



## **POLICIES, PROCEDURES, AND GUIDELINES FOR CLE PLANNING**

### **1. General Guidelines for CLE**

- a. Sections and Committees, along with the CLE Committee itself, plan CLE programs for BAMSL. Requirements for Sections are outlined in the attached “Standards for Section Status”. However, the CLE Committee recommends that Committees sponsor or co-sponsor a minimum of one offering per year. The formation and length would be determined by the Committee and submitted through the procedures outlined below; Sections/Committees will receive notice of such parameters. Sections and Committees are encouraged to plan relevant presentations throughout the year either unique to members of the Section or Committee or in combination with other Sections or Committees or even other groups outside of BAMSL. There are certain educational offerings that fall into exceptional categories including, but not limited to, CLE offered to smaller groups of members seeking special skills in unique or new areas of practice and CLE offered without charge to members. Please consult the guidelines outlined below for such proposals.
- b. Once a Section or Committee has developed and submitted a plan for a CLE (using the attached proposal form), BAMSL and/or the CLE Committee will review the contents of the proposal not only for approval of the offering but also suggested scheduling, speakers, location, title, etc. BAMSL and/or the CLE Committee may suggest or make revisions to the proposal.
- c. Do not necessarily rule out experts or high profile speakers who may charge fees or require reimbursement for travel and lodging expenses. However, please remember speaker fees and costs may require special consideration by BAMSL and the CLE Committee and/or deviation from regular CLE hourly rates charged to members and non-members.

### **2. Sections/Committees—Getting Started**

There are several options you may consider to get your section or committee organized for CLE Planning:

- a. Organize a CLE Planning Committee to develop plans, locate speakers and prepare and submit proposals to BAMSL CLE Committee
- b. Designate a CLE Planning Coordinator to develop plans, locate speakers and prepare and submit proposals to BAMSL CLE Committee
- c. Choose a subject or theme for CLE planned throughout the year, or for a full-day or half-day program, and request that BAMSL send a request for proposals to present to the members of your section or committee (form attached). Members who wish to present at the CLE may then develop a proposed program or session and submit it to the Section or Committee for consideration. The Committee or Section may then select from the proposals received and prepare and submit as proposals to BAMSL CLE Committee

### 3. **Tips for CLE Planning**

- a. Subject: Relevant, generally appealing to broad group of membership, new practice considerations for an old area or issue of practice. If proposed CLE is related to broad issues of practice management or client relations, consider what areas of practice will more likely use the content and consider partnerships with those committees/sections or finding speakers who can connect the information with that area of practice.
- b. Title: Short and “catchy” but still reflective of the content of the CLE
- c. Speakers: Consider speakers who have specific skills, experience or education that will enable them to speak with authority about the content. Also consider speakers who are entertaining to the audience. Do not necessarily rule out experts or high profile speakers who may charge fees or require reimbursement for travel and lodging expenses. Be sure speakers are aware of requirements and deadlines when recruited, i.e. course materials in electronic format due one week prior to seminar for a one-hour seminar and two weeks prior for half-day or full-day seminars, copyright releases, etc.
- d. Medium for Presentation: Consider whether the content requires live presentation or if the content can be appropriately discussed or presented via phone seminar or web cast. One and two hour seminars can often be presented via web effectively, may be more cost friendly, and permit members to attend without leaving the convenience of their office.
- e. Length: Consider that full day seminars often have high attendance numbers and can be presented more cost effectively than shorter live seminars.
- f. To Whom CLE will be presented: Consider whether the topic is, or can be, relevant to members of other sections or committees. You are not limited to CLE directed to only members of your own section or committee and, in fact, joint efforts, including those with other organizations or even other professions, are encouraged.
- g. Consider whether a series of seminars is an effective way to present issues that are related but that are too long for a single CLE. All seminars in the series should be scheduled and proposed at the same time so that members can receive advance notice of all the installments of the series and schedule accordingly.
- h. Please provide us with any special information we will need to help plan for the CLE including information concerning any non-speaker costs to be incurred; special equipment that may be required for the presentation; special accommodations for the speaker or attendee (including those for members of other professions).

### 4. **Planning-Time Considerations**

- a. The CLE Committee meets regularly but may or may not meet more than four times per bar year. Since the CLE Committee must review and approve CLE proposals, you must submit your proposal for CLE at least three months in advance. This will also provide BAMSL staff sufficient time to prepare and distribute information concerning your program to BAMSL Members. A schedule of CLE Committee meetings can be located on the BAMSL website for your reference.
- b. BAMSL plans to provide a calendar to members in advance which reflects upcoming CLE. Attendance generally increases when members have sufficient notice to make plans to attend CLE programs.

