

# TEXAS MCLE REGULATIONS CHANGES

On Jan. 28, the State Bar of Texas Board of Directors approved changes to the Texas Minimum Continuing Legal Education Regulations and Accreditation Standards proposed by the State Bar MCLE Committee.

Changes to the MCLE Regulations and Accreditation Standards for CLE Activities, which become effective June 2010 and June 2011, affect how attorneys will meet MCLE requirements:

Currently, every active member of the State Bar must complete a minimum of 15 hours of continuing legal education (CLE) during each MCLE compliance year. Of the minimum 15 hours, at least 10 of the hours must be earned by attending “participatory” CLE activities that have been MCLE accredited. Five of the hours can be completed in the form of self-study activities that would include reading, viewing audio/videos, or attending non-accredited educational activities.

Beginning June 1, 2010, the definition of “participatory” will no longer be the focus of, or a requirement for, accreditation of CLE activities. Instead, the focus of “Accredited CLE” will be on content of a CLE activity and not on delivery method. CLE sponsors will be able to receive accreditation for downloadable CLE activities, such as podcasts and other non-interactive audio/video programs. Members of the State Bar will have a variety of new options for compliance with MCLE requirements.

Members of the State Bar will still be required to complete 15 hours of CLE each year, but beginning June 1, 2011, a minimum of 12 of the 15 hours must be completed through attendance at “Accredited CLE” activities in order to be in compliance with MCLE requirements. Accredited CLE will include accredited teleconferences, webcasts, satellite, on-demand/online CLE (streaming audio/video presentations), and accredited downloadable CLE activities that have been recorded from live seminars. The remaining three hours of CLE may be completed through self-study.

**David Smith, Chair**  
State Bar MCLE Committee

# SUMMARY OF JUNE 2010 AND JUNE 2011 CHANGES TO THE MCLE REGULATIONS AND JUNE 2010 CHANGES TO THE ACCREDITATION STANDARDS FOR CLE ACTIVITIES

## Overview of Changes

- Eliminates the outdated definitions and distinction between “Group Participatory” and “Interactive Participatory” CLE.
- Increases the options for accreditation of electronically delivered CLE (including podcasts, DVDs, and CDs that are recorded from live, accredited CLE Activities).
- Preserves quality of CLE options and presentations by requiring that downloadable CLE be recorded from live, accredited CLE activities.
- Allows for flexibility in defining the approved delivery methods as technology changes.
- Decreases allowable self-study from five to three hours per year since the options for Accredited CLE will increase and cover many of the formats previously approved for self-study credit only.

## Changes to the MCLE Regulations Section

2.1.1. CLE is now either “Accredited CLE” or self-study. Accredited CLE is no longer defined by the terms “group participatory” and “interactive participatory” but by quality and substance of materials, delivery method and presentation. Sponsor submitted Accredited CLE Activities include all live, prerecorded, group or electronically delivered CLE presentations. Sponsors, who wish to receive accreditation for their programs and materials, are required to keep track of attendance records and must report attendance to the MCLE department in accordance with MCLE Regulations, Section 6.0-6.3.

The Regulations pertaining to the methods approved for delivery of Accredited CLE have been moved to the Accreditation Standards for CLE Activities. This allows the MCLE Committee to consider/accommodate timely revisions with advancements in technology.

- 2.1.2. Attorneys may still receive individual accreditation for various CLE activities that were previously defined under “group participatory” credit. A \$25 service charge has been added to the application for law school course credit (completed after admission to the Bar).
- 3.0 MCLE requirements remain the same (fifteen total CLE hours, including three ethics hours per year). However, the minimum requirement for Accredited CLE has been raised from ten (10) hours to twelve (12) hours. Many activities, previously available for self-study credit only, may now be completed and claimed as Accredited CLE (including use of accredited CD’s, DVD’s, Podcasts, non-interactive web-

casts and teleconferences). The inclusion of additional sources of CLE will make it easier for attorneys to comply with MCLE requirements and will minimize the effect of the increase from ten to twelve hours of Accredited CLE.

