 - b. Courses that focus on elimination of bias dealing with legal employment and legal issues within a law firm – hiring and terminating, managing, harassment, promotion, and professional development within a firm.
 - c. Courses that focus on professional obligations to the court, to other attorneys, and to clients that deal with issues and inequities emanating from bias in the courtroom, including prosecutorial, defense, and judicial perspectives on the issue.



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Courses that cover bias can be audited/reviewed according to these guidelines to determine accreditation and the amount of accredited CLE and/or professional responsibility/ethics credit a course will receive. To avoid a delay in processing, accredited and non-accredited sponsors should provide a detailed outline/timed agenda upon submission of the course.

If you have further questions regarding the MCLE accreditation process for bias-related courses, please contact Erica Rodriguez, MCLE Director, at 1 (800) 204-2222, ext. 1806, or at mcle@texasbar.com. Attached are the revised MCLE Accreditation Standards for CLE Activities.