**5. Exceptional CLE**

- a. Proposed CLE reasonably unlikely to break-even may be allowed by BAMSL and the CLE Committee based on a subjective review of the need of such CLE for the benefit of members. Information to be considered by BAMSL and the Committee in determining whether to allow such a CLE may include, but not limited to, the specialization of the area of law; whether it is an emerging area of law, and the availability of the information and/or education from other sources. Pricing for such CLE programs may vary depending upon the projected number of attendees and/or the cost of the CLE.
- b. Free CLE
  - 1) CLE for which no registration fee is charged may be approved when it is being used (a) to promote provision of pro bono legal representation by attorney volunteers, (b) to educate the legal community about issues of importance to the profession and administration of or access to justice, provided the Board of Governors is considering or has taken a formal position, (c) to support BAMSL community service projects, and (d) to recruit new BAMSL members or as a BAMSL member benefit. In the case of all programs promoting the provision of legal representation by attorney volunteers, programs should be co-sponsored with an organization providing volunteer or pro bono legal services.
  - 2) Free CLE shall be planned, approved and scheduled according to the same process as other CLE. BAMSL and the CLE Committee shall control the number and scheduling of free CLE offerings. The number of such offerings for each bar year shall be established by BAMSL with advice of the CLE Committee at the beginning of each bar year based on resources and plans for other CLE for the year.
  - 3) All direct costs associated with free CLE shall be covered by sponsors, grants or funding from third party sources which must be disclosed on the seminar planning form. BAMSL may also allocate appropriate staff and overhead costs to each program. In the event direct costs, such as food or materials, cannot be covered by sponsors or other funding, BAMSL and the CLE Committee may charge attendees for such direct costs. Speaker fees and costs may not be incurred unless a sponsor or other funding provides for all such costs. All sponsorships should be discussed with the BAMSL CLE Director before a member approaches any third party for sponsorship.
  - 4) No member shall be charged a fee to attend free CLEs meeting the above requirements. Any non-member fees shall be considered on a case-by-case basis.

**6. Non-Lawyer Speakers**

- a. All speakers must have the appropriate professional credentials and experience to speak on the subject of the CLE.
- b. The speaker's resume or CV shall be submitted along with a specific description of the topics and issues to be discussed in advance to BAMSL and the CLE Committee. Such topics shall be reasonably related to specific areas of practice, practice management, practice development, or legal issues important to the profession or administration of justice.
- c. If practical, the written course materials shall also be submitted in advance of approval.

- d. A neutral presentation of educational material is preferred. The CLE can be balanced by presenting an opposing view by another non-lawyer speaker or an attorney speaker where appropriate.
- e. No such CLE offerings shall be solely used to market or sell the services or product of the non-lawyer speaker during the CLE presentation and all such presentations must meet the description of “education” as defined by the Missouri Bar CLE requirements.
- f. Non-lawyer speakers shall not provide legal analysis of the topic. If such information is required, a lawyer moderator shall be selected who can assist with such discussion and analysis.

**7. Promoting and Co-Sponsoring CLE**

- a. BAMSL shall not promote a CLE program which it has not co-sponsored or for which it has not participated in planning in any way. No BAMSL asset or resource shall be used for this purpose by any member.
- b. All proposals for programs that BAMSL would co-sponsor with non BAMSL entities shall have attached specific details for the program, a budget, and proposed arrangements related to:
  - 1) Sharing of costs
  - 2) Sharing of revenues
  - 3) Allocation of resources and indirect costs, such as demands on staff and volunteers.
- c. BAMSL and the CLE Committee reserve the right to negotiate further the terms of the budget and proposed arrangements with the third party(ies) co-sponsoring the program.
- d. BAMSL shall require copyright releases for all written course materials as well as the right to such audio/video reproductions of the materials and presentations for reproduction and sale to the public.
- e. BAMSL is an accredited sponsor of MCLE as designated by the Missouri Bar in accordance with Supreme Court Rule 15.04 and BAMSL shall only offer MCLE credit for programs it sponsors or co-sponsors as allowed by said Rule.
- f. All co-sponsored CLE programs shall bear BAMSL’s name and logo.

**8. Questions or concerns** regarding CLE programs or proposals for CLE may be addressed to:

Continuing Legal Education Department  
The Bar Association of Metropolitan St. Louis  
555 Washington Avenue, Suite 100  
St. Louis, MO 63101-1249  
Phone 314-421-4134 Fax 314-421-0013  
Email cle@bamsl.org

## SEMINAR PLANNING FORM

THE BAR ASSOCIATION OF METROPOLITAN ST. LOUIS CONTINUING LEGAL EDUCATION  
*(To be submitted by sponsoring entity at least three months prior to program. BAMSL CLE staff is available to work closely with the program chair and/or planning committee to develop each program)*

