

CHAPTER 82. CONTINUING LEGAL EDUCATION

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Subchapter A. PROFESSIONAL RESPONSIBILITY

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Source

The provisions of this Chapter 82 adopted January 7, 1992, effective January 7, 1992, 22 Pa.B. 343, unless otherwise noted.

Rule 101. Title and Citation.

These rules shall be known as the Pennsylvania Rules for Continuing Legal Education and may be cited as “Pa. R.C.L.E. _____.”

Rule 102. General.

(a) *Purpose.* These rules are adopted to assure that lawyers admitted to practice in the Commonwealth of Pennsylvania continue their education to have and maintain the requisite knowledge and skill necessary to fulfill their professional responsibilities.

(b) *Definitions.* Subject to any definitions contained in subsequent rules, the following words and phrases, when used in these rules shall have, unless the context clearly indicates otherwise, the following meanings:

Active Lawyer—A member in good standing of the bar of the Supreme Court of Pennsylvania, who is not an active or senior member of the judiciary. A lawyer who is active for any part of a year must comply with these rules.

Administrative Office—The Administrative Office of Pennsylvania Courts.

Administrator—The head of the administrative staff of the Board.

Board—The Continuing Legal Education Board established by these rules.

CLE—Continuing legal education to be provided under these rules.

Compliance Period—The twelve month time period assigned to a lawyer within which he or she must comply with their annual CLE requirement, except during the implementation period from July 1, 1992 through December 31, 1993.

Fiscal Year—The fiscal year of the Board which shall end December 31.

Provider—A corporation or association which has been accredited by the Board to provide continuing legal education under these rules or a corporation or association which provides one (1) or more continuing legal education courses approved by the Board.

Supreme Court—The Supreme Court of Pennsylvania existing under Section 2 of Article V of the Constitution of Pennsylvania.

Verified Statement—A document filed with the Board or the Supreme Court under these rules containing statements of fact and a statement by the signatory that it is made subject to the penalties of 18 Pa. C.S.A. § 4904 (relating to unsworn falsification to authorities).

(c) *Gender; Number; Tense*: In these rules the masculine shall include the feminine, and the feminine shall include the masculine; the singular shall include the plural, and the plural, the singular; words used in the past or present tense shall include the future.

(d) *Effective date*: These rules shall become effective on the first day of the sixth month following their adoption by the Supreme Court.

Source

The provisions of this Rule 102 amended July 1, 1992, effective immediately, 22 Pa.B. 3724; amended February 1, 1994, effective immediately, 24 Pa.B. 1085; amended March 7, 1995, effective immediately, 25 Pa.B. 1079; amended September 16, 1996, effective immediately, 26 Pa.B. 4760. Immediately preceding text appears at serial pages (212255) to (212256).

Rule 103. Board.

(a) *Establishment*. The Supreme Court hereby establishes the Continuing Legal Education Board (“Board”).

(b) *Constituency*. The Board shall consist of ten (10) members appointed by the Supreme Court. Each member of the Board shall be an active member of the Bar of this Commonwealth with his or her primary residency in the Commonwealth of Pennsylvania.

(c) *Organization*. The Supreme Court shall appoint from the members of the Board a chairman and a vice chairman. The Board may designate such other officers and form such committees as it deems appropriate.

(d) *Board Member Terms*. The regular term of members of the Board shall be for three (3) years, and no member may serve for more than two (2) consecutive three-year terms. The terms of a third of the members, as nearly as may be, shall expire at the end of the fiscal year. The terms of the first Board shall be staggered

so that three members shall be appointed for three years, three members for two year terms, and three members for a one year term.

(e) *Action by Board.* Five Board members in office shall constitute a quorum. The Board shall act only with the concurrence of not less than five Board members. The Board may adopt rules providing for the holding of teleconference meetings.

(f) *Compensation and Expenses.* Board members shall receive no compensation for services provided under these rules. Board members shall be reimbursed by the Board for their reasonable and necessary expenses in attendance at meetings and in otherwise fulfilling their responsibilities.

(g) *Immunity.* The Board, and its members, employees and agents are immune from all civil liability for conduct and communications occurring in the performance of their official duties relating to the administration of the continuing legal education requirements.

Source

The provisions of this Rule 103 amended August 21, 1992, effective immediately, 22 Pa.B. 4526; amended November 29, 1993, 23 Pa.B. 5882; amended March 19, 2012, effective in 30 days, 42 Pa.B. 1638; amended May 27, 2015, effective in 30 days, 45 Pa.B. 2825. Immediately preceding text appears at serial pages (220790) and (360771).

Rule 104. Powers and Duties of the Board.

- (a) To administer these rules;
- (b) To adopt regulations and procedures consistent with these rules;
- (c) To report to the Supreme Court at least annually and at such other times as the Supreme Court shall require;
- (d) To recommend a budget for approval by the Supreme Court, to receive monies and to expend funds for operation of the Board to fulfill its duties under these rules;
- (e) To employ an administrator and such other staff as may be required from time to time;
- (f) To accredit providers of CLE;
- (g) To approve subjects which will receive credit for CLE requirements;
- (h) To audit, examine, inspect and review the operations of providers, including instructors, classes, curricula, teaching materials, facilities, income and receipts from CLE to assure compliance with these rules and any rules adopted by the Board;
- (i) To impose sanctions on providers where appropriate;
- (j) To impose reasonable fees upon providers for support of Board operations and to reimburse the Board for expenditures relating to providers generally or to impose reasonable fees upon a provider for expenditures relating to such provider or its operation; and
- (k) To impose reasonable fees upon active lawyers to reimburse the Board for expenditures relating to active lawyers generally or to impose reasonable fees upon an active lawyer for expenditures relating to such active lawyer.
- (l) Provided, however, that all fees imposed by the Board shall be approved by the Supreme Court.

(m) To issue subpoenas and cause testimony to be taken under oath in any investigation or proceeding before the Board, Board member(s) or hearing examiner appointed by the Board. All subpoenas shall be issued in the name and under the seal of The Pennsylvania Supreme Court and served as provided by the Pennsylvania Rules of Civil Procedure.

(n) To order the testimony of a witness be taken by deposition within or without this Commonwealth in the manner prescribed and extent required for the taking of depositions in civil actions.

Source

The provisions of this Rule 104 amended July 1, 1992, effective immediately, 22 Pa.B. 3724; amended November 29, 1993, 23 Pa.B. 5882; amended March 7, 1995, effective immediately, 25 Pa.B. 1079. Immediately preceding text appears at serial pages (186635) to (186636).

Rule 105. Continuing Legal Education Requirement.

(a) *General Requirement.*

1. Every active lawyer shall annually complete, during the compliance period to which he or she is assigned; the CLE required by the Board pursuant to these Rules and established in Board regulations.

2. CLE shall be on the subjects of:

- (i) substantive law, practice and procedure,
- (ii) lawyer ethics and the rules of professional conduct,
- (iii) professionalism,
- (iv) substance abuse as it affects lawyers and the practice of law.