## Changes to the Accreditation Standards for CLE Activities

I A-C Defines the delivery methods that are allowable for Accredited CLE Activities and provides flexibility to change the definition with advancements in technology. Three types of delivery methods are identified: 1) Live and attended in Person, 2) Streaming audio/video, and 3) Podcast, CD, DVD or any other downloadable file.

Streaming audio/video can be from a live or a recorded presentation. Podcasts and other downloadables can only be accredited if they are recorded from previously accredited live CLE activities.

III E Written materials alone, printed, or in electronic format, are excluded from qualifying for MCLE accreditation.

III F Writing credit for self-published materials that is not subject to peer review, has been excluded from receiving MCLE credit.

## Implementation Timeline

- The changes to the MCLE Regulations would be effective June 1, 2010 with the exception of Section 3.1, which requires attorneys to comply with at least twelve (12) Accredited CLE hours. The effective date for Section 3.1 would be one year later, on June 1, 2011. This will give all attorneys the same opportunities for completing CLE under the new Regulations.

## State Bar Board Approval

- Changes to the MCLE Regulations are approved and adopted by the State Bar Board of Directors (MCLE Rules, Article XII, State Bar Rules, Section 3 (C)).
- Changes to the Accreditation Standards for CLE Activities can be approved by the MCLE Committee. Although State Bar Board approval is not required for changes to the Accreditation Standards, historically, the MCLE Committee has requested approval by the Board each time a change has been made.

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## FREQUENTLY ASKED QUESTIONS

### June 2010 and June 2011 Changes to the MCLE Regulations and Accreditation Standards for CLE Activities

#### What changes have been made to the MCLE Regulations and Accreditation Standards?

The changes to the MCLE Regulations include 1) the elimination of the definitions and distinctions between “Group Participatory” and “Interactive Participatory” and 2) a change from five to three hours of allowable self-study per compliance year. The Accreditation Standards define the types of programs that can be approved for MCLE credit. Podcasts, DVDs, CDs, and other downloadables have been added to the list of approved formats that can be accredited and used to complete all MCLE requirements.

#### When will the changes to the MCLE Regulations and Accreditation Standards be effective?

Except for the change to the maximum allowable self-study (MCLE Regulations, Section 3.1), the changes will become effective on June 1, 2010. To make sure all attorneys have the same opportunities for MCLE compliance, the changes to the maximum allowable self-study will become effective one year later on June 1, 2011.

#### Why eliminate the definitions and distinction between “Group Participatory” and “Interactive Participatory” CLE?

These definitions were intended to distinguish Accredited CLE programs from self-study and were based upon the premise that attorneys learn best in a group setting. When online and on-demand CLE were introduced to MCLE requirements in 1996, an attempt was made to assure that attorneys received the same learning experience, whether attending live or prerecorded CLE or attending in-person or online. The focus under the outdated “participatory” definitions is on conduit and not content. Today, with advances in technology, these definitions limit the availability of quality CLE programming and make it confusing and difficult for attorneys to comply with MCLE requirements. The elimination of the “participatory” definitions are an attempt to focus on the quality of CLE presentations and materials, on providing low cost options for attending CLE, and on preserving live CLE for those who want the option of attending live CLE activities.

#### Does this mean that I can receive MCLE credit for CLE that I download to my iPod?

Yes. Under the new MCLE Regulations, the restrictions that require chat rooms, bulletin boards, or other discussion elements have been lifted. This means that you will have access to Accredited CLE 24-7 via your iPod or other MP3 player, whether you’re traveling, working out on the treadmill, in the office, or at home. You will receive the same MCLE credit for

listening to a presentation that has been downloaded to your iPod as you would if you had attended the live presentation.

#### Will the cost of complying with MCLE requirements increase since I will need to complete an additional two hours of Accredited CLE each year?

