

XII. Mandatory Continuing Legal Education (MCLE)

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XII. Mandatory Continuing Legal Education (MCLE)

A. Mandatory Continuing Legal Education Minimum Guidelines and Reporting.

1. Every active member of the Alaska Bar Association shall complete at least twelve credit hours per year of approved MCLE. Three of those twelve MCLE credit hours must be in approved ethics CLE (MECLE).
2. One credit hour equals 60 minutes.
3. Each reporting period is the calendar year: January 1 through December 31.
4. Carrying excess credit hours: a member may carry forward from the previous reporting period a maximum of 12 credits. To be carried forward, the credit hours must have been earned but not claimed for credit during the calendar year immediately preceding the current reporting period.
5. Extension of time for compliance: A member may file a written request by email or mail to the MCLE Administrator for an extension of time for compliance with this rule. A request for extension shall be reviewed and determined by the Association.

B. Approved Activities. The CLE requirement may be met either by attending approved courses or by completing any other continuing legal education activity listed in Alaska Bar Rule 65 (e). Any course or continuing legal education activity approved for credit by a jurisdiction, other than Alaska, that requires continuing legal education is approved for credit in Alaska.

C. Application, Accreditation, and Approval Process. The Association shall approve or disapprove education activities for credit. CLE activities sponsored by the Association, including its sections, are deemed approved. Forms requesting approval may be submitted by mail, fax or email.

1. Applications by providers.

(a) Application for status as an accredited provider. Except as provided in subsection (a)(iii), a provider applies to the Association for accreditation as a CLE accredited provider. An application fee of \$250 per year is required and must be submitted with the application for accreditation. A list of accredited providers will be maintained by the Association.

(b) Minimum standards for status as accredited provider. The Association may not approve an application to become an accredited provider unless the applicant has engaged in CLE during the one year immediately preceding its application and has sponsored at least two separate courses in

that one-year period which would comply with the requirements for course approval under these rules.

(c) [Application for individual course approval](#). A provider must submit an application for course accreditation to the Association and obtain approval from the Association before offering an approved CLE course. The application shall be in the form prescribed by the Association. An application fee of \$50 is required unless the provider is Qualified Legal Service Provider, an Alaska government agency (municipality, state, tribal or federal), local & affinity bar, the program is a no-fee in-house activity, or the provider is an accredited provider.

(d) Approval statement. Providers of approved courses may include in informational materials the following statement: “This course has been approved by the Alaska Bar Association for X General CLE credits and X Ethics credits under Alaska Bar Rule 65.”

2. Member requests for CLE credit.

(a) Application for credit. A member of the Association may seek CLE credit by submitting an application to the Association. Bar members are not required to pay the \$50 fee for individual requests.

(b) Teaching. Members teaching approved CLE courses automatically receive credit for time spent teaching and preparing to teach the course as provided in Rule 65 (e), and do not need to file an application for credit.

3. Response to applications and petitions. The Association shall respond to a completed application by a course provider or by a member within 30 days of receipt.

4. Reconsideration and Appeal.

(a) An aggrieved member or provider may request reconsideration of an adverse decision of the Association within 30 days from the date the decision is issued unless good cause is shown for failure to request reconsideration within that period. The member or provider may furnish affidavits and other additional information to support the application that was denied, all of which must accompany the request for reconsideration. The Association will issue a written decision on reconsideration within 14 days after receiving the request for reconsideration.

(b) If a provider is denied accreditation by the Association upon reconsideration, the provider may appeal that decision to the CLE Committee. The appeal shall be in writing and shall be submitted to the Association within 30 days after the Association issues the decision on reconsideration unless good cause is shown for failure to file the appeal

within that period. The appeal shall specify the reasons why the Association's decision should be reversed and shall be based on the record relied upon by the Association on reconsideration. The appeal will be resolved by the CLE Appeals Subcommittee. The subcommittee shall issue a written decision resolving the appeal within 30 days after receiving it from the Association.

(c) When an appeal is filed, the CLE Committee Chair will appoint a CLE appeal subcommittee. Each CLE appeal subcommittee will function ad hoc and will convene only as necessary for the duration of each appeal.

(d) If an appeal affects an attorney's compliance with Bar Rule 65, the attorney shall be granted an extension and may wait for a final decision before completing additional CLE for compliance.

(e) A provider may petition the Board of Governors to review an adverse decision by the CLE appeal subcommittee. A petition for review must be submitted to the Board in writing within 30 days after the CLE appeal subcommittee issues its decision. If granted, the review by the Board of Governors shall be based on the record on which the CLE appeal subcommittee based its decision.

D. Standards for Approval by the Association.

1. The activity must be of intellectual or practical content to the practice of law and where possible include professional responsibility and components in line with the [Board's Statement on Commitment to Diversity](#). The activity must contribute directly to members' professional competence or skills, or to their education about their professional or ethical obligations.
2. Course designers, leaders and/or lecturers must have the necessary practical or academic skills to deliver and conduct the activity effectively.
3. Each course participant must be provided with appropriate and thorough materials to support learning and facilitate integration into their practice. However, in limited circumstances where materials are not central to the presentation, the Association may waive this requirement.
4. Courses must be conducted in a suitable setting conducive to a good educational experience.

E. Number of Credit Hours for Approved Activities.

1. Courses: One credit hour per 60 minutes of instruction, not including breaks, meals, or time spent reading materials.

2. Teaching: One credit hour per 60 minutes of instruction of an approved CLE course or participating in public service broadcasts on legal topics.
3. Preparation: Credit will be granted for a maximum of up to two hours of preparation time per every 60 minutes spent teaching.
4. Legal publications: One credit hour per every 60 minutes of research and writing.
5. Substantive Section and Inn of Court meetings: One credit hour per 60 minutes of meeting time on a substantive topic.
6. Youth Court or similar law-related educational youth activities: One credit hour per every 60 minutes of participation as a volunteer.
7. Continuing Judicial Education: One credit hour per every 60 minutes of an approved Continuing Judicial Education course.
8. Mentorship: One credit hour per every 60 minutes of participating as a mentor in a relationship with another member of the Association for the purpose of training that other member in providing pro bono legal services.
9. Committee: One credit hour per every 60 minutes participating as a member of the following committees: Alaska Bar Association Law Examiners; the Alaska Bar Association Law Ethics Committee, the Alaska Rules of Professional Conduct committee, or any standing or special rules committees appointed by the Association or the Alaska Supreme Court.
10. Area Discipline Division or Area Fee Resolution Division: One Ethics credit hour per every 60 minutes participating as a member of an Area Discipline Division or an Area Fee Resolution Division
11. Qualified Legal Service or Pro Bono: One general credit hour per every 120 minutes providing free civil services under supervision of a “qualified legal service provider” or at a free legal clinic sponsored by a qualified legal service provider.

F. Section Meetings.

1. All substantive section meetings shall be open to section members via Zoom or other virtual options at no cost to any section member outside of Anchorage who requests it.
2. Section meetings may be recorded with the prior approval of a Section Chair, the CLE Director, and any speaker.

G. Record Keeping.

1. The Association will keep CLE credit records only for registration at programs directly administered and sponsored by the Association. The Association will not keep CLE credit records for registration of activities by section meetings.
2. Active Bar members are responsible for maintaining a record of all CLE activities completed. The record may be any documentation, including contemporaneous journal entries or timekeeping entries, whether paper or electronic, that serves to establish that the member earned the credit hours. Active Bar members shall maintain records of CLE hours for the two most recent reporting periods, and these records shall be subject to audit by the Association on request.