**This form may also be completed online. Look for the CLE menu at <http://www.bamsl.org>.**

1. Title of Program: \_\_\_\_\_
  2. Sponsoring Section(s) or Committee(s): \_\_\_\_\_  
Program Chairperson(s): \_\_\_\_\_  
Co-sponsors: \_\_\_\_\_
  3. Program Speaker(s): \_\_\_\_\_  
Amount of Speaker Fees & Estimated Expenses, if any: \_\_\_\_\_
  4. Proposed Date Program to be Held: \_\_\_\_\_  
*(Determined with the assistance of BAMSL CLE Committee and/or staff)*
  5. Amount of Time:  One-hour                       One-half day                       All day  
 Other                      Explain: \_\_\_\_\_
  6. Proposed Program Location: \_\_\_\_\_  
*(Determined with the assistance of BAMSL CLE Committee and/or staff)*
  7. Catering (if applicable):     Breakfast                       Lunch                       Dinner                       Happy hour
  8. To whom is the program directed? \_\_\_\_\_
  9. Delivery Format to be Used:    \_\_\_ In-Person                      \_\_\_ Live Webcast
  10. Presentation Format:     Standing Lectern     Table Lectern     Panel     Round Table Discussion
  11. Can you assist in obtaining mailing lists for advertising to non-BAMSL groups?     Yes     No  
List Groups: \_\_\_\_\_
  12. Anticipated Number of Persons Attending: \_\_\_\_\_
  13. Scope and purpose of the program: \_\_\_\_\_
  14. Please attach a description of the program which includes as much of following information known at this time:
    - a. 3-5 bullet points about the subject content of each program session.
    - b. Names and qualifications of each speaker. Include a brief, one paragraph biography.
    - c. A schedule of events indicating the times of commencement and termination of each program session. Time scheduled for welcoming remarks, meal times, breaks and similar recesses should also be indicated.
    - d. A statement of any other special considerations.
- Name of Applicant: \_\_\_\_\_ E-mail Address: \_\_\_\_\_
- Address: \_\_\_\_\_
- Telephone: \_\_\_\_\_ Fax No.: \_\_\_\_\_
- Submitted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Mail, Fax or Email to:



CLE Department  
The Bar Association of Metropolitan St. Louis  
555 Washington Avenue, Suite 100  
St. Louis, MO 63101-1249  
Fax 314-421-0013  
[cle@bamsl.org](mailto:cle@bamsl.org)



# **THE BAR ASSOCIATION OF METROPOLITAN ST. LOUIS**

## **STANDARDS FOR SECTION STATUS**

Any Section created should have first operated as a Committee in order to establish its viability.

The standards for an existing Committee to become a Section are:

1. Size: 75 members as a minimum
2. By-Laws (based on a BAMSL standard) requiring annual election of officers and a steering committee of 3 or more
3. Operational experience as a Committee for at least 2 years, including:
  - A. CLE programs - not less than 3 “1-hour” and 1 half-day, attended by an average of at least twenty registrants
  - B. Program evaluations with at least 2.5 average rating (on scale of 5) for 75% of programs sponsored
4. Agreement (included in the section by-laws) that the section will:
  - A. Put on CLE programs each year, with three 1-hour and at least 1 half-day (or equivalent of one full-day program)
  - B. Maintain a minimum membership of at least 75 BAMSL members
  - C. Elect officers, with the Section Chair agreeing to serve on the Board of Governors and designate a CLE representative to attend CLE Institute meetings

**Approved by Board of Governors March 20, 1998**



## Rule 15 Regulations

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1. Definitions
2. Professionalism, Substance Abuse and Mental Health, Legal or Judicial Ethics and Malpractice Prevention Requirement
3. Duties of The Missouri Bar
4. Accreditation of Programs, Seminars, Activities and Sponsors
5. Credit and Exemptions
6. Reporting Requirements

### Regulation 15.01. Definitions

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As used in Rules 15.01 through 15.06 and Regulations 15.01 through 15.06:

1. Accredited programs, seminars, or activities include:
  - a. programs, seminars, or activities offered by an accredited sponsor;
  - b. programs, seminars, or activities offered by an identified sponsor;
  - c. programs, seminars, or activities approved by The Missouri Bar pursuant to Regulation 15.04.3(c);
  - d. self-study pursuant to Regulation 15.04.5;
  - e. speaker or author credit pursuant to Regulation 15.05.1;
  - f. programs, seminars, or activities approved as an alternative method of meeting the requirements of Rule 15 pursuant to Regulation 15.05.3; or
  - g. programs, seminars, or activities for which a lawyer may receive credit pursuant to Regulations 15.05.4(b) and 15.05.5.
2. Minutes of instruction or the equivalent do not include introductory remarks, coffee or meal breaks or business meetings.
3. The number of credit hours of continuing legal education completed in any approved program, seminar, or activity by a lawyer shall be computed by determining the total minutes of instruction or the equivalent; dividing the total by fifty (50); and rounding the quotient up or down to the nearest one-tenth (1/10) of an hour.
4. An accredited sponsor is a sponsor all of whose programs, seminars, or activities are accredited.
5. An identified sponsor is a sponsor approved to offer a single accredited program, seminar, or activity.
6. Professionalism Programs, Seminars, or Activities.
 