The cost of complying with MCLE should remain the same. You will not need to spend more to comply each year with MCLE requirements unless you choose to do so. The cost of downloadable CLE is generally less than live CLE. Costs associated with travel and taking time out from work will not be necessary in order to fulfill MCLE requirements. You can also take advantage of the multitude of free CLE opportunities that are available each year. Most attorneys should be able to complete some, if not all, of the MCLE requirements through attendance at free and low-cost CLE.

#### Where can I find free or low-cost CLE options?

Three full hours of free CLE can be completed through Texas Bar CLE each year. One-half hour of free CLE is offered every other month via the Internet (or via downloadable MP3 file under the new regulations). The free course is available at [www.texasbarcle.com](http://www.texasbarcle.com). Click on the link to the “free online class” found in the middle of the page (<http://www.texasbarcle.com/CLE/OCFree.asp>). The American Bar Association offers a one-hour CLE to its members via teleconference/webcast each month for \$9.75. Archived webcasts at the ABA *CLE Now!* site are free of charge. To find a schedule of upcoming ABA activities, go to [www.abanet.org](http://www.abanet.org). A variety of other providers, including local bar associations and legal aid offices, also offer free and low-cost CLE throughout the year. Contact your local bar association, legal aid office, or the MCLE department to find out when and where these activities are presented.

#### Why is allowable self-study decreased from five to three hours per year?

Self-study was added to the MCLE program 24 years ago because, at that time, the only CLE options available were live CLE activities held in the major metropolitan areas of the state. To defray the cost of travel and attending live CLE, self-study was added as an option for completing one-third of the requirement. Texas was (and still is) one of a handful of states that allows self-study to be used to complete part of the MCLE requirement.

The new MCLE Regulations give attorneys greater flexibility and variety for selecting the appropriate CLE materials to complete MCLE requirements. Many of the formats and mate-

rials that are currently approved for self-study credit will soon be available as Accredited CLE under the new Regulations without limitations on the total hours that can be completed per year. Under the current Regulations, an attorney is able to receive only five hours of self-study credit for listening to or watching a program on a DVD or on an MP3-MP4 player, regardless of the length or quality of the materials. Under the new Regulations, attorneys will be able to complete all of their CLE by using accredited CLE materials, including CDs, DVDs, and other downloadables.

### What will be considered self-study under the new Regulations?

The definition of self-study credit will not change. The same materials as before can be used for self-study credit,

including receiving credit for reading materials specifically prepared for an accredited CLE activity, reading legal articles digests, advance sheets, cases, treatises, statutes, and regulations. You will also be able to claim self-study credit for attending non-accredited legal education activities and non-legal professional education activities that are relevant to specific areas of law or to the legal practice. How these activities are attended (via a live program or by listening to or watching a prerecorded presentation) will be up to each attorney.

### Will I still be able to complete legal ethics credit through self-study?

Yes. You will still be able to complete one hour of legal ethics through self-study.

## CHANGES TO TEXAS MCLE REGULATIONS

### 1.0 MCLE COMPLIANCE YEAR

1.3 The minimum CLE credits needed for a regular one-year MCLE compliance year are required to be completed during the initial 24-month MCLE compliance year. Only CLE credits completed within this 24-month period and during the 12-month period immediately preceding the initial compliance year may be used toward meeting the compliance requirements of the initial compliance year. The sole exception shall be for “The Guide to the Basics of Law Practice” sponsored by the Texas Center for Legal Ethics and Professionalism, which may be completed earlier for Accredited CLE Activity credit.