3. The minimum annual CLE requirement shall be nine (9) hours, effective September 1, 1994, and twelve (12) hours, effective September 1, 1995.

(b) *Fulfillment Requirements.* The CLE requirement shall be fulfilled by attending the required number of CLE courses by providers or completing a CLE activity approved by the Board as sufficient to meet the CLE general requirement.

(c) Every newly admitted attorney shall attend the Bridge The Gap program, of at least four (4) hours, sponsored by an approved Bridge the Gap CLE provider prior to his or her first compliance deadline.

(d) Lawyers with an Emeritus license shall complete an annual CLE requirement of eight (8) hours pursuant to these rules and established in Board regulations.

Source

The provisions of this Rule 105 amended July 1, 1992, effective immediately, 22 Pa.B. 3724; amended November 29, 1993, effective immediately, 23 Pa.B. 5882; amended June 22, 1994, effective immediately, 24 Pa.B. 3358; amended May 28, 2002, effective immediately, 32 Pa.B. 2864; amended May 9, 2018, effective in 30 days, 48 Pa.B. 3076. Immediately preceding text appears at serial page (377612).

Rule 106. Providers.

(a) *Eligibility.*

1. *Accredited providers.* A corporation or association may apply to the Board for accreditation as a CLE provider. Such accreditation shall constitute

prior approval of CLE courses offered by such provider, subject to amendment, suspension or revocation of such accreditation by the Board.

2. *Course providers.* A corporation or association may apply to the Board for approval of CLE courses under Rule 107 and upon such approval, and while any course offered remains approved, such corporation or association shall be deemed a provider subject to these rules.

(b) *Procedures for Accreditation.* The Board shall establish by rules the procedures for accreditation of accredited providers and for sanctions including the revocation of accreditation.

(c) *Minimum Standards for Providers.*

1. A provider shall be an organization engaged in CLE which, during the two (2) years immediately preceding its application has sponsored at least five (5) separate courses which would comply with the requirements for course approval under these rules. A provider may be an ABA accredited law school or a bar association or Board approved legal service organization within the Commonwealth of Pennsylvania.

2. The Board may establish by regulations additional minimum standards for providers.

3. At all times a provider must:

a. Develop and implement methods to evaluate its course offerings to determine their effectiveness and the extent to which they meet the needs of lawyers, and, upon request from the Board, provide course evaluations by attendees;

b. If requested by the Board, a provider shall promptly submit information about the course including any brochure, advertisement or circular describing the course, a description of the method or manner of presentation of the course materials, and a set of any written, videotaped or audiotaped materials;

c. Provide courses consistent with the standards set forth in these rules and any rules adopted by the Board;

d. Make the course available to lawyers throughout the Commonwealth who are thought to be interested in the subject matter; and

e. Pay the administrative or provider fees and appropriate attendee fee, if any, established by the Board.

(d) *Bridge the Gap Providers.* Accredited providers may request Board approval to offer the Bridge the Gap program.

Source

The provisions of this Rule 106 amended July 1, 1992, effective immediately, 22 Pa.B. 3724; amended November 29, 1993, effective immediately, 23 Pa.B. 5882; amended March 7, 1995, effective immediately, 25 Pa.B. 1079; amended September 16, 1996, effective immediately, 26 Pa.B. 4760; amended April 28, 2000, effective September 1, 2000, 30 Pa.B. 2350; amended May 28, 2002, effective immediately, 32 Pa.B. 2864; amended January 31, 2022, effective immediately, 52 Pa.B. 964. Immediately preceding text appears at serial pages (392242) and (340175).

Rule 107. Minimum Standards for Course Approval.

To be approved for credit, a CLE course or activity must meet the following standards:

- (a) The course shall be of intellectual or practical content.
- (b) The course shall contribute directly to lawyers' professional competence or skills, or to their education with respect to their professional or ethical obligations;
- (c) If a course does not bear entirely on the general requirements for CLE or the practice of law or the substance of laws, practice or procedure or if the method of presenting the course is below minimum standards, the Board may assign partial credit;
- (d) Each faculty member must possess the necessary practical or academic skills to conduct the course effectively. Subjects should normally be taught by lawyers or judges;
- (e) While written materials need not be distributed for every course, thorough, high quality, readable, carefully prepared written materials should be distributed to all participants at or before the time the course is offered whenever practicable;
- (f) The course shall be presented in a suitable setting devoted to the educational activity of the program. No CLE shall consist solely of television viewing in the home, correspondence work, or self study, except as the Board shall approve to accommodate the needs of the handicapped or incapacitated. Video, motion picture or audio tape presentations may be used provided a faculty person is in attendance at all presentations to comment and answer questions. Distance learning programs may be approved if they meet interactive, technical and accreditation standards set forth by the Board;
- (g) The course must be open to any lawyer thought to be interested in the subject matter.
- (h) The Board shall adopt rules which will allow providers to obtain prior approval of CLE courses or which may allow providers to obtain post presentation approval of CLE courses subject to the right of the Board to adjust the credit as provided in subsection (c).

Source

The provisions of this Rule 107 amended July 1, 1992, effective immediately, 22 Pa.B. 3724; amended November 29, 1993, effective immediately, 23 Pa.B. 5882; amended March 7, 1995, effective immediately, 25 Pa.B. 1079; amended December 30, 2004, effective immediately, 35 Pa.B. 349; amended November 21, 2008, effective November 22, 2008, 38 Pa.B. 6360. Immediately preceding text appears at serial pages (308907) to (308908).

Rule 108. Credit for Continuing Legal Education Courses and Activity.

- (a) *Credit.* Participants shall receive credit of one (1) hour for each sixty (60) minutes actually spent in attendance at an approved course.
- (b) *Law school courses.* Courses by an ABA accredited law school, other than those required for a legal degree, which otherwise comply with these rules, shall qualify for credit.
- (c) *CLE credit for preparation.* The Board shall establish rules for credit to be given to faculty members for the preparation of CLE courses which qualify for credit under these rules.
- (d) *Carry over credits.* A balance of credit hours in excess of the current annual CLE requirement may be carried forward for the next two (2) succeeding years. No more than two times the current annual CLE requirement may be carried forward into the two succeeding years.

(e) The number of credits earned by distance learning education that may be applied to the annual compliance requirement shall not exceed six (6).

(f) *Pro Bono CLE.*

The number of credits earned by providing approved pro bono service that may be applied to the annual compliance requirement shall not exceed three (3).

Source

The provisions of this Rule 108 amended February 1, 1994, effective immediately, 24 Pa.B. 1085; amended March 7, 1995, effective immediately, 25 Pa.B. 1079; amended February 20, 2001, effective March 1, 2001, 31 Pa.B. 1319; amended May 28, 2002, effective immediately, 32 Pa.B. 2864; amended December 30, 2004, effective immediately, 35 Pa.B. 349; amended November 5, 2008, effective immediately, 38 Pa.B. 6360; amended January 23, 2014, apply to the one-year compliance period beginning on May 1, 2014, and to all compliance periods commencing thereafter, 44 Pa.B. 768; amended January 31, 2022, effective immediately, 52 Pa.B. 964. Immediately preceding text appears at serial pages (340176) and (370657).

