

SUGGESTED AMENDMENTS TO ADMISION AND PRACTICE RULES

TITLE

ADMISSION AND PRACTICE RULES (APR)

RULE 11. MANDATORY CONTINUING LEGAL EDUCATION (MCLE)

(a) – (b) [Unchanged.]

(c) Education Requirements

(1) *Minimum Requirement.* Each lawyer must complete 45 credits and each LLLT and LPO must complete 30 credits of approved continuing legal education by December 31 of the last year of the reporting period with the following requirements:

(i) at least 15 credits must be from attending approved courses in the subject of law and legal procedure, as defined in subsection (f)(1); ~~and~~

(ii) at least ~~six~~ five credits must be in ethics and professional responsibility, as defined in subsection (f)(2); ~~with at least one credit in equity, inclusion, and the mitigation of both implicit and explicit bias in the legal profession and the practice of law.~~

(iii) at least one credit must be in equity, inclusion, and the mitigation of both implicit and explicit bias in the legal profession and the practice of law;

(iv) at least one credit must be in the subject of technology security, as defined in subsection (f)(9); and

(v) at least one credit must in the subject of mental health as defined in subsection (f)(10).

(2) – (6) [Unchanged.]

(7) *Carryover Credits.* If a lawyer, LLLT or LPO completes more than the required number of credits for any one reporting period, up to 15 of the excess credits, ~~2 of which may be ethics and professional responsibility credits,~~ may be carried forward to the next reporting period subject to the following limitations:

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1 (A) Only two of the 15 allowed carryover credits can be in the subject of ethics and
2 professional responsibility;

3 (B) Credits earned in the subjects of mental health; technology security; and equity,
4 inclusion, and the mitigation of both implicit and explicit bias in the legal profession and the
5 practice of law cannot be fulfilled in whole or in part with carryover credit from a prior
6 reporting period;

7 (C) After the education requirement of subsection (c)(1)(iii), equity, inclusion, and the
8 mitigation of both implicit and explicit bias in the legal profession and the practice of law, is
9 met, any additional credits earned for any one reporting period in that subject will count as
10 credits under ethics and professional responsibility as defined in subsection (f)(2);

11 (D) After the education requirement of subsection (c)(1)(iv), technology security, is met, any
12 additional credits earned for any one reporting period in that subject will count as credits
13 under the subject of office management as defined in subsection (f)(5); and

14 (E) After the education requirement of subsection (c)(1)(v), mental health, is met, any
15 additional credits earned for any one reporting period in that subject will count as credits
16 under the subject of personal health and mental health as defined in subsection (f)(4).

17 **(d) – (e)** [Unchanged.]

18 **(f) Approved Course Subjects.** Only the following subjects for courses will be approved:

19 (1) *Law and legal procedure*, defined as legal education relating to substantive law, legal
20 procedure, process, research, writing, analysis, or related skills and technology;

21 (2) Ethics and professional responsibility, defined as topics relating to the general subject of
22 professional responsibility and conduct standards for lawyers, LLLTs, LPOs, and judges,
23 ~~including equity, inclusion, and the mitigation of both implicit and explicit bias in the legal~~

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1 ~~profession and the practice of law, and the risks to ethical practice associated with diagnosable~~
2 ~~mental health conditions, addictive behavior, and stress;~~

3 (3) – (7) [Unchanged.]

4 (8) Equity, inclusion, and the mitigation of both implicit and explicit bias in the legal
5 profession and the practice of law;

6 (9) Technology security, defined as subjects that educate and inform lawyers, LLLTs, or LPOs
7 about cybersecurity in the legal profession and the practice of law including protection of
8 confidential, privileged, and proprietary information; client counseling and consent; storage
9 protection policies and protocols; risk and privacy implications; protection of escrow funds;
10 inadvertent and unauthorized electronic disclosure of confidential information, including through
11 social media, data breaches and cyber-attacks; and supervision of employees, vendors, and third
12 parties; and

13 (10) Mental health, defined as subjects that educate and inform lawyers, LLLTs, or LPOs
14 about, but not treatment for, mental health issues in the legal profession and the practice of law
15 including substance abuse, addictive behaviors, anxiety disorders, bipolar disorder, depression,
16 schizophrenia, stress management, suicide prevention, and work-life balance.

17 (g) – (i) [Unchanged.]

18 (j) Sponsor Duties. All sponsors must comply with the following the duties unless waived by the
19 Bar for good cause shown:

20 (1) The sponsor must not advertise course credit until the course is approved by the Bar but
21 may advertise that the course credits are pending approval by the Bar after an application has
22 been submitted. The sponsor shall communicate to the lawyer the number of credits and
23 denominate whether the credits are: “law and legal procedure” as defined under subsection

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1 (f)(1); “ethics and professional responsibility” as defined under subsection (f)(2); “equity,
2 inclusion, and the mitigation of both implicit and explicit bias in the legal profession and the
3 practice of law” as defined under subsection (f)(8); “technology security” as defined under
4 subsection (f)(9); “mental health ethics” as defined under subsection (f)(10); or “other,” meaning
5 any of the other subjects identified in subsections (f)(3)-(7).

6 (2) – (7) [Unchanged.]

7 **(k)** [Unchanged.]