

Federal Bar Association

Continuing Legal Education Requirements for Material Submission

2020 Tax Law Conference

All CLE Materials Deadline: January 24

State regulations vary from state to state, but generally agree on the following guidelines.

COURSE APPROVAL

- Panel presentations must have "significant intellectual or practical content," a "primary objective" of increasing "professional competence and skills as an attorney" and "pertain to a recognized legal subject or other subject matter which integrally relates to the practice of law, or to the professional responsibility or ethical obligations of the participants."

REQUIREMENT FOR WRITTEN MATERIALS

- Written materials should...
 - o Reflect a thorough preparation by the panelists
 - o Serve as a resource for course participants by assisting them in improving their legal competence
 - o "A mere agenda or topical outline will not be sufficient."
- Three purposes for written materials
 - o Insures thorough course preparation
 - o Resource for attendees after course completion
 - o Allow the MCLE Board to evaluate the quality and nature of the course
- Common issues with submitted materials
 - o Materials that only contain hypotheticals
 - If hypotheticals are accompanied by (1) course materials which assist the understanding of the subject matter and have reference value to the participants or (2) course materials which provide a thorough written discussion and/or responses to such hypotheticals may satisfy this requirement.
 - o Bibliographies or a list of other reference materials standing alone
 - o Topical outlines without citations or explanatory notations
 - o Panel agendas

LEGAL ETHICS

- Ethics courses receive approval by addressing "topics embraced in recognized formulations of rules of professional conduct or codes of professional responsibility applicable to attorneys."
- It is highly recommended that the panel title includes the phrase "legal ethics"
- The following topics are examples that do not qualify for ethics credit:
 - o Ethics in Government
 - Programs or components which, although presented to attorneys, focus on standards of conduct applicable to non-attorney employees.
 - o Medical Ethics
 - Programs or components which, although presented to lawyers, focus on the application of medical ethics, statutory options, and/or educating the lawyer in these subjects to enable that lawyer to better advise a client.
 - o Ethics of other Professions

- Business or Corporate Ethics
 - Programs or components which, although presented to lawyers, focus on an analysis or the application of ethical standards appropriate for executives, corporate officers and employees.
- Rules of Procedure, Rules of Evidence and Litigation Tactics
 - Programs or components which focus on rules of procedure or rules of evidence, unless the focus of the programs or components also provides a substantial treatment of applicable rules of professional conduct or codes of professional responsibility.

[The above guidelines derive from the Virginia State Bar]

FBA MATERIAL SUGGESTIONS

- PowerPoint presentation
 - A minimum of 30 slides is recommended
 - Slide content references legal statutes, regulations, cases, oral arguments, etc. with analysis from panelists
 - Slides should not simply serve as a guide to oral content to the presentation
- Detailed Outline
 - A minimum of 3 pages is recommended
 - Bullet points reference legal statutes, regulations, cases, oral arguments, etc. with citation and explanatory notations

While these suggestions do not guarantee materials submissions will result in panel accreditation, experience has shown that these material formats result in greater approval rate.

Please be mindful of these guidelines as a panelist. Poor material submissions risk not only the approval of CLE credit for the conference, but also the Federal Bar Association's status as an approved provider and relationship with the accrediting state. In addition, valuable materials improve the quality of the conference and strengthens the FBA brand as an education provider.