Programs, seminars, and activities devoted to professionalism include but are not limited to programs, seminars, and activities or designated portions thereof with instruction concerning legal or judicial ethics; the duties of attorneys to the judicial system, courts, public, clients, and other attorneys; the concept of a profession; history of the legal profession; rules of professional conduct; comparison of the legal professions in different nations; and jurisprudence and philosophy of law.
7. Substance Abuse and Mental Health Programs, Seminars, or Activities
 

Programs, seminars and activities devoted to substance abuse and mental health include programs, seminars and activities or designated portions thereof with instruction concerning substance abuse and mental health issues in the legal profession. Topics may include but are not limited to the prevention, detection, and response to substance abuse and mental health issues in the legal profession, including available lawyers' assistance programs.
8. Legal or Judicial Ethics Programs, Seminars, or Activities.
  - (a) Programs, seminars, and activities devoted to legal or judicial ethics include but are not limited to programs, seminars, or activities or designated portions thereof with instruction concerning Rules 2 and 4 of the Supreme Court Rules and the American Bar Association Model Rules of Professional Conduct and Code of Judicial Conduct.
  - (b) Legal or judicial ethics programs, seminars, or activities do not include programs, seminars, or activities or designated portions thereof with instruction on topics such as attorneys fees, client development, law firm administration, marketing or advertising, law office economics and practice systems, except to the extent that the topics set forth in (a) above are directly and substantially discussed in relationship with such topics.

9. Malpractice Prevention Programs, Seminars, and Activities.

Programs, seminars, and activities devoted to malpractice prevention include but are not limited to programs, seminars, or activities or designated portions thereof with instruction concerning law office systems and procedures which reduce the possibility of professional errors and omissions and instruction concerning the malpractice potential in substantive areas of law.

10. Professionalism Compliance Period.

(a) For purposes of the requirement of subdivision (f) of Rule 15.05, the compliance period shall be three reporting years for reporting years from July 1, 1990 through June 30, 2009. The initial professionalism compliance period shall begin July 1, 1990 and end June 30, 1993. Subsequent three year professionalism compliance periods shall be each sequential three reporting-year period thereafter.

(b) For reporting years beginning on or after July 1, 2009, the compliance period shall be one reporting year.

11. An accredited program, seminar or activity is not required to have a designated portion or portions devoted exclusively to professionalism, substance abuse and mental health, legal or judicial ethics or malpractice prevention. An accredited program, seminar or activity devoted exclusively to professionalism, substance abuse and mental health, legal or judicial ethics or malpractice prevention must include at least fifty (50) minutes of instruction or the equivalent, as required by Regulation 15.04.1 (d). If an accredited program, seminar or activity is not devoted exclusively to professionalism, substance abuse and mental health, legal or judicial ethics or malpractice prevention, to satisfy the requirements of subdivision (e) or (f) of Rule 15.05 the designated portion or portions of an accredited program, seminar or activity devoted to such topics must include at least twenty-five (25) minutes of instruction or the equivalent.

### **Regulation 15.02. Professionalism, Substance Abuse and Mental Health, Legal or Judicial Ethics and Malpractice Prevention Requirement.**

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- (a) On or before June 30, 1993, and during every three year professionalism compliance period through the July 1, 2005 – June 30, 2008 professionalism compliance period each lawyer shall complete at least three credit hours of accredited programs, seminars, and activities devoted exclusively to professionalism, legal or judicial ethics, or malpractice prevention, unless during the concluding reporting year of the professionalism compliance period the lawyer has not actively practiced law in Missouri or the lawyer has given notice of inactive status pursuant to Rule 6.02 (b).  
(b) During the July 1, 2009 – June 30, 2010 professionalism compliance period and during every one year professionalism compliance period thereafter, each lawyer shall complete at least two credit hours of accredited programs, seminars, and activities devoted exclusively to professionalism, substance abuse and mental health, legal or judicial ethics, or malpractice prevention, unless the lawyer has not actively practiced law in Missouri during the professionalism compliance period or the lawyer has given notice of inactive status pursuant to Rule 6.02 (b).
- A lawyer may satisfy the requirements of subdivision (e) and subdivision (f) of Rule 15.05 by completion of accredited programs, seminars, or activities, or designated portions thereof, devoted exclusively to professionalism, substance abuse and mental health, legal or judicial ethics or malpractice prevention as designated by The Missouri Bar or an accredited sponsor. When applying for accreditation of a program, seminar, or activity pursuant to Regulation 15.04.3, any lawyer or any sponsor not accredited pursuant to Regulations 15.04.2 or 15.04.3 (a) may seek designation of a program, seminar, or activity or portion thereof as satisfying the requirements of subdivision (e) and subdivision (f) of Rule 15.05.
- Completion of the requirement established by subdivision (f) of Rule 15.05 shall be reported to The Missouri Bar on the written affidavit required by Regulation 15.06.1. Completion of the requirement of subdivision (f) of Rule 15.05 for the initial professionalism compliance period shall be reported by July 31, 1993. Completion of the requirement for each subsequent professionalism compliance period shall be reported by the July 31 immediately following each professionalism compliance period.
- Completion of the requirements established by subdivision (e) of Rule 15.05 shall be reported to The Missouri Bar by the July 31 immediately following the reporting year in which the programs, seminars, and activities occurred. The programs, seminars, and activities shall be reported on the written affidavit required by Regulation 15.06.1.