### 2.0 CATEGORIES OF CREDIT

2.1 Accredited CLE (Minimum of 12 hours allowable)

2.1.1 Sponsor Submitted Accredited CLE Activities shall include activities that have been submitted for review and accreditation to the MCLE Director and that comply with Article XII, Section 4A, State Bar Rules, with Section 10 of the MCLE Regulations and with the Accreditation Standards for CLE Activities established by the MCLE Committee. To qualify as an Accredited CLE Activity, the CLE sponsor must keep track of attendance at the activity, whether it is live or prerecorded, or delivered individually, electronically, or in a group setting, and shall report attendance to the MCLE Department in accordance with MCLE Regulations, Section 6.0-6.3.

a. Attendance at an Accredited CLE Activity may be in person or by electronic means and may include viewing or listening to

prerecorded media or attendance by such means as may be developed through advanced technology.

b. A Mentor Program is an Accredited CLE Activity that is either sponsored or cosponsored by the State Bar of Texas or otherwise approved by the MCLE Committee, is open to all members of the State Bar, and is completed in conjunction with MCLE approved training. The purpose of the approved training/mentoring relationship shall be the preparation of participants for providing pro-bono services or for managing professional responsibility challenges and shall consist of substantive legal training as opposed to coaching or personal encouragement. A maximum of five (5) hours, including one (1) ethics hour, per compliance year may be claimed for the actual amount of time spent in the mentoring relationship. Mentor programs shall be submitted to the MCLE department in accordance with Section 10.2 and 10.8.

c. While high quality written materials should be included with Accredited CLE Activities, written materials alone shall not qualify as an Accredited CLE Activity.

d. Accredited CLE Activities shall be delivered or presented in one or more of the approved format(s) outlined in the Accreditation Standards for CLE Activities. The Committee may approve other methodologies for delivery of Accredited CLE as developed through advanced technology.

2.1.2 Attorney Submitted Accredited CLE Activities shall include:

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- a. speaking at Accredited CLE Activities, including preparation time and presentation time with additional preparation credit for repeated presentations (Article XII, Section 4C);
- b. writing, as an author or co-author, materials published in the form of an article, chapter or book which contributed substantially to the continuing legal education of the author or co-author and other attorneys and which was not done in the ordinary course of the practice of law, the performance of regular employment or as a service to clients (Article XII, Section 4D);
- c. teaching, lecturing or speaking in the position of a part-time faculty in any law school which is approved by the American Bar Association, except as to the minimum requirements for CLE in legal ethics and professional responsibility (Article XII, Section 4F);
- d. attending in person (through non-electronic means) instruction at an ABA accredited law school after admission to practice. Credit shall be for the actual hours of in-class instruction and shall not exceed thirty (30) hours per compliance year. (Article XII, Section 4J); A transcript verifying completion of the course(s) and a non-refundable \$25 accreditation fee (per semester) is required for each application for law school credit.

## 2.1.3 Non-qualifying Activities.

An activity that is done in the ordinary course of the practice of law, the performance of regular employment, or as a volunteer service to clients, government entities, bar organizations or the general public shall not receive Accredited CLE Activity credit. An activity associated with membership or attendance at committee meetings, business meetings or work sessions shall not receive Accredited CLE Activity credit.

## 2.2 Self-Study Credit.

Self-Study Credit is CLE credit that is obtained from any type of CLE activity that is performed by an individual attorney acting alone or while attending non-accredited professional educational activities. A maximum of five (3) Self-Study credit hours can be applied toward each MCLE compliance year. Self-Study Credits may be claimed for any of the following types of CLE activities:

- a. reading materials specifically prepared for an accredited activity;
- b. reading substantive legal articles in recognized legal publications;
- c. reading digests, advance sheets, cases, treatises, statutes, and regulations;
- d. viewing non-accredited videotapes or digital media produced for legal education purposes;
- e. listening to non-accredited audiotapes or digital media produced for legal education purposes;
- f. attending professional educational activities that train participants in the use of non-legal software or teach non-legal skills such as stress management, time management, personal relational management, career management, rainmaking, marketing, accounting, general office management, and communication skills.
- g. attending professional educational activities that present business, technical or scientific knowledge including programs dealing with general business management concerns, medical or engineering knowledge and concepts, or other educational activities dealing with topics relevant to specific areas of law practice;
- h. serving as a judge or evaluator in any type of mock trial, moot court or client counseling competition, class or program; and
- i. speaking or writing, including presentation, preparation and composition time for any of the self-study activities enumerated above (a-h).