Rule 109. Financing the Continuing Legal Education Board.

(a) *Provider fee.* The cost of establishing, maintaining and operating the Board shall be paid by providers through a fee per credit established by the Board and paid to the Board at the time of the filing of the enrollment form. In the discharge of its responsibility, the Board shall adjust as far as possible any fee schedule adopted so as to reduce the financial impact on lawyers in the early years of practice and the sole practitioner generally.

(b) *Effect of non-payment.* If payment is not received by a due date to be established by the Board, a lawyer shall be deemed not to have fulfilled the lawyer CLE requirements, and the Board may impose sanctions on the provider, including revocation of accreditation.

(c) *Audit.* The Board shall annually obtain an independent audit by a certified public accountant of the funds entrusted to it and their disposition and shall file a copy of the audit with the Supreme Court.

Source

The provisions of this Rule 109 amended March 7, 1995, effective immediately, 25 Pa.B. 1079. Immediately preceding text appears at serial pages (190351) to (190352).

Rule 110. Reporting Responsibilities.

(a) *Provider report.* Providers shall enroll attendees at CLE courses and shall file a written form with the Board or provide an electronic transmission to the Board listing all participants seeking CLE credit under these Rules in a format approved by the Board within thirty (30) days of the date of presentation of the course. The Board shall require verified statements as to the accuracy of the report it receives.

(b) *CLE Compliance Report.* The Board will notify each lawyer of his or her CLE status days prior to the end of the compliance period to which the lawyer has been assigned and will provide a final compliance notice after the end of the compliance period.

(c) *Assumed compliance.* The lawyer whose Board report indicates compliance with the CLE requirement may assume that he or she is in compliance.

(d) *Disputed reports.* If a lawyer shall disagree with the enrollment or annual reporting forms, the lawyer shall within thirty (30) days of the date thereof notify the Board in writing setting forth the matter in dispute.

(e) *Board review.* The Board shall establish regulations providing for review of its determination of the CLE credits earned by a lawyer and for resolving disputes.

Source

The provisions of this Rule 110 amended July 1, 1992, effective immediately, 22 Pa.B. 3724; amended November 29, 1993, effective immediately, 23 Pa.B. 5882; amended March 7, 1995, effective immediately, 25 Pa.B. 1079. Immediately preceding text appears at serial page (190352).

Rule 111. Lawyer Noncompliance.

(a) *Notification.* If a lawyer shall fail to comply with these rules or if a lawyer is determined by the Board to be deficient in his or her CLE requirement, such lawyer shall be so notified in writing by the Board of the nature of such noncompliance and shall be given (60) days to remedy such noncompliance.

(b) *Sanctions.* If the Board finds the lawyer not in compliance with these rules or the regulations of the Board, it shall so report to the Supreme Court and recommend that the lawyer be placed on inactive status.

Source

The provisions of this Rule 111 amended July 1, 1992, effective immediately, 22 Pa.B. 3724. Immediately preceding text appears at serial page (165781).

Rule 112. Reporting of Board.

The Board shall report to the Supreme Court the names of all lawyers who are not in compliance under these rules, the names of all lawyers reinstated hereunder, and the names of all lawyers who have been granted waivers and extensions of CLE requirements by the Board and the basis therefor.

Rule 113. Waivers and Extensions.

These rules shall be strictly enforced but waivers of strict compliance with these rules or extensions of time deadlines provided in these rules may be made by the Board in cases of undue hardship or for other compelling reasons in accordance with the following:

(a) *Waiver.* When a lawyer on active status, because of circumstances beyond his or her control, cannot in any reasonable manner meet the requirement for continuing education in any given reporting year, these rules may be waived, in whole or in part.

(b) *Application for Waiver.* The application for waiver shall set forth the reason why the lawyer cannot comply with the minimum requirements of these rules; shall set forth the efforts made to comply; and shall be accompanied by a plan setting forth how the lawyer expects to continue his or her legal education during the period of time for which strict compliance is waived.

(c) *Termination of Waiver.* Waivers may be granted by the Board for such period as the Board may determine. Upon termination of the waiver, the Board may make such additional educational requirements as it deems appropriate.

(d) *Extensions of Time.* The Board may grant an extension of time for the completion of a lawyer's CLE requirements upon such terms as the Board shall require.

Source

The provisions of this Rule 113 amended March 7, 1995, effective immediately, 25 Pa.B. 1079. Immediately preceding text appears at serial pages (190353) and (177385).

Subchapter B. CONTINUING LEGAL EDUCATION BOARD REGULATIONS

- Sec.
1. Definitions.
 2. Scope.
 3. Minimum Education Requirements.
 4. Reporting Periods of Active Lawyers.
 5. Credit for CLE Activities.
 6. Waivers, Extensions and Deferrals.
 7. Lawyer Compliance Determination.
 8. Compliance Procedures Applicable to Active Lawyers.
 9. Reinstatement.
 10. Reporting Period After Reinstatement.
 11. Accreditation of Accredited Continuing Legal Education Providers.
 12. Accreditation of a Single Course or CLE Activity.
 13. Standards for Approved CLE Activities.
 14. Reporting Duties of all Providers.
 15. Advertising.
 16. Provider Fees.
 17. Confidentiality.
 18. Board Fee Schedule.

Source

The provisions of this Subchapter B adopted July 1, 1992, effective immediately, 22 Pa.B. 3724, unless otherwise noted.

Preamble. Statement of Purpose.

The public properly expects that lawyers, in the practice of the law, will maintain throughout their careers certain standards of professional competence and ethical behavior. These regulations prescribe the standards for the implementation of the Orders of the Supreme Court of Pennsylvania of January 7, 1992, July 1, 1992, August 21, 1992, November 29, 1993, February 1, 1994, June 22, 1994, March 7, 1995, and September 17, 1996, promulgating the Pennsylvania Rules for Continuing Legal Education and mandating continuing legal education requirements for Pennsylvania lawyers. These regulations have been amended several times. As of here and now, the following regulations are in effect.

Source

The provisions of this Preamble amended May 3, 1996, effective May 4, 1996, 26 Pa.B. 2096; amended January 24, 1997, effective January 25, 1997, 25 Pa.B. 411. Immediately preceding text appears at serial page (223591).

Section 1. Definitions.

Accredited Continuing Legal Education Provider—A corporation or association accredited by the Board in accordance with the rules and these regulations.

“Accredited Pro Bono CLE Provider”. A legal service provider accredited by the Board in accordance with the rules and regulations.

Active Lawyer—A member in good standing of the bar of the Supreme Court of Pennsylvania, who is not an active or senior member of the judiciary. A lawyer who is active for any part of a year must comply with these regulations.

Approved Instructor—A faculty member in a CLE activity sponsored by an Accredited Continuing Legal Education Provider who possesses the necessary practical or academic skills to conduct the course effectively. An approved instructor will normally be a lawyer or judge.