### **Regulation 15.03. Duties of The Missouri Bar**

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- Pursuant to Rule 15.03(e), The Missouri Bar shall report in writing to the Supreme Court of Missouri on or before December 31st of each year. The report shall include but not be limited to: the number of lawyers referred to the chief disciplinary counsel and the Commission on Retirement, Removal and Discipline for failure to comply with Rule 15 during the previous reporting year.

2. After February 1, 1988, notice of all Regulations to be promulgated implementing Rule 15 shall be sent sixty (60) days prior to promulgation to the Supreme Court of Missouri for comment. These initial regulations shall take effect on the date directed by the Supreme Court of Missouri.

#### **Regulation 15.04. Accreditation of Programs, Seminars, Activities and Sponsors**

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1. Standards. In addition to the standards of Rule 15.04, the following standards apply to accredited programs, seminars, or activities offered by an accredited or identified sponsor or programs, seminars, or activities accredited pursuant to Regulation 15.04.3(c).
  - (a) It is desirable, although not required, that thorough, high quality written materials be made available to all participants at or before the time the program, seminar, or activity is presented.
  - (b) The program, seminar, or activity must be conducted in a comfortable physical setting, conducive to learning, and it is desirable although not required that there be suitable writing surfaces if the program, seminar, or activity is conducted in a lecture format.
  - (c) Programs, seminars, or activities where electronically presented live, recorded or reproduced material is used may be accredited programs, seminars, and activities and such programs, seminars, or activities will not be considered as self-study programs, seminars, or activities if a qualified instructor is available, either in person or via telephone or other means of communication, to comment and answer questions.
  - (d) The program, seminar, or activity must include at least fifty (50) minutes of instruction or the equivalent.
  - (e) Programs, seminars, or activities that cross professional lines, such as an accounting tax program or a medical legal program, shall be accredited programs, seminars, or activities if the standards of Rule 15.04 and Regulation 15.04.1 are satisfied.
  - (f) At the conclusion of an approved program, seminar, or activity conducted after July 1, 1988, each participating lawyer must be given the opportunity to complete an evaluation questionnaire addressing the quality, effectiveness and usefulness of the particular program, seminar, or activity. Summary results of the questionnaires applicable to each speaker must be provided to that speaker in a timely fashion. Sponsors must maintain the questionnaires for one year following a program, seminar, or activity pending a request for submission of them or a summary thereof to The Missouri Bar.
2. Accredited Sponsors by Designation. The following sponsors of programs, seminars, or activities are designated as accredited sponsors: American Bar Association; American Judicature Society; The American Law Institute; all United States Armed Forces legal service schools; the United States Coast Guard legal service school; Missouri Association of Trial Attorneys; The Missouri Bar; Bar Association of Metropolitan St. Louis; St. Louis County Bar Association; Kansas City Metropolitan Bar Association; National Academy of Arbitrators; National Bar Association; National Judicial College; Judicial Education Committee of the Supreme Court of Missouri; all law schools approved by the section of legal education and admissions to the bar of the American Bar Association; Missouri Office of Prosecution Services; Missouri Organization of Defense Lawyers; the Office of the State Public Defender, and the Practicing Law Institute.
3. Accreditation Process.

Any sponsor desiring accreditation of all its continuing legal education programs, seminars, or activities must apply to The Missouri Bar for accredited sponsor status not less than sixty (60) days prior to presentation of its first program, seminar, or activity as an "accredited sponsor." [Application shall be made on forms provided by The Missouri Bar](#) and applicants may be required to provide information which demonstrated that the applicant satisfies the standards of Rule 15.04 and Regulation 15.04.1.

Any sponsor not accredited pursuant to Regulations 15.04.2 or 15.04.3(a) and desiring approval of an individual program, seminar, or activity must apply to The Missouri Bar for identified sponsor status not later than sixty (60) days prior to the date on which the program, seminar, or activity is scheduled. Application shall be made on forms provided

by The Missouri Bar and such applicants may be required to provide information which demonstrates that the program, seminar, or activity will satisfy the standards of Rule 15.04 and Regulation 15.04.1. The applicant may also be required to include a description of any written materials to be used in the program, seminar, or activity.

