

MCLE REGULATIONS

The State Bar of Texas Board of Directors approved on January 24, 2025, the Minimum Continuing Legal Education Committee's recommendation to change Section 2.1.2 of the Texas MCLE Regulations on accredited CLE activities to include credit for attorneys participating in arbitration, alternative dispute resolution, mediation, transactional, client counseling, and negotiation competitions. The board also approved the MCLE committee's recommendation to amend Section 1.3 of the Texas MCLE Regulations to change the title of the Texas Center for Legal Ethics required course from "The Guide to the Basics of Law Practice" to the current title of "The Justice James A. Baker Guide to Ethics and Professionalism." For more information about MCLE rules, regulations, and accreditation standards, go to texasbar.com/mclerules.

TEXAS MCLE REGULATIONS

1.0 MCLE COMPLIANCE YEAR

- 1.1 The definitions set forth in Article XII, State Bar Rules, Section 2, shall apply to these Texas MCLE Regulations.
- 1.2 Each member's initial MCLE compliance year shall begin on the first day of the member's birth month that occurs after the licensing date and shall end twenty-four (24) months later on the last day of the month immediately preceding the member's birth month.
- 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 Justice James A. Baker Guide to Ethics and Professionalism," sponsored by the Texas Center for Legal Ethics and Professionalism, which may be completed earlier for Accredited CLE Activity credit.
- 1.4 A member's minimum CLE requirements should be completed by the last day of the MCLE compliance year for any given year. However, if a member has not completed the minimum CLE requirements by the last day of any given MCLE compliance year, then that member shall be given an automatic grace period up to the last day of their birth month, or reporting month if an extension has been granted in accordance with these regulations and Article XII, to complete the minimum requirements without penalty. If the minimum credits are not completed or reported until after the end of the member's birth month for that year, then a penalty will be required as specified below in Section 7.3.

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:

- 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.
- e. coaching or judging mock trial, moot court, arbitration, alternative dispute resolution, mediation, transactional, client counseling, and negotiation competitions in which all participants are law students enrolled in one or more law school(s) accredited by the American Bar Association, for which a maximum of three (3) hours of MCLE credit for the compliance year under either this paragraph or paragraph 2.1.2(f) may be granted, if the attorney submits a certificate issued by the sponsoring organization(s) of the competition (1) that includes the date(s), time(s), and place of the competition; and (2) that certifies that the competition required the attorney to consider and apply substantive legal principles, such as the rules of procedure or the rules of evidence, in guiding or evaluating the participants in the competition.
- f. coaching or judging mock trial, moot court, arbitration, alternative dispute resolution, mediation, transactional, client counseling, and negotiation competitions in which the participants are not law students and are sponsored by at least one of (i) an accredited law school in Texas, (ii) an accredited university or college in Texas, (iii) a state or local bar association in Texas, or (iv) a court of record in Texas whose judge must be a licensed Texas attorney, for which a maximum of three

(3) hours of MCLE credit for the compliance year under this paragraph and paragraph 2.1.2(e) may be granted, if the attorney submits a certificate issued by the sponsoring organization(s) of the competition (1) that includes the date(s), time(s), and place of the competition; and (2) that certifies that the competition required the attorney to consider and apply substantive legal principles, such as the rules of procedure or the rules of evidence, in guiding or evaluating the participants in the competition.

For complete listings of MCLE regulations and more information about MCLE rules, regulations, and accreditation standards, go to [texasbar.com/mclerules](https://www.texasbar.com/mclerules).