Attendance Restriction—Attendance restriction exists where any one or more of the following occur: the CLE activity is not open to all lawyers thought to be interested in the subject matter; it is not held in a place open to the legal community at large; it is not held in a place large enough to accommodate all such lawyers thought to be interested; the charge is not reasonable; or the activity is not advertised as required by the Board.

Board—The Pennsylvania Continuing Legal Education Board.

CLE—Continuing legal education to be provided under the rules and these regulations.

Inactive Lawyer—Any lawyer placed on inactive status by the Supreme Court of Pennsylvania.

In-house Activity—In-house activity is any educational activity offered by lawyer’s law firm or group of two (2) or more lawyers or law firms or a corporation or group of corporations or any combination thereof with whom a lawyer is affiliated and which has an attendance restriction on lawyers who are not affiliated with the law firm or corporation.

Member of the Judiciary—An individual who has been admitted to the Pennsylvania Bar and who has been appointed or elected and is serving as a judicial official of any state or of the United States of America and whose position prohibits the individual from the practice of law within the territorial jurisdiction where the individual serves as a judge. This term shall not include a lawyer who is permitted to and who voluntarily chooses to maintain active lawyer status in Pennsylvania so long as the judicial position does not prevent him or her from practicing law in Pennsylvania.

Non-Resident Active Lawyer—A member in good standing of the bar of the Supreme Court of Pennsylvania, who is not an active or senior member of the judiciary and who has requested non-resident active status in accordance with Section 6(e) of these regulations.

Provider—A corporation or association which has been accredited by the Board to provide continuing legal education under these regulations or a cor-

poration or association which provides one (1) or more continuing legal education courses approved by the Board.

Regulations—These regulations adopted by the Board as they may be amended from time to time.

Rules—The Pennsylvania Rules for Continuing Legal Education as they may be amended from time to time.

Undue Hardship—Undue hardship consists of a severe medical condition which in the judgment of the Board renders a lawyer incapable of complying with these regulations.

Verified Statement—A document filed with the Board or the Supreme Court under these regulations containing statements of fact and a statement by the signatory that it is made subject to the penalties of 18 Pa.C.S.A. § 4904 (relating to unsworn falsification to authorities).

Source

The provisions of this Section 1 amended November 16, 1992, effective immediately, 22 Pa.B. 5756; amended March 8, 1996, effective March 9, 1996, 26 Pa.B. 984; amended November 29, 1996, effective November 30, 1996, 26 Pa.B. 5805; amended January 24, 1997, effective January 25, 1997, 27 Pa.B. 411; amended January 31, 2022, effective immediately, 52 Pa.B. 964. Immediately preceding text appears at serial pages (225816) and (289023).

Section 2. Scope.

Lawyers who are or become registered to practice law in Pennsylvania on or after July 1, 1992, must complete a program of continuing legal education as provided by the rules and these regulations. There shall be no exemptions from this requirement under any circumstance except in the limited instances described in these regulations.

Source

The provisions of this Section 2 amended November 16, 1992, effective immediately, 22 Pa.B. 5756; amended March 8, 1996, effective March 9, 1996, 26 Pa.B. 984. Immediately preceding text appears at serial pages (177388) to (177389).

Section 3. Minimum Education Requirements.

Every active lawyer shall complete the following annual CLE minimum requirements:

(a) Commencing January 1, 1994, the CLE requirement for each compliance group shall be a minimum of one (1) hour of ethics, professionalism, or substance abuse and a minimum of five (5) hours of substantive law, practice and procedure.

(b) Commencing September 1, 1994, the CLE requirement for each compliance group shall be a minimum of one (1) hour of ethics, professionalism, or substance abuse and a minimum of eight (8) hours of substantive law, practice and procedure and shall be first applicable to the compliance groups as follows:

Compliance Group II August 31, 1995
Compliance Group III December 31, 1995
Compliance Group I April 30, 1996

(c) Commencing September 1, 1995, the CLE requirement shall be a minimum of one (1) hour of ethics, professionalism, or substance abuse and a minimum of eleven (11) hours of substantive law, practice and procedure and shall be first applicable to the compliance groups as follows:

Group II August 31, 1996
Group III December 31, 1996
Group I April 30, 1997

(Editor's Note: Section 3(d) was added January 23, 2014, effective immediately.)

(d) Commencing January 30, 2014, the CLE requirement shall be a minimum of (2) hours of ethics, professionalism, or substance abuse and a minimum of (10) ten hours of substantive law, practice and procedure and shall be first applicable to the compliance groups as follows:

Group I April 30, 2015
Group II August 31, 2015
Group III December 31, 2015

(Editor's Note: Section 3(e) was redesignated from subsection (d) to subsection (e) January 23, 2014, effective immediately.)

(e) CLE credits for ethics, professionalism, or substance abuse may be applied to any substantive law, practice and procedure requirement.

(Editor's Note: Section 3(f) was added May 9, 2018, effective immediately.)

(f) The CLE requirement for lawyers with an Emeritus status shall be a minimum of two (2) hours of ethics, professionalism or substance abuse and a minimum of six (6) hours of substantive law, practice and procedure.

Source

The provisions of this Section 3 amended March 8, 1996, effective March 9, 1996, 26 Pa.B. 984; amended November 4, 2022, section 3(d) and (e) effective January 23, 2014, section 3(f) effective May 9, 2018, 52 Pa.B. 6838. Immediately preceding text appears at serial pages (408777) to (408778).

Section 4. Reporting Periods of Active Lawyers.

All active lawyers shall have one (1) year compliance periods. To aid administration of the program, all active lawyers shall be divided into three (3) compliance groups ("Compliance Groups").

The Board will assign all active lawyers into one (1) of three (3) compliance groups by random selection utilizing the attorney identification number. Every lawyer will be notified by the Board following their assignment to a compliance group. The Board will assign newly registered lawyers to a compliance group on a random basis.

Compliance Group 1 must complete the annual CLE requirement by April 30 of each year.

Compliance Group 2 must complete the annual CLE requirement by August 31 of each year.

Compliance Group 3 must complete the annual CLE requirement by December 31 of each year.

Lawyers newly admitted to practice law in Pennsylvania, including lawyers admitted on motion from other states, shall be exempt from the requirements of these regulations for twelve (12) months but no more than twenty-four (24) months from the date of their Pennsylvania admission depending upon the compliance group to which the newly admitted lawyer is assigned and the compliance period for that group. Newly admitted lawyers shall complete their CLE requirement, including the Bridge the Gap program, by the end of their next succeeding compliance period.

Source

The provisions of this Section 4 amended March 8, 1996, effective March 9, 1996, 26 Pa.B. 984; amended May 28, 2002, effective immediately, 32 Pa.B. 2864. Immediately preceding text appears at serial page (225818).

Section 5. Credit for CLE Activities.(a) *General Standards.*

1. Credit will be given only for completion of CLE activities which are accredited by the Board.

2. One (1) hour of credit will be awarded for each sixty (60) minutes of instruction, not including introductory remarks, keynote speeches, luncheon speeches or breaks, but including question-and-answer periods.