[Any lawyer may seek accreditation of a program](#), seminar, or activity by a sponsor other than an accredited or identified sponsor. The lawyer should apply either before the occurrence of the program, seminar, or activity or within thirty (30) days after completion of the program, seminar, or activity. The applicant lawyer should provide sufficient information to establish that the standards of Rule 15.04 and Regulation 15.04.1 are satisfied by the program, seminar, or activity. Ordinarily a brochure published by the sponsor of the program, seminar, or activity and a description of any written materials shall be sufficient information to make a determination of whether the program, seminar, or activity satisfies the standards of Rule 15.04 and Regulation 15.04.1.

Upon application of a lawyer or sponsor and the submission of sufficient information to make a determination, The Missouri Bar shall designate the programs, seminars, and activities or portions of activities which satisfy the requirements of subdivisions (e) and (f) of Rule 15.05.

Upon application of a lawyer or sponsor and the submission of sufficient information to establish that the standards of Rule 15.05 (d) and Regulation 15.04.7 are satisfied, The Missouri Bar shall designate a program, seminar, or activity as substantially equivalent to The Missouri Bar Annual Law Update.

The Missouri Bar shall advise the applicant in writing within thirty (30) days of the receipt of the application whether the application for accredited or identified sponsor status or for accreditation or designation of a program, seminar, or activity is approved or disapproved. Applicants denied approval may submit a letter of reconsideration setting forth the basis for reconsideration to The Missouri Bar within fifteen (15) days of the receipt of notice of disapproval.

#### 4. Sponsor Reports and Recordkeeping.

(a) By July 31 of each year, commencing July 31, 1988, each accredited sponsor shall file a report with The Missouri Bar, on a form provided by The Missouri Bar, which lists all accredited programs, seminars, and activities conducted by the sponsor during the preceding reporting year and the number of credit hours for each program, seminar, or activity. The report shall indicate the number of credit hours of each program, seminar, or activity designated which satisfy the requirements of subdivisions (e) and (f) of Rule 15.05.

(b) Each accredited or identified sponsor shall retain records of attendance at all programs, seminars, and activities for at least three (3) years after the date of completion of the program, seminar, or activity. A record of attendance by an individual lawyer shall be made available to the lawyer or his or her attorney upon request and The Missouri Bar upon its request.

#### 5. Self-Study.

(a) Any lawyer may receive up to six hours of self-study credit in a reporting year by studying law-related materials, including but not limited to videotapes, audiotapes and advance sheets, in furtherance of general academic and professional competence.

(b) Self-study credit may not be reported to satisfy the requirements of Rule 15.05 (e) or Rule 15.05 (f) that a lawyer complete credit hours of programs, seminars, and activities devoted exclusively to professionalism, substance abuse and mental health, legal or judicial ethics or malpractice prevention every, unless approval is obtained pursuant to Rule 15.05 (c) and Regulation 15.05.3 based upon hardship or extenuating circumstances.

(c) A lawyer may receive in excess of six credit hours for self-study in a reporting year if the self-study in excess of six hours is approved by The Missouri Bar as an alternative method of compliance with Rule 15 pursuant to Rule 15.05 (c)

and Regulation 15.05.3.

(d) Self-study credit shall be accounted for on the affidavit required by Rule 15.06.1.

6. In-House Program, Seminar, or Activity Accreditation.

(a) A private law firm, corporate law department, federal, state or local government agency or similar entity may apply for accredited sponsor status or identified sponsor status and shall be approved or disapproved for accredited or identified sponsor status under the same standards applicable to all other applicants for accredited or identified sponsor status.

(b) An in-house program, seminar, or activity, such as a program, seminar, or activity limited only to the lawyers of a private law firm, corporate law department, or a federal, state or local government agency, which is offered by an accredited or identified sponsor, shall be an accredited program, seminar, or activity if the standards of Rule 15.04 and Regulation 15.04.1 are satisfied.

7. Intellectual and Practical Content Substantially Equivalent to The Missouri Bar Annual Law Update Program.

(a) At least 9 hours of instruction, and

(b) the program content includes information on substantially all of the following topics: practice and procedure before Missouri and federal courts, domestic relations, estate planning and administration, business organizations, real estate, criminal practice and workers' compensation. The instruction on substantial law topics shall focus upon Missouri law and the program shall include practice tips in the various subject areas as well as instruction on substantive law.

8. Deadline Waivers. By its own application or upon written request for good cause shown, or in the interest of justice, The Missouri Bar shall waive application and reporting deadlines in Regulation 15.04. The application deadlines of Regulation 15.04.3 are waived for applications filed within sixty (60) days after the date of the publication of these regulations in a publication of general distribution to all lawyers as required by Rule 15.03(g).

9. Records Confidential.

(a) Unless otherwise directed by the Supreme Court of Missouri, the files, records and proceedings to The Missouri Bar, as they may relate to or arise out of a lawyer attempting to satisfy the continuing legal education requirements of Rule 15, shall be confidential and shall not be disclosed except in furtherance of the duties of The Missouri Bar or as provided in Regulation 15.04.8(b).