## 3.0 MINIMUM EDUCATIONAL REQUIREMENTS

- 3.1 Fifteen total hours of continuing legal education credit are required to be completed during each MCLE compliance year (including the initial 24-month compliance year) in order to meet the minimum educational requirements set out in Article XII, Section 6A, State Bar Rules. A minimum of twelve (12) credit hours must be completed in the form of Accredited CLE Activities, defined by Section 2.1.1-2.1.2.
- 3.2 A minimum of three (3) of the required fifteen (15) hours of CLE must be completed in the subject areas of legal ethics and/or professional responsibility. Two (2) hours of this minimum 3-hour requirement must be completed in the form of an Accredited CLE Activity. One (1) of this minimum 3-hour requirement may be completed in the form of self-study credit (Article XII, Section 6B).

## 4.0 CONTINUING LEGAL EDUCATION ACTIVITIES SOURCES

- 4.1 Accredited CLE meets the criteria of Section 2.1, Section 10 and the Accreditation Standards for CLE Activities and may include live or prerecorded pre-

sentations. Non-accredited CLE used on an individual basis shall be considered Self-Study credit. (Article XII, Section 4B)

- 4.3 Accredited In-house CLE shall include those activities that are offered by local, state and federal government agencies, the military, and law firms or corporations, provided each program is accredited in advance, in accordance with Section 2.1.1, and is a structured continuing legal education activity.

## 6.0 PROCEDURES FOR REPORTING CLE CREDIT HOURS

- 6.4.3 The MCLE Director shall not accept CLE attendance certificates or attendance lists submitted by individual members, or attendance information reported in formats that are not specified by Section 6.4.2, unless a \$10 per course service charge accompanies the certificate(s) or list(s).

## 10.0 ACCREDITATION OF CLE ACTIVITIES

### 10.3.3 Responsibilities of Accredited Sponsors

Accredited Sponsors shall provide specific information to the MCLE Department related to each CLE activity at least 30 days prior to the day the activity commences in an electronic format approved by the MCLE Committee. This information shall include, but is not limited to the following:

- a. activity title;
- b. date(s) and location(s) of the activity;
- c. total Accredited CLE hours, including ethics credit hours;
- d. method of presentation; and
- e. registration contact and registration fee information;

Accredited Sponsors shall keep course materials for two years, which shall include a brochure or outline that describes the course content, identifies the instructors, lists the time devoted to each topic, each date and location of the presentation, and attendance records showing lawyer attendees and the number and description of non-lawyer attendees. The Accredited Sponsor, upon request of the MCLE Director, shall immediately submit this information for review. Additional responsibilities of Accredited Sponsors include the timely submission of attendance information, amendments to CLE hours, dates, and/or locations for each activity submitted, and payment of all applicable accreditation and late filing fees for each activity.

### 10.3.5 Renewal/Revocation

Accredited Sponsors shall be reviewed for renewal of Accredited Sponsor status after an initial two-year period of accreditation, and again after each subsequent five-year period of accreditation, or at such other times as the MCLE Committee shall deem reasonable. The Committee may revoke accreditation at any time when the MCLE Committee finds that a sponsor has not complied with the responsibilities of Accredited Sponsor status (Section 10.3.3 above). Additional conditions which may cause revocation of Accredited Sponsor status shall include, but are not limited to:

- a. submission of an activity or activities that do not qualify for MCLE accreditation as set forth in the Accreditation Standards for CLE Activities and interpreted by the MCLE Committee;
- b. non-payment of accreditation fees or late filing fees;



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- c. failure to report attendance for activities sponsored by the Accredited Sponsor;
- d. submission of jointly sponsored activities, or activities sponsored by other organizations; or
- e. unresolved complaint(s) documented against the Accredited Sponsor or an activity offered by an Accredited Sponsor.