3. No provider shall schedule a class for less than sixty (60) minutes, but one-half hour credit shall be awarded for attendance of at least thirty (30) minutes but less than sixty (60) minutes beyond the initial sixty (60) minutes.

4. Courses offered by an accredited continuing legal education provider shall be presumed to be accredited for the amount of time designated by the provider.

5. Courses offered by a provider which is not an accredited continuing legal education provider but which otherwise comply with the rules and these regulations shall be submitted to the Board pursuant to Section 12 of these regulations for review and may be given such credit, if any, as the Board deems appropriate.

6. If a course does not bear entirely on any of the subjects of:

- (i) substantive law, practice and procedure,
- (ii) lawyer ethics and the rules of professional conduct,
- (iii) professionalism,
- (iv) substance abuse as it affects lawyers and the practice of law or the method of presenting the course is below minimum standards, the Board may determine that such course is entitled to no credit or may assign such partial credit as it deems appropriate.

(b) *Teaching Activity.* The Board may assign credit to teaching activities involving courses accredited under the rules and these regulations upon written application describing the teaching activity. The Board will provide forms to be submitted for the approval of teaching credits. Credit for teaching activities will be given on the basis of two hours credit for each hour of presentation where the applicant has prepared quality written materials for use in the presentation. Credit for repeat presentations or presentations without such materials will be given only for the actual time of presentation.

(c) *Carry Forward Credits.* A lawyer may carry forward a balance of credit hours in excess of the current annual CLE requirement for the next two (2) succeeding years. No more than two (2) times the current annual CLE requirement may be carried forward into the two (2) succeeding years. CLE credits for ethics, professionalism or substance abuse may be applied as provided in Section 3(d). Distance Learning credits may be applied as provided in Section 13(n). Pro bono credits may be applied as provided in Section 13(o).

(d) *In-House Activities.* In-house activities will not be approved for CLE credit.

(e) *Satellite Seminars and Electronic Presentations.* Seminars viewed at remote sites by electronic transmission will receive credit if a moderator is present or available by a telecommunication facility. The Board may approve CLE courses consisting solely of television viewing in the home, correspondence work or self study to accommodate the needs of the handicapped or incapacitated.

(f) *Law School Courses.* Law school courses may qualify for CLE credit, computed in accordance with these standards, provided that:

1. They would otherwise qualify for credit under the rules and these regulations.
2. They [law school courses] are not required in order to qualify for the awarding of a basic law degree. Courses offered towards graduate or advance degrees may receive credit, upon submission of appropriate documentation to the Board. One (1) hour of CLE credit may be given for each approved graduate credit hour awarded by the law school.
3. The law school offering the course is a law school accredited by the American Bar Association.

(g) *Continuing legal education activities conducted by a provider which has not been Accredited by the Board.*

All CLE activities conducted by a provider which has not been accredited by the Board must be individually approved by the Board for credit. A lawyer or non-accredited provider must request approval for such continuing legal education activity under Section 12 of these regulations.

(h) *Self study.* Self study will not be approved for credit.

(i) *CLE for Pro Bono.*

1. The CLE Board may allow one (1) CLE credit hour for every (5) hours of pro bono legal service performed, up to a maximum of three (3) credit hours per compliance period.
2. Organizations eligible for accreditation as a Pro Bono CLE Provider:
 - a. An organization that receives funding from the Pennsylvania Legal Aid Network (PLAN) or the Pennsylvania Interest on Lawyers Trust Accounts Board (IOLTA).
 - b. A non-profit organization with a partnership or referral relationship with PLAN or IOLTA or project that receives funding.

Source

The provisions of this Section 5 amended March 8, 1996, effective March 9, 1996, 26 Pa.B. 984; amended May 3, 1996, effective May 4, 1996, 26 Pa.B. 2096; amended February 20, 2001, effective March 1, 2001, 31 Pa.B. 1319; amended May 28, 2002, effective immediately, 32 Pa.B. 2864; amended January 31, 2022, effective immediately, 52 Pa.B. 964. Immediately preceding text appears at serial pages (289025) to (289026).

Section 6. Waivers, Extensions and Deferrals.

(a) *Waiver.* The Board may waive the CLE requirements of the rules and these regulations for a period of not more than one (1) year upon a finding by the Board of:

1. Undue hardship.
2. Circumstances beyond the control of the lawyer which prevent him or her from complying in any reasonable manner with the CLE requirement.

A waiver may be extended upon application to the Board and Board approval. Upon termination of the waiver, the Board may make such additional CLE requirements as it deems appropriate.

(b) *Inactive Lawyers.* A lawyer on voluntary inactive status shall have his or her compliance deferred while on inactive status. Upon return to active status the lawyer will have twelve (12) months to complete the deferred CLE requirements, not to exceed two (2) times the current annual requirement, in addition to the CLE credit required for the current year.

(c) *Members of the Judiciary.* A member of the judiciary return to active status shall have no deferred CLE requirement, but must complete the current year's CLE requirement within twelve (12) months of returning to active status.

(d) *Members of the Armed Forces.* Compliance with these regulations shall be deferred for members of the Armed Forces on active duty outside of Pennsylvania during the period of their active duty. Within thirty (30) days after termination of active duty, the lawyer shall notify the Board. The lawyer will have twelve (12) months to complete the deferred CLE requirements, not to exceed two (2) times the current requirement, in addition to the CLE credit required for the current year.

(e) *Non-Resident Active Lawyer.* There shall be a subclassification of active lawyers available to those lawyers who comply with the following:

1. An active Pennsylvania lawyer may annually request non-resident active status if he or she neither resides nor practices law in the Commonwealth of Pennsylvania nor represents any Pennsylvania citizen as a client in any court in Pennsylvania at the time of requesting such status. Such request shall contain the lawyer's agreement that the lawyer will not practice law in Pennsylvania nor represent a Pennsylvania citizen in any court in Pennsylvania so long as the lawyer has non-resident status. Such request shall be in writing on a form approved by the Board, be verified and submitted to the Board along with the applicable filing fee. This procedure and fee are in addition to those which must otherwise be followed and paid by active lawyers.

2. Non-resident active status must be renewed annually and will be effective only for the lawyer's compliance period as designated by the Board. If the non-resident active lawyer shall choose to practice law in the Commonwealth of Pennsylvania or represent any Pennsylvania citizen in any court in Pennsylvania, he or she must immediately notify the Board and shall satisfy the CLE requirement for the lawyer's current compliance period by attendance at approved CLE courses.

3. A violation of the statements in the request or the requirements of the rules or this regulation shall cause the lawyer to be not in compliance with the rules and regulations, and the lawyer shall be placed on inactive status in accordance with the procedures of Section 8 of these regulations.

4. During the period the lawyer is on non-resident active status his or her CLE requirements are deferred.

5. A lawyer who fails to timely reapply for non-resident active status shall be placed on regular active status by the Board, and the deferral of the CLE requirement shall be cancelled.

