

# IN THE SUPREME COURT OF TEXAS

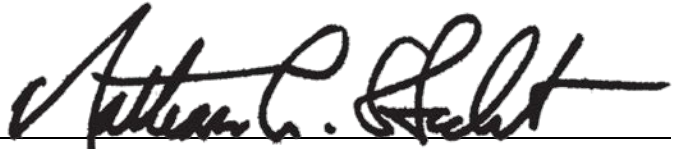
Misc. Docket No. 15-9077

## ORDER APPROVING AMENDMENTS TO ARTICLE XII OF THE STATE BAR RULES

**ORDERED** that:

1. Article XII, Section 4 of the State Bar Rules is amended as follows. The amendments remove the MCLE exemption for an emeritus member. Emeritus member is defined in Texas Government Code section 81.052(e).
2. For compliance years that begin on or after June 1, 2016, an emeritus member must fulfill the MCLE requirements applicable to all members of the State Bar, unless the member is eligible for another exemption. Accredited continuing legal education and self-study completed within the 12 months immediately preceding the first compliance year for an emeritus member that begins on or after June 1, 2016, may be used to meet the MCLE requirements for that initial compliance year.
3. These amendments may be changed in response to public comments received by July 31, 2015. Any interested party may submit written comments to Rules Attorney Martha Newton at rulescomments@txcourts.gov.
4. The Clerk is directed to:
  - a. file a copy of this order with the Secretary of State;
  - b. cause a copy of this order to be mailed to each registered member of the State Bar of Texas by publication in the *Texas Bar Journal*;
  - c. send a copy of this order to each elected member of the Legislature; and
  - d. submit a copy of the order for publication in the *Texas Register*.

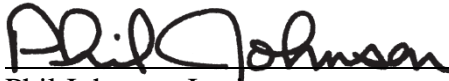
Dated: April 28, 2015.



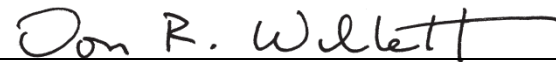
Nathan L. Hecht, Chief Justice



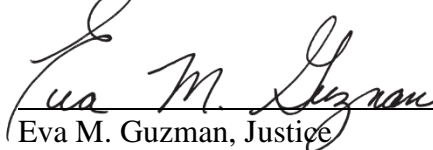
Paul W. Green, Justice



Phil Johnson, Justice



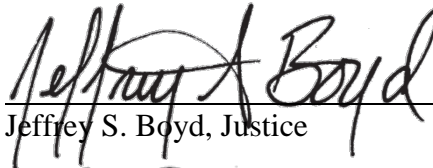
Don R. Willett, Justice



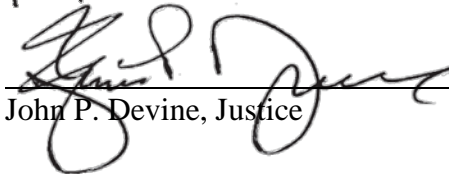
Eva M. Guzman, Justice



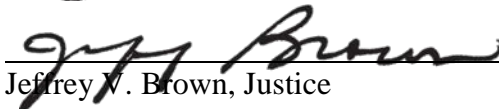
Debra H. Lehrmann, Justice



Jeffrey S. Boyd, Justice



John P. Devine, Justice



Jeffrey W. Brown, Justice

**TEXAS**  
**MINIMUM CONTINUING LEGAL EDUCATION RULES**  
**(Article XII, State Bar Rules)**

...

**Section 4. Accreditation**

- (A) The Committee shall develop criteria for the accreditation of continuing legal education activities and shall designate the number of hours to be earned by participation in such activities, as approved by the Committee. In order for an activity to be accredited, the subject matter must directly relate to legal subjects and the legal profession, including professional responsibility, legal ethics, or law practice management. The Committee may, in appropriate cases, extend accreditation to qualified activities that have already occurred. The Committee shall not extend credit to activities completed in the ordinary course of the practice of law, in the performance of regular employment, as a volunteer service to clients or the general public, as a volunteer service to government entities, or in a member's regular duties on a committee, section or division of any bar related organization. The Committee may extend accredited status, subject to periodic review, to a qualified sponsor for its overall continuing legal education curriculum. No examinations shall be required.
- (B) Self-study credit may be given for individual viewing or listening to audio, video, or digital media; reading written material; attending organized in-office educational programs; or other activities approved by the Committee. No more than three hours of credit may be given during a compliance year for self-study activities. Time spent viewing or listening to audio, video, or digital media as part of an organized CLE activity approved by the Committee counts as conventional continuing legal education and is not subject to the self-study limitation.

- (C) Credit may be earned through teaching or participating in an accredited CLE activity. Credit shall be granted for preparation time and presentation time, including preparation credit for repeated presentations.
- (D) Credit may be earned through legal research-based writing upon application to the Committee provided the activity (1) produced material published or to be published in the form of an article, chapter, or book written, in whole or in part, by the applicant; (2) contributed substantially to the continuing legal education of the applicant and other attorneys; and (3) is not done in the ordinary course of the practice of law, the performance of regular employment, or as a service to clients.
- (E) The Committee may, in appropriate cases charge a reasonable fee to the sponsor for accrediting CLE activities.
- (F) A member who holds a full-time faculty position in any law school which is approved by the American Bar Association may be credited as fulfilling the requirements of this article, except as to the minimum requirements for CLE in legal ethics and professional responsibility. A member who holds a part-time faculty position in any such law school may claim participatory credit for the actual hours of class instruction time not to exceed 12 hours per compliance year, except as to the minimum requirements for CLE in legal ethics and professional responsibility.
- ~~(G) The Committee shall grant exemption from this Article to any emeritus member of the State Bar of Texas. (Emeritus as defined by the State Bar Act, Section 81.052 (e)).~~
- (HG) Credit to meet the minimum educational requirement shall be extended to attorneys who are members of the Senate and House of Representatives of present and future United States and Texas Legislatures for each regular session in which the attorney member shall serve.

(H) No credit shall be given for activities directed primarily to persons preparing for admission to practice law.

(J) Credit, not to exceed 30 hours in any compliance year, may be earned for attending a law school class after admission to practice in Texas provided (1) that the member officially registered for the class with the law school; and (2) that the member completed the course as required by the terms of registration. Credit for approved attendance at law school classes shall be for the actual number of hours of class instruction time the member is in attendance at the law school course.

...