## 10.4 Approval of In-House Education Activities.

Courses by local, state and federal government agencies, the military, law firms, either individually or in connection with other law firms, corporate legal departments, or similar entities primarily for the education of their members may be accredited for MCLE credit under the Rules and Regulations applicable to any other sponsor and the requirements set forth in Sections 10.1 and 10.2 above, plus the following additional conditions:

- a. The courses shall be submitted for approval on a course-by-course basis at least 30 days prior to the date of the activity;
- b. Experienced instructors must contribute to the teaching and efforts should be made to achieve a balance of in-house and outside instructors;
- c. The course must be scheduled at a time and location so as to be free of interruptions from telephone calls and other office matters.

## 10.5 Attorney Request for Accreditation of Out-of-State CLE Activity.

A member of the State Bar of Texas may seek individual accreditation for alive out-of-state CLE activity that has not been previously submitted and approved by the CLE sponsor by completing an application form to be provided by the Committee. The application may be submitted either before or after the activity is conducted and shall include a brochure or other outline describing the course content, identifying the instructors, listing the topics by title, and showing the time schedule for each topic. An accreditation fee of \$25 per request shall be imposed upon the member and shall be submitted at the time of request.

10.5.1 A member may not seek individual accreditation for electronically delivered activities such as live or prerecorded teleconferences, webcasts, satellite broadcasts or other non-accredited digital media.

## 10.7 Request for Writing Credit.

Credit may be earned for research-based writing activities, provided the activity (1) produced material published in the form of an article, as materials for an accredited CLE activity, or as a chapter or

book written, in whole or in part, by the applicant; (2) contributed substantially to the continuing legal education of the applicant and other attorneys; and (3) is not done in the ordinary course of the practice of law, the performance of regular employment, or as a service to clients. To receive credit, the member shall submit an application for writing credit on a form to be provided by the Committee.

10.8.10 A penalty for late filing in the amount of \$50 must be paid for each course submission filed electronically by a CLE sponsor who has been extended Accredited Sponsor status by the MCLE Committee outlined in Sections 10.3-10.3.7 or that meets the definition of a local bar association outlined in Section 10.8.5 if the course submission is received in the office of the MCLE Department less than fifteen (15) calendar days prior to the starting date of the CLE activity.

## 11.0 EFFECTIVE DATE

The effective date for this set of regulations shall be June 1, 2010.

Exception: The effective date for Section 3.1 shall be June 1, 2011.

## ACCREDITATION STANDARDS FOR CLE ACTIVITIES

Pursuant to the authority granted to the Committee on Minimum Continuing Legal Education (hereinafter "the Committee") by the Supreme Court of Texas, these accreditation criteria are hereby adopted by the Committee to be used as guidance for determining whether CLE activities submitted for MCLE accreditation satisfy the general standards for accreditation specified in Section 4(A) of Article XII, State Bar Rules.

(Note: Endnote numbers correspond to the Definitions section, following)

- I. A CLE activity shall be accredited for MCLE in Texas if it meets any of the criteria in A-C below as well as the criteria outlined in Section II.
  - A. The activity is a live presentation and attended in person, including seminars, courses, conferences, lectures, panel discussions, question-and-answer periods, and in-house education;
  - B. The activity is a live or recorded presentation provided in a streaming or real time format (not downloadable) including teleconferences, webcasts, satellite broadcasts