6. Upon return to active status from non-resident active, the lawyer will have twelve (12) months to complete the deferred CLE requirements, not to exceed two (2) times the current annual CLE requirement, in addition to the CLE credits required for the current year.

Source

The provisions of this Section 6 amended November 16, 1992, effective immediately, 22 Pa.B. 5756; amended March 8, 1996, effective March 9, 1996, 26 Pa.B. 984. Immediately preceding text appears at serial pages (177391) to (177392).

Section 7. Lawyer Compliance Determination.

The Board shall maintain current records of CLE attendance for each lawyer to whom the rules and these regulations apply. These records shall be made available as the Board shall determine.

The Board will notify each lawyer of his or her CLE status prior to the final day of the compliance period to which the lawyer has been assigned and will provide a final compliance notice after the end of the compliance period. The CLE requirement must be completed by the final day of the compliance period to which the lawyer has been assigned. The final compliance notice shall include the hours earned during the compliance period which have been reported by providers and carryover hours.

If a lawyer shall disagree with the final compliance notice, the lawyer shall within thirty (30) days of the date thereof notify the Board in writing setting forth the matter in dispute.

Each active lawyer shall maintain records sufficient to establish compliance with the CLE requirement in the event of a dispute with the final compliance report.

Source

The provisions of this Section 7 amended March 8, 1996, effective March 9, 1996, 26 Pa.B. 984. Immediately preceding text appears at serial page (177392).

Section 8. Compliance Procedures Applicable to Active Lawyers.

(a) If a lawyer fails to comply with any requirement under the rules or these regulations, the Board will send the lawyer a notice of noncompliance.

(b) Such notice shall specify the nature of the lawyer's noncompliance. Within thirty (30) days of the date of the notice, the lawyer shall either file evidence of compliance or request a hearing. The lawyer must within sixty (60) days from the date of the notice comply with the requirements of the rules and these regulations. In addition, the lawyer shall pay a late fee as required by the Board.

(c) If the lawyer fails to comply with the requirements of paragraph (b), the Board shall file a report of the lawyer's noncompliance with the Supreme Court, recommending that the lawyer be placed on inactive status.

(d) If the lawyer is able to provide sufficient evidence to establish compliance, the Board may, nevertheless, assess the lawyer a late fee.

(e) Credit hours earned shall be first applied to satisfy the requirements of the compliance period which was the subject of the notice to the lawyer before any excess credits earned during the notice period may be applied to subsequent requirements.

(f) If, in response to the notice of noncompliance, the lawyer timely files a request for a hearing, the Board shall schedule a hearing. The hearing may be conducted by one (1) or more members of the Board or a hearing officer, who should be a lawyer appointed by the Chair of the Board. If the hearing is conducted by more than one (1) person, the Chair of the Board shall designate the person who will act as the presiding hearing officer. The hearing shall be held at least ten (10) days after written notice to the lawyer. Within thirty (30) days after the hearing, the hearing person or body shall submit to the Board findings of fact, conclusions of law and a recommendation which may be approved, modified or rejected by the Board, and no recommendation shall become the finding or determination of the Board until ordered by the Board. Regardless of who conducts the hearing, the findings and determination of the Board shall have the same effect as if the hearing had been conducted by the Board.

(g) The Board may engage special independent counsel to investigate and prosecute to conclusion charges of noncompliance by a lawyer. Fees and expenses of the special independent counsel shall be paid in the first instance by the Board but in cases of a finding of noncompliance, all or a portion of these fees may, at the discretion of the Board, be assessed to the noncomplying lawyer.

(h) If the Board finds that the lawyer was in compliance with the requirements of the rules and these regulations, the lawyer shall be notified and a late filing fee may be assessed at the discretion of the Board.

(i) If the Board finds that the lawyer was not in compliance with the requirements of the rules or these regulations, the Board shall carry out the provisions of paragraph (c) if the requirements of paragraph (b) are not complied with. The Board may assess the costs of the hearing, including the compensation of the hearing officer, room rental, depositions and other hearing expenses upon the lawyer.

(j) If the Board finds that the lawyer had reasonable cause for noncompliance, the lawyer shall have sixty (60) days from the date of notice of the Board's decision to correct the noncompliance. The Board may waive the late filing fee if it so determines. If compliance is not achieved within the sixty (60) day period, the Board shall proceed as provided in paragraph (c).

(k) All hearings shall be public. Witnesses shall be sworn and a complete electronic record or a transcript may be made. The presiding hearing officer shall have authority to rule on all motions, objections and other matters presented.

(l) In investigations and proceedings under the rules and these regulations, the Board shall have power to issue subpoenas and cause testimony to be taken under oath before the Board, Board member(s), or hearing examiner appointed by the Board. All subpoenas shall be issued in the name and under the seal of the Supreme Court and served as provided by the Rules of Civil Procedure. Fees and costs of the subpoenas shall be paid from the funds of the Board or taxed as costs, as determined by the Board.

(m) The Board may order the testimony of a witness to be taken by deposition within or without this Commonwealth in the manner prescribed for the taking of depositions in civil actions and the depositions may be used to the same extent as permitted in civil actions.

(n) The hearing shall result in findings of fact, conclusions of law and recommendations for action with respect to: (1) the lawyer's compliance or noncompliance with the requirements of the rules and these regulations, and (2) a determination of the existence of reasonable cause in the event of a finding of noncompliance. A copy of the same shall be sent to the lawyer.

Source

The provisions of this Section 8 amended March 8, 1996, effective March 9, 1996, 26 Pa.B. 984. Immediately preceding text appears at serial page (177393).

Section 9. Reinstatement.

(a) A lawyer placed on inactive status for noncompliance under the rules and these regulations may petition the Disciplinary Board of the Supreme Court of Pennsylvania for reinstatement to active status pursuant to the Disciplinary Rules. Upon written request of the lawyer seeking reinstatement, the Board shall certify to the Disciplinary Board whether the lawyer is in compliance. Only verified attendance at sufficient hours of approved CLE activities for the current compliance year and the two most recent compliance years, plus payment of all fees, shall constitute compliance with the requirements of the rules and these regulations.

(b) Within thirty (30) days after service of the written request for certification, the Board shall make a determination regarding compliance and advise the Disciplinary Board and the lawyer in writing as to the determination.

(c) Upon reinstatement, the lawyer shall pay the Board's reinstatement fee.

Source

The provisions of this Section 9 amended March 8, 1996, effective March 9, 1996, 26 Pa.B. 984; amended January 24, 1997, effective January 25, 1997, 27 Pa.B. 411. Immediately preceding text appears at serial page (214506).

Section 10. Reporting Period After Reinstatement.

The first compliance period for a lawyer who is reinstated as an active lawyer following an involuntary transfer from active status for noncompliance under the rules and these regulations or a suspension or disbarment or following resignation shall start on the date of reinstatement and shall end at the conclusion of the lawyer's current compliance period.

Source

The provisions of this Section 10 amended March 8, 1996, effective March 9, 1996, 26 Pa.B. 984. Immediately preceding text appears at serial page (177394).