(b) The files, records and proceedings as they may relate to or arise out of a lawyer attempting to satisfy the continuing legal educational requirements of Rule 15, shall be disclosed to the lawyer affected upon written request by the lawyer affected or by his or her attorney.

(c) The Missouri Bar shall retain the affidavits of compliance for the three reporting years prior to the current reporting year. Affidavits not required to be retained may be disposed of by The Missouri Bar but only in a manner that preserves the confidentiality of the affidavits required by Regulation 15.04.9(a).

## Regulation 15.05. Credit and Exemptions

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1. Speaker and Author Credit.

(a) Any lawyer who participates as a speaker at an accredited program, seminar, or activity and does not receive compensation, other than reasonable expenses, shall receive credit for the following:

(1) actual presentation time, including both initial and repeat presentations; and

(2) actual preparation time up to a maximum of fifteen (15) credit hours for each 50 minutes of presentation time as determined by Regulation 15.01.

(b) Any lawyer who is the author of written material published or to be published without compensation by an accredited or identified sponsor or in a professional journal or as a monograph shall receive credit for actual research and writing time, but not to exceed fifteen (15) credit hours for any one such work.

(c) The standards set forth in Regulation 15.01 shall determine the number of credit hours to be received for the presentation time, preparation time and research and writing time and the number of credit hours to be received by a lawyer shall be reported on the affidavit required by Regulation 15.06.1.

(d) A lawyer may satisfy the requirements of subdivisions (e) and (f) of Rule 15.05 by speaker or author credit if the presentation or work or a designated portion thereof is devoted exclusively to professionalism, substance abuse and mental health, legal ethics or judicial or malpractice prevention.

## 2. Exemptions.

(a) Visiting Attorneys. Visiting attorneys from other jurisdictions who are permitted to practice for a case or proceeding pursuant to Supreme Court Rule 9.03 and who are not otherwise subject to Rule 15 shall not be subject to Rule 15.05.

(b) Non-Practicing Lawyers. Any lawyer not an active judge who, during a reporting year, has neither engaged in the active private or public practice of law in Missouri nor held himself or herself out as an active practicing lawyer in Missouri shall not be required to complete or report any credit hours during that reporting year unless the lawyer is subject to the requirements of subdivision (e) of Rule 15.05 or the lawyer elects to receive reciprocal credit under Regulation 15.05.5. A lawyer may claim the exemption on the affidavit required by Regulation 15.06.1 which shall be in such form as provided by The Missouri Bar.

(c) Governmental Officials. Any lawyer who is not a judge may, upon application to The Missouri Bar within ninety (90) days of the end of each reporting year, be exempt from Rule 15.05 (a) and Rule 15.05 (f) if he or she is a full-time governmental official and is not engaged in public or private practice of law. The application shall state reasons in support of the requested exemption. A lawyer exempted under this section shall still be required to file the affidavit required by Regulation 15.06.1.

## 3. Hardship and Extenuating Circumstances. Any lawyer for whom compliance with Rule 15 is unreasonable difficult due to

(a) a physical or mental disability; or

(b) military or other governmental service at an isolated place of duty; or

(c) age or any other good cause upon a written request setting forth the grounds therefor shall be granted a waiver, extension of time, or permission to comply with Rule 15 by an alternative method which may included in excess of six hours of self-study credit. **A lawyer should make the written request** at least sixty (60) days prior to the end of the reporting year except in cases when such a deadline is impractical or inappropriate. The Missouri Bar shall review and approve or disapprove such requests on an individual basis and without delay. Rejection of any such request shall be reviewed as provided in Rule 15.06(d).

## 4. Credit for Programs, Seminars, and Activities Which Occur Between January 1, 1988 and June 30, 1988. A lawyer who attends continuing legal education programs, seminars, or activities or participates as a speaker or author in such programs, seminars, or activities between January 1, 1988 and June 30, 1988 shall receive credit for and may report:

(a) The actual credit hours for the program, seminar, or activity as determined by Regulation 15.01 if the program, seminar, or activity (1) was conducted by a sponsor who is designated or approved as an accredited sponsor prior to June 30, 1988, or by an identified sponsor who is accredited pursuant to Regulation 15.04.3 (b) or (2) is an accredited program, seminar, or activity pursuant to Regulation 15.04.3 (c) and

(b) a maximum of fifteen credit hours for any continuing legal education programs, seminars, and activities conducted by a sponsor other than an accredited or identified sponsor and not accredited pursuant to Regulation 15.04.3 (c) if, at

the time of the programs, seminars, or activities, the lawyer had reason to believe that the programs, seminars, or activities substantially conformed to the standards for accreditation of Rule 15.05. The hours of credit for all such programs, seminars, and activities shall be determined by Regulation 15.01.