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- or attendance by such other means as may be approved by the Committee; or
- C. The activity is recorded from a live accredited CLE activity, presented in any format, such as CDs and video recordings, as well as any downloadable format such as podcasts.
- II. A CLE activity shall be accredited for MCLE in Texas if it meets the criteria of either A or B below, and also each of the other criteria of C, D and E below:
- A. The Activity consists of an organized program of legal education dealing with:
- (1.) substantive or procedural subjects of law;
  - (2.) legal skills and techniques<sup>1</sup>;
  - (3.) legal ethics<sup>2</sup> and/or legal professional responsibility<sup>3</sup>;  
or
  - (4.) law practice management<sup>4</sup>;
- B. The activity consists of an organized program dealing with alternative dispute resolution<sup>5</sup>.
- C. The activity may include coverage of technical, scientific or other bodies of knowledge that are directly related to any of the subjects listed in II A above.
- D. The instructors or lecturers are either qualified attorneys or judges, or they are experts in the subject area based on their education and background.
- E. The activity is designed for, and targeted to attorneys.
- III. A CLE activity shall NOT be accredited for MCLE in Texas if it is:
- A. A meeting of a bar association, committee, section or other entity composed of attorneys, that is designed primarily to be a general business meeting or work session as opposed to a CLE activity, or
- B. An activity that is designed or intended to market a product or service to lawyers, or
- C. An activity that is designed or intended primarily to attract clients, or
- D. An activity that is intended to teach non-legal skills such as training in the use of hardware, office equipment, or non-legal software, general communication skills such as public speaking, individual money management or investing, career building, rainmaking and marketing skills, supervisory or general office management skills.
- E. An activity that consists of written materials only in printed or in electronic format, such as written materials for accredited and/or non accredited CLE activities, legal articles, legal journals, case summaries, audio books and text only online courses.
- F. A legal article, newsletter, blog or other written product that is published by the authoring attorney, his or her law firm or other employer or that is not subject to peer review.

## DEFINITIONS

1. “**Legal Skills and Techniques**” may include training in the use of legal-specific software such as time and billing, legal research and e-filing systems, and legal communication skills including legal writing and trial presentation skills.
2. “**Legal Ethics**” shall include programs that deal with usages and customs among members of the legal profession, involving their legal and professional duties toward one another, toward clients, and toward the courts.
3. “**Legal Professional Responsibility**” shall include programs that deal with maintaining the integrity and competence of the Bar so that legal services are delivered with the highest degree of professional conduct.  
“Legal Ethics and Legal Professional Responsibility” shall include, but not be limited to the accreditation of those topics involving disciplinary rules of professional conduct, rules of disciplinary procedure, and the use and availability of alternative dispute resolution and pro-bono services.  
“Legal Professional Responsibility” shall also include training in skills and concepts that promote and/or assist lawyers in the delivery of high quality legal services to clients such as managing risk and grievance/malpractice avoidance, effective and ethical client and case management, and trust account management.  
“Legal Ethics and Legal Professional Responsibility” shall not include programs or topics that deal with government or business ethics, individual religious or moral responsibilities, training in personal organizational skills, general office skills, time management, leadership skills or stress management.
4. “**Law Practice Management**” shall include non-substantive topics and courses of study that are developed specifically for lawyers and that deal with means and methods for enhancing quality and efficiency of service to clients. Examples of such programs shall include delivering legal services, developing the legal team, building attorney/client relationships, and financial management in your law practice.
5. “**Alternative Dispute Resolution**” or “ADR” shall include programs offering substantive training in the processes and ethical considerations attendant to the resolution of pending disputes by mediation, arbitration, moderated settlement conference, early neutral evaluation, mini-trial, summary jury trial or other related litigation dispute resolution procedures. ADR includes training in the skills of a mediator, arbitrator, or a neutral in the moderated settlement conference, early neutral evaluation, mini-trial, summary jury trial, or other related litigation dispute resolution procedure. The following elements and guidelines shall be considered in determining accreditation for an ADR program: (1) training in substantive legal knowledge/concepts (e.g., statutes, court process); (2) the activity consists of actual classroom participation; (3) procedural instruction; (4) instruction in the mediator’s and/or parties’ role and maintenance of decorum; (5) discussion and instruction in ethical considerations (e.g. confidentiality issues, conflicts, offers, etc.); and (6) instruction on client preparation. Observation of actual mediations outside the classroom will not be approved for credit. Other areas not specifically designated above will be considered for credit in accordance with existing MCLE standards and within the context of the entire program presented for accreditation.

*The effective date for this set of Accreditation Standards is June 1, 2010.*