Section 11. Accreditation of Accredited Continuing Legal Education Providers.

(a) Application may be made for accreditation as an Accredited Continuing Legal Education Provider by submitting the appropriate form to the Board and paying the required fee.

(b) The grant of accreditation shall be effective for a period of two (2) years from date of the grant. The accreditation may be continued for an additional two (2) year period as follows:

1. The accredited status of a Certified Continuing Legal Education Provider may be continued by filing an application and paying the required fee with the Board before the end of the provider's accreditation period.

2. The Board shall determine if there are pending or past breaches of the rules or these regulations, and the Board, at its discretion, may condition continuation upon the provider meeting additional requirements specified by the Board.

3. If an application for continuation is timely filed, the accredited status shall continue until the Board acts on the application for continuation.

4. If an application for continuation is not filed before the end of the provider's accreditation period, the provider's accredited status will terminate at the end of the period. Any application received thereafter shall be considered by the Board as an initial application for accredited provider status.

(c) Accredited Continuing Legal Education Provider status may be revoked by the Board if the reporting requirements of these regulations are not met or if, upon review of the provider's performance, the Board determines that content of the course material or the quality of the CLE activities or provider's performance does not meet the standards set forth in the rules and these regulations.

(d) Accredited Continuing Legal Education Provider status may be granted at the discretion of the Board to applicants satisfying the following requirements:

1. The provider has presented, within the past two (2) years, five (5) separate programs of CLE which meets the standards of quality set forth in the rules and these regulations, or

2. The provider has demonstrated to the Board that its CLE activities have consistently met the standards of quality set forth in the rules and these regulations, or

3. Is an American Bar Association accredited law school.

4. The person or persons responsible for provider's compliance with the Pennsylvania CLE requirements shall successfully complete a course of training established by the Board and administered by the Board staff.

Training by the CLE Board staff will include: Rules and Regulations, provider reporting requirements, accreditation standards, compliance groups, deadlines, requirements for compliance, fee payment, and record keeping requirements.

The Board may require Accredited Providers to complete a course of training prior to continuation of the provider's accredited status.

(e) Providers granted such status shall file two (2) written reports with the Board each year at times fixed by the Board. These reports shall describe the CLE activities conducted during the prior six (6) months and shall be in such detail and form as required by the Board.

(f) Providers shall file with the Board an announcement of each CLE activity on a form provided by the Board prior to the presentation of a CLE activity.

(g) The Board shall accredit for profit corporations and associations as CLE providers in accordance with the rules and these regulations. Such accreditation of a for profit provider shall be effective on and after January 1, 1997. CLE credit will only be given for CLE courses offered and conducted outside the territory of Pennsylvania by accredited for profit corporations or associations. On and after September 1, 2000, CLE credit can be given for CLE courses offered by accredited for profit corporations or associations without regard to the geographic location of the course.

(h) The provider shall have available a financial hardship policy for attorneys who wish to attend its courses, but for whom the cost of such courses would be a financial hardship. Upon request by the Board, the provider must produce the detailed financial hardship policy. The policy may be in the form of scholarships, waivers of course fees, reduced fees, or discounts.

Source

The provisions of this Section 11 amended March 8, 1996, effective March 9, 1996, 26 Pa.B. 984; amended November 29, 1996, effective November 30, 1996, 26 Pa.B. 5805; amended January 24, 1997, effective January 25, 1997, 27 Pa.B. 411; amended April 28, 2000, effective September 1, 2000, 30 Pa.B. 2350; amended November 1, 2000, effective November 1, 2000, 30 Pa.B. 5924. Immediately preceding text appears at serial pages (266365) to (266366).

Section 12. Accreditation of a Single Course or CLE Activity.

A provider of CLE activities which has not qualified as an Accredited Continuing Legal Education Provider or a lawyer may apply for accreditation of a single CLE activity on a form provided by the Board. The Board may require submission of a detailed description of the provider, the course, the course materials and the lectures.

(a) Application for accreditation of a single CLE activity should be submitted prior to the date of presentation of the activity if possible. Application for retroactive approval must be made within two (2) years of the date of presentation. CLE activities held before January 1, 1994 will not be approved.

(b) Publication that the CLE activity has been accredited is prohibited unless prior written approval is granted by the Board.

(c) The CLE activity must meet the standards set forth in the rules and these regulations.

(d) The Board shall accredit courses offered and conducted outside the territory of the Commonwealth of Pennsylvania by for profit corporations or associations where such courses meet the requirements of the rules and these regulations. Such accreditation shall apply to courses to be conducted on and after January 1, 1997. The Board shall accredit courses offered on and after September 1, 2000

without regard to the geographic location of the course when such courses otherwise meet the requirements of the rules and these regulations.

Source

The provisions of this Section 12 amended March 8, 1996, effective March 9, 1996, 26 Pa.B. 984; amended November 29, 1996, effective November 30, 1996, 26 Pa.B. 5805; amended February 12, 1999, effective December 8, 1998, 29 Pa.B. 809; amended April 28, 2000, effective September 1, 2000, 30 Pa.B. 2350. Immediately preceding text appears at serial page (253038).

Section 13. Standards for Approved CLE Activities.

All CLE activities approved for credit shall meet the following standards:

(a) The activity shall have significant intellectual or practical content, the primary objective of which is to improve the participants' professional competence and ethical behavior.

(b) The activity shall be an organized program of learning to deal with matters directly related to subjects which satisfy the objectives of the rules and these regulations.

(c) Each CLE activity shall be open to all lawyers thought to be interested in the subject matter and there shall be no attendance restrictions, except as may be permitted by the Board, upon application from a provider, where:

1. Attendance is restricted on objective criteria for a bona fide educational objective to enhance the CLE activity.
2. Attendance is restricted due to applicable State or federal law.
3. Membership in the provider organization is open to all interested lawyers, on reasonable non-discriminatory basis and cost.

(d) The program leaders or lecturers shall be qualified with the necessary practical and/or academic experience necessary to conduct the program effectively.

(e) Each attendee shall be provided with thorough, high quality and carefully prepared written course materials before or at the time of the activity. Although written materials may not be appropriate to all courses, they are expected to be utilized whenever possible.

(f) The activity must be presented in a suitable setting, conducive to a good educational environment, which provides attendees with adequate writing space or surface.

(g) Upon request by the Board, the provider shall submit to the Board information concerning the activity, including the brochure describing the activity and the qualifications of anticipated speakers, the method or manner of presentation of materials, and, if requested, a set of the materials, as required by Rule 106(c)(3)(b).

(h) The provider shall develop and implement methods to evaluate its course offerings to determine their effectiveness and the extent to which they meet the

needs of lawyers and, upon a request from the Board, provide course evaluations by the attendees on such forms as the Board shall approve.

(i) The Board will take into consideration the special needs of handicapped and incapacitated lawyers in gaining access to and participation in CLE activities. The Board shall require providers to make reasonable accommodations for handicapped and incapacitated lawyers.

(j) Self study will not be approved for CLE credit.

