

FOR COMMISSION USE ONLY

NORTH **COMMISSION FOR**
DAKOTA **CONTINUING LEGAL**
EDUCATION

P.O. Box 2136 • Bismarck, North Dakota 58502 • (701) 255-1404

THIS COURSE IS
APPROVED/DISAPPROVED
FOR _____ CREDIT HOURS
INCLUDING _____ ETHIC
CREDITS

SIGNATURE

INDIVIDUAL ATTORNEY APPLICATION
FOR APPROVAL OF CLE CREDIT

1. Name and address of person requesting approval (attorney or person from sponsoring organization):

2. Name, address, and telephone number of sponsoring organization: _____

3. Title of Course: _____

4. Dates and locations of course (city and state): _____

5. Is this course being applied for credit under the uniquely connected exception? (See Section 1(2) of Guidelines)

_____ Yes _____ No

6. Advertised to: _____ lawyers

_____ Others - specify _____

7. "In-house activity" requirements

_____ open/publicized to outside lawyers

_____ outsiders are _____ % of faculty

8. REQUIRED ATTACHMENTS to this application

- a. time schedule (brochure, course outline, course description)
- b. faculty name(s) and credentials (if not in brochure description)
- c. If #5 was answered "Yes", attach an explanation on how the course is uniquely connected to your practice.

9. Total Minutes of instruction, not including breaks, meals or introductions.

General (non-ethics) _____ Ethics _____

Total _____

10. Approval by other states:

Granted by: _____ Denied by (state reasons): _____

11. Submitted by: _____ employee of sponsor/provider _____ individual lawyer

SPONSOR'S OBLIGATIONS (or individual applicants): Sponsor acknowledges and agrees to comply with all applicable local rules and regulations listed on the backside of this form or attached hereto.

Name of person applying (type or print)

Address

Phone

Signature

Title

Date

NORTH DAKOTA
COMMISSION FOR CONTINUING LEGAL EDUCATION

GUIDELINES FOR APPROVED COURSEWORK

Section 1. Course Approval Standards

a) The Commission applies the following standards in approving courses.

1) The course must primarily relate to the practice of law (including professional responsibility or law office management) or to a substantive body of law. The course must presuppose that the participants either have law school education or a substantial degree of exposure to and familiarity with the substantive body of law under discussion.

2) If a course is not offered as Continuing Legal Education by its producers, an applicant for credit must make an adequate factual showing that the course is uniquely connected to the applicant's practice and will increase his or her knowledge, skill or ability as a lawyer.

3) Each faculty member must be qualified by practical or academic experience to teach the subject he or she covers.

4) Course materials must be provided at the time of presentation which accurately and in a well-organized manner cover the subject matter.

5) A course is presumptively approved for credit if it meets one of the following requirements:

- 1) It is sponsored by an organization listed in Rule 6 of the Rules for Continuing Legal Education of the Members of the State Bar Association of North Dakota;
- 2) It has been approved by the CLE body of another state which has mandatory CLE;
- 3) It is sponsored by an organization which has been accredited by the Commission;
- 4) It fulfills the requirements for mandatory judicial education in Section 40-18-22, NDCC.

Section 2. Course Approval Procedure

a) It is intended that the bulk of applicable programs and coursework will be qualified under paragraphs 1 thru 5 inclusive of subsection (a) of Section 1. Individually reporting attorneys need not and should not request approval by the Commission of these courses as being eligible for CLE credit. As to programs not approved in this fashion, an individual reporting attorney or the sponsoring organization must request Commission approval of the coursework. The request is to be on forms provided by the Commission.

b) The Commission shall approve or deny the request for approval of coursework as being eligible for CLE credit within 90 days of receipt of the written request. Failure of the Commission to act within 90 days shall result in the approval of the course.

c) Any person aggrieved by a decision of the Commission may request a hearing before the Commission. The Commission shall schedule a requested hearing at its next meeting after receiving the request.

Section 3. Computation of Credits

a) The Commission retains the right to approve fewer credit hours than requested or approved by some other CLE accrediting agency.

b) Credits will be awarded on the basis of 1 hour for each 60 minutes actually spent in attendance of the course which meets the standards of Section 1 of these Guidelines. Credit hours will be rounded to the nearest quarter hour. Coffee breaks, introductory remarks, keynote speeches and business meetings will not be allowed credit.

c) A person teaching an approved CLE course shall be awarded additional credit for preparation time not to exceed a ratio of 5 to 1 between preparation time and presentation time respectively.

d) Credits, with regard to the ethics requirement, will be awarded on the same basis as Section 3(b). Attorneys are required to obtain 3 hours of their triennial 45 hours in the area of ethics or work commonly considered professional responsibility. All attorneys commencing with those reporting in 1993, shall certify that 3 of the 45 hours reported on the Report of Compliance were obtained in the area of ethics.

Section 4. Self-Study

One third of the required coursework for any reporting period may be acquired through self-study, which involves electronic recordings (whether video or sound only) or correspondence work, provided that the recordings must be accompanied by appropriate written materials. Since ND does not pre-approve self-study, it is up to the individual attorney to request and report self-study CLE credit hours.

Section 5. Accreditation of Sponsors

a) An organization or person which desires accreditation as a sponsor of courses, programs or other legal education activities shall apply for accreditation to the Commission stating its legal education history for the preceding calendar year, including approximate dates, subjects offered, total hours of instructions presented, and the names and qualifications of speakers. Before August 1 of each year, all accredited sponsors shall report to the Commission, in writing, the legal education programs conducted during the preceding calendar year on a form approved by the Commission.

b) The Commission may at any time re-evaluate an accredited sponsor. If the Commission finds there is a basis to revoke accreditation, the Commission shall give notice by certified mail to that sponsor of a hearing on possible revocation more than 30 days prior to the hearing. The decision of the Commission after that hearing will be final.