

FAQ for Ethics – Equity Credit

Frequently asked questions on the new credit requirement in the topic of equity, inclusion, and the mitigation of both implicit and explicit bias in the legal profession and the practice of law

What is the Ethics-Equity credit?

Effective Sept. 1, 2022, the Washington Supreme Court entered order [NO. 25700-A-1349](#), requiring that, for each three-year MCLE reporting period, each licensed legal professional complete at least one (1) ethics credit in the topic of equity, inclusion, and the mitigation of both implicit and explicit bias in the legal profession and the practice of law (subsequently referred to as Ethics-Equity).

Will the Ethics-Equity credit requirement apply to those in the 2023-2025 reporting period?

Yes, the MCLE Board will track the Ethics-Equity credit—as outlined in APR 11(c)(1)(ii) and APR 11(f)(2)— starting with the 2023-2025 MCLE reporting period. Licensed legal professionals in the 2023-2025 and subsequent MCLE reporting periods will be required to report and certify fulfillment of the Ethics-Equity credit requirement.

Can a CLE presented before September 1, 2022 qualify for Ethics-Equity credit?

No, the amendment to the ethics requirement went into effect on September 1, 2022. Any courses held before the implementation date – including the recording of those courses - were accredited under the rules in place at that time.

How will credits carry over for Ethics-Equity credit?

A new Ethics-Equity credit must be earned in each reporting period. Any Ethics-Equity credit earned in excess of the reporting period requirement may be carried over as Ethics-General credit in accordance with APR 11(c)(7). However, such carryover will not fulfill the Ethics-Equity requirement for the next reporting period.

Is the Ethics-Equity credit in addition to the six ethics credits?

No, one of the six ethics credits must be on the Ethics-Equity topic. Legal professionals will not be compliant with the ethics requirement until they have at least one Ethics-Equity credit, even if they have six Ethics-General credits. The amendment does not increase the total number of ethics credits required, nor does it prevent legal professionals from earning additional ethics credits in other topics, which also count toward the 45 total required credits.