5. Reciprocal Credit. Any lawyer whose principal place of practice is in a state other than Missouri which has a continuing legal education requirement substantially similar to that of Missouri can satisfy the requirements of Rule 15, if applicable, by making the appropriate designation on the affidavit required by Regulation 15.06.1 that he or she is in compliance with the requirements of the state of his or her principal place of practice. Any lawyer whose principal place of practice is in a state other than Missouri which does not have a continuing legal education requirement substantially similar to that of Missouri can satisfy the requirements of Rule 15, if applicable, by completing accredited programs, seminars, or activities as defined in Regulation 15.01.1 or by completing programs, seminars, or activities offered by his or her state bar association.
6. Carryover Credit Hours.
  - (a) A lawyer reporting more than fifteen credit hours of accredited programs, seminars, or activities, exclusive of self-study, for one reporting year shall receive credit in the next succeeding reporting year for such excess credit hours to apply toward the requirement of subdivision (a) of Rule 15.05 if the excess credit hours are reported on the lawyer's affidavit for the reporting year for which they were completed and are designated as hours to be carried forward.
  - (b) Credit hours of programs, seminars, and activities devoted exclusively to professionalism, substance abuse and mental health, legal or judicial ethics or malpractice prevention may be included in determining the amount of carryover credit which a lawyer may report pursuant to Regulation 15.05.6(a).
  - (c) For professionalism compliance periods beginning on or after July 1, 2009, a lawyer reporting more than two credit hours of accredited programs and activities devoted exclusively to professionalism, substance abuse and mental health, legal or judicial ethics or malpractice prevention during one reporting year may receive credit for such excess hours to apply to the requirement of subdivision (f) of Rule 15.05 for the next succeeding reporting year if the credit hours are reported on the lawyer's affidavit for the reporting year for which they were completed and are designated as hours to be carried forward.

## Regulation 15.06. Reporting Requirements

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1. Annual Affidavit. On or before July 31, 1989, and annually by July 31 every year thereafter, each lawyer shall report, by written affidavit to The Missouri Bar, the lawyer's completion of or exemption from the requirements of Rule 15. If applicable, the affidavit shall include the number of all credit hours of accredited programs, seminars, or activities which the lawyer completed for the applicable reporting year, the number of credit hours to be carried forward from the immediately preceding reporting year, the number of credit hours to be carried over to the next succeeding reporting year, the number of credit hours of programs, seminars, and activities devoted exclusively to professionalism, substance abuse and mental health, legal or judicial ethics and malpractice prevention as required by subdivisions (e) and (f) of Rule 15.05, the number of credit hours of programs, seminars or activities required by Rule 15.05(g), any other credit hours to which the lawyer is entitled and completion of The Missouri Bar Annual Law Update or its substantial equivalent, if required by subdivision (d) of Rule 15.05. The initial reporting period is from January 1, 1988 through June 30, 1989. The form for such affidavit shall be provided to the lawyer by The Missouri Bar on or before June 30. The affidavit filed by a lawyer shall establish compliance with the requirements of Rule 15.05 and the reporting requirement of Rule 15.06 unless the affidavit is incomplete or otherwise does not demonstrate compliance with the requirements of Rules 15.05 and 15.06.
2. Failure to Report. Except as provided in Regulations 15.05.2, 15.05.3 and 15.06.3, in the event that a lawyer fails to file an affidavit, files an incomplete affidavit or files an affidavit which does not demonstrate compliance with the requirements of Rules 15.05 and 15.06, the provisions of Rule 15.06 (b), (c), (d), (e) and (f) shall be applicable, including the late-filing fee requirement established by Rule 15.06 (c).
3. Education Deficiency Plans. In the event that a lawyer shall fail to complete or is not otherwise entitled to report at least fifteen credit hours of accredited programs, seminars, and activities during a reporting year or has not satisfied the requirements of subdivisions, (e), (f) or (g) of Rule 15.05 during the applicable reporting year and the provisions of Regulations 15.05.2 or 15.05.3 are not applicable, there may be attached to the report required by Rule 15.06 a statement by the lawyer setting forth a specific plan for making up the deficiency by September 30 immediately following the end

of the reporting year. This plan shall be deemed accepted unless within 15 days after receipt of the affidavit and statement the lawyer is notified to the contrary. Full compliance with the lawyer's plan shall be reported by the lawyer not later than September 30 immediately following the end of the reporting year. All credit hours from any accredited program, seminar or activity set forth in the plan for making up the deficiency shall be included on the written affidavit for the reporting year for which the deficiency plan was submitted and shall be included in the determination of carryover credit for that year. Failure of the lawyer to complete the plan and report completion by September 30 shall be considered failure to comply with requirements of Supreme Court Rule 15.

4. Noncompliance Report. The Missouri Bar shall annually report in writing to the chief disciplinary counsel and the Commission on Retirement, Removal and Discipline, as the case may be, in accordance with Rule 15.06(f) as of March 1, following completion of each reporting year.