(k) In-house activities will not be approved for CLE credit.

(l) Seminars viewed at remote sites by electronic transmission, will receive credit if a moderator is present by a telecommunication facility. The Board may approve CLE courses consisting solely of television viewing in the home, correspondence work or self study to accommodate the needs of the handicapped or incapacitated.

(m) The provider shall monitor the CLE activity for attendance and certify such attendance to the Board.

(n) Distance learning, computer based and teleconference programs may be approved for credit in accordance with standards determined by the Board:

1. Only distance learning courses conducted by Accredited Providers or Accredited Provider applicants may be taken for credit.

2. Courses must provide mechanisms to ensure interactivity and/or monitor course participation.

3. Participants must complete the program in such a manner that certification of attendance is controlled by the provider.

4. Course providers shall report course attendance and evaluation data in a format determined by the Board.

5. Credits earned via distance learning in excess of the annual credit limit, will not carry over into subsequent compliance periods.

(o) Credit for Pro Bono Legal Service may be approved for credit in accordance with standards determined by the Board:

a. Credit may only be earned for pro bono service that is assigned, verified and reported by an Accredited Pro Bono CLE Provider.

b. CLE credit may be received when services are performed for a person of limited means or charitable organization.

c. Credits earned through pro bono service in excess of the annual credit limit will not carry forward into subsequent compliance periods.

Source

The provisions of this Section 13 amended March 8, 1996, effective March 9, 1996, 26 Pa.B. 984; amended April 9, 2021, effective March 8, 2021, 51 Pa.B. 1983; amended January 31, 2022, effective immediately, 52 Pa.B. 964. Immediately preceding text appears at serial pages (404505) to (404506).

Section 14. Reporting Duties of All Providers.

Accredited Continuing Legal Education Providers and providers of CLE activities which are accredited in accordance with the rules and these regulations are required to take attendance and to report attendance at each accredited activity to the Board and pay the fees required by Section 18 within thirty (30) days of the completion of the accredited course or activity. This report will be on a form prescribed by the Board. The procedure for completing and filing such reports shall be determined by the Board.

Source

The provisions of this Section 14 amended March 8, 1996, effective March 9, 1996, 26 Pa.B. 984. Immediately preceding text appears at serial page (177397).

Section 15. Advertising.

(a) *Accreditation.* Where a CLE activity has been accredited or the activity is offered by an Accredited Continuing Legal Education Provider, the provider shall announce, in its brochures and/or registration materials: "This program has been approved by the Pennsylvania Continuing Legal Education Board for [applicable] hours of substantive law, practice and procedure CLE credit and [applicable] hours of ethics, professionalism or substance abuse CLE credit."

(b) *CLE Activities.* Providers are encouraged to widely advertise CLE activities. The Board will make mailing lists of lawyers and its automated telephone service of upcoming CLE activities available to Accredited Continuing Legal Education Providers. The Board may impose a charge for such services.

Source

The provisions of this Section 15 amended March 8, 1996, effective March 9, 1996, 26 Pa.B. 984. Immediately preceding text appears at serial page (177397).

Section 16. Provider Fees.

(a) All providers of CLE activities, including Accredited Continuing Legal Education Providers, shall, as a condition of accreditation, agree to remit a fee for each active lawyer attending the activity. The fee shall be remitted within thirty (30) days after the activity is held, together with the attendance report required by Section 14. The amount of the fee shall be fixed annually by the Board.

(b) The Board may impose late charges on providers for failure to meet the requirements of the rules or these regulations.

(c) If a provider shall fail to pay any fee or cost established by the Board when due, upon ten (10) days written notice from the Board to the provider, the Board may suspend or terminate the accreditation of the provider or cancel accreditation of any or all of the provider's CLE activities.

(d) If a provider fails to pay to the Board the provider fees required by the Board, the lawyers who attended these accredited activities and who are seeking credit for such attendance, may, in the discretion of the Board, be required to pay the designated fee before receiving such credit.

Source

The provisions of this Section 16 amended March 8, 1996, effective March 9, 1996, 26 Pa.B. 984. Immediately preceding text appears at serial pages (177397) to (177398).

Section 17. Confidentiality.

The files, records and proceedings of the Board as they relate to or arise out of any alleged failure of a lawyer to satisfy the requirements of the rules or these regulations shall be deemed confidential and shall not be disclosed except in furtherance of the duties of the Board or upon the request of the lawyer affected or as they may be introduced in evidence or otherwise produced in proceedings under these regulations.

Source

The provisions of Section 17 amended March 8, 1996, effective March 9, 1996, 26 Pa.B. 984. Immediately preceding text appears at serial page (177398).

Section 18. Board Fee Schedule.

Following is a schedule of fees established by the Board to be paid by providers and lawyers. This schedule will be reviewed annually by the Board and may be modified at any time upon approval by the Pennsylvania Supreme Court.

Fee to accompany application for designation as an Accredited Continuing Legal Education Provider	\$ 250.00*
Fee to accompany application for continuation as an Accredited Provider reporting Electronically	\$ 100.00*
Fee to accompany application for continuation as an Accredited Provider reporting on paper	\$ 250.00*
Fee per credit hour to be paid by provider with attendance certification	\$ 1.50
Fee per credit hour to be paid by lawyer for certification when fee not paid by provider	\$ 1.50
Fee per credit hour when lawyer requests CLE credit for teaching course	\$ 1.50
Fee to accompany request by lawyer for certified copy of lawyer's record with the Board	\$ 25.00
Filing fee to accompany request for hearing concerning dispute of Board's determination of lawyer's CLE credit	\$ 25.00
Filing fee to accompany request for hearing concerning lawyers noncompliance	\$ 25.00
Filing fee to accompany application for waiver of CLE requirement	\$ 25.00
Filing fee to accompany application for extension to complete CLE requirement	\$ 50.00

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Reinstatement fee	\$100.00
Filing fee to accompany request for hearing upon denial of reinstatement	\$ 25.00
Fee for late compliance with annual CLE requirement	\$100.00
Fee for continued late compliance with annual CLE requirement	\$100.00
Fee to accompany application to accredit single CLE activity	\$ 25.00
Fee to accompany application for non-resident active status	\$ 25.00

The following charges are to be paid by a provider for failure to comply with the rules or these regulations:

First non-compliance	\$100.00
Second non-compliance	\$200.00
Third non-compliance	\$300.00
Fourth non-compliance	\$400.00
Fifth and succeeding non-compliance	\$500.00

* Effective January 1, 2002

Source

The provisions of this Section 18 amended November 16, 1992, effective immediately, 22 Pa.B. 5756; amended March 8, 1996, effective March 9, 1996, 26 Pa.B. 984; amended August 2, 1996, effective August 3, 1996, 26 Pa.B. 3624; amended January 24, 1997, effective January 25, 1997, 27 Pa.B. 411; amended October 12, 2000, effective immediately, 30 Pa.B. 5527; amended June 5, 2001, effective immediately, 31 Pa.B. 3305. Immediately preceding text appears at serial pages (269441) to (269442).

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