

PARALEGAL DIVISION  
STATE BAR OF NEW MEXICO  
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**REQUIREMENTS FOR MAINTAINING MCLE CREDITS FOR MEMBERSHIP**  
(Effective January 1, 2010)

**IMPORTANT REMINDER TO ALL DIVISION MEMBERS:** It is the member's responsibility to obtain a certificate of attendance for seminar attendance and submission for credit to the Division CLE Tracking Committee. Our members are continually advised by person(s) at the registration tables that your CLE credits will be reported to the NM State Bar. The NM State Bar **only** reports CLE credit for attorneys – **not paralegals**. We recommend you print the certificate of attendance from our web site and take it with you when attending seminars, or you may use the certificate of attendance provided for attorneys in the seminar materials. If you do not obtain and submit a certificate of attendance, you will not receive CLE credit from the Division. The sign-in sheets for the annual Paralegal Institute, luncheon seminars and any other seminars sponsored by the Division are the only seminars that will be recorded without the need to obtain and submit a certificate of attendance.

1. **Hours Required.** Each member of the Paralegal Division (PD) will be required to earn twelve (12) hours of Minimum Continuing Legal Education (MCLE) credit during each compliance year, consisting of eleven (11) hours of general credit and one (1) hour of ethics.
2. **Compliance Year.** The compliance year runs from January 1 until December 31. CLE credit must be earned in the compliance year for which the credit applies, except that 12 hours may be carried forward from the previous year. For **new** members, the initial compliance year shall be the first full year following the date the member was approved for admission (i.e., a member admitted in April 2008 has until December 2009 to comply, however a new member must submit for CLE credit earned in 2008 in 2008, not 2009, and such credit will be applied to the appropriate compliance year). The initial compliance year does not apply to a member who is being reinstated or reactivated.
3. **Hours Earned.** Credit will be awarded based on a 60-minute hour. Members not attending a full seminar shall receive partial credit in accordance with the number of hours attended. A request for CLE credit shall not be submitted unless the CLE activity exceeds one hour in duration.
4. **CLE Activity Credit Approval.** The CLE Tracking Committee will award credit for CLE activity that has been pre-approved for MCLE credit by either the New Mexico MCLE Board or the PD. CLE activity not pre-approved for MCLE credit by either the New Mexico MCLE Board or the PD may be awarded based on the following criteria: (1) the subject matter of the CLE activity addresses substantive law or professional issues relevant to paralegals; (2) the individual presenting the subject matter has sufficient expertise and knowledge on the particular topic; and (3) the CLE activity is at least one hour in duration. CLE materials that do not meet these criteria should be submitted to the CLE Tracking Committee to determine approval for credit prior to attendance at a course or seminar. The member will be advised as to whether or not the course or seminar will be approved for credit. pre-approval should be sought, especially when the member has been notified of a deficiency and MCLE credit is a priority.

5. **Legal Ethics/Professionalism.** Members may obtain up to one (1) hour of Professionalism credit as required for attorneys by MCLE Rules 18-201 and 203 of the Continuing Education Requirements of the New Mexico MCLE Board. Professionalism credits may not be applied as Ethics credits. Such credit may be applied only to general credits. CLE credits for Professionalism are not required by the PD at this time to fulfill CLE requirements. The PD will continue to monitor this issue on an annual basis.
6. **Computer Program Application Courses.** Computer software/application program courses or seminars approved by the New Mexico MCLE Board are given full credit. Computer software/application program courses or seminars that are not approved by the New Mexico MCLE Board, will earn one-half (½) hour of credit for each one (1) hour attended. **No more than seven (7) hours of MCLE credit will be awarded during a compliance year for computer program application courses or seminars.**
7. **Self-Study Credit.** Self-study credit may be earned for viewing videotapes, listening to audio tapes or participating in CLE activities provided on line via the internet (i.e., live broadcast, self-study, NALA on-line courses, etc.), provided that (1) approval for self-study credit is granted by the CLE Tracking Committee **prior** to viewing, listening or participating; (2) that the subject matter relates to substantive law or professional issues relevant to paralegals; (3) they are from an accredited provider or from an approved program; and, (4) the CLE activity is at least one hour in duration. Self-study credits may be applied only to the MCLE requirement for the compliance year in which they are earned, and may not be carried over to a subsequent year. The Request for Self-Study Approval form (included in the membership package or available on the PD website) should be used when requesting approval for self-study. **No more than ten (10) hours of MCLE credit will be awarded during a compliance year for self-study.**
8. **Live Program Credit.** MCLE credit can be earned for attendance at live programs or programs which are broadcast via satellite provided there is a moderator assigned to supervise the program and foster discussion among participants, and provided the program is approved for MCLE Credit by the New Mexico MCLE Board or the PD.
9. **Publications.** Credit may be earned for authoring or co-authoring written material which is actually published in a legal periodical, journal, book or treatise which is approved by the New Mexico MCLE Board or the PD, subject to the following requirements: (1) the material substantially contributes to the legal education or competency of paralegals; and (2) the project is not done in the ordinary course of the paralegal's performance of regular employment. Credit is given in the year the work is accepted for publication or in which publication actually occurs. The CLE Tracking Committee may award one (1) hour of credit for each five (5) hours of time spent in authoring or co-authoring such written material, including research and drafting. **No more than ten (10) hours of MCLE credit will be awarded during a compliance year.**
10. **Speakers.** Members who serve as speakers at an accredited providers' program or an approved program may receive credit for preparation time and presentation time at a 1:3 ratio. For every one (1) hour of teaching, up to three (3) hours of preparation time can be earned for a total of four (4) hours CLE credit.

11. **Paralegal Studies Credit.** Successful completion of substantive legal courses offered by an educational institution as defined in the PD Membership Application, will be approved for MCLE general credit with a Grade C or higher. Please refer to the criteria established in paragraph 13 below for individual courses or seminars exceeding ten (10) hours in duration and which otherwise meet CLE requirements. One (1) hour of Ethics credit will be awarded upon receipt of appropriate documentation of Ethics study.
  
12. **Long-Distance Learning Program/Home Study Course for Paralegal Studies.** Long distance/ home study courses will be considered by the CLE Tracking Committee on a case-by-case basis for CLE credits upon submission of the following: (i) proof of national accreditation of the provider, (ii) proof that the course meets the criteria for CLE credit (course curriculum and hours), and (iii) proof of course completion by the member.
  
13. **Courses Exceeding 10 Hours in Duration.** Except for seminar hours approved by the New Mexico MCLE Board, for individual courses or seminars exceeding ten (10) hours in duration and which otherwise meet the Division CLE requirements, CLE credit will be awarded as follows:
 

10 - 20 hours	=	10 credit hours
21 – 30 hours	=	15 credit hours
31 – 40 hours	=	20 credit hours
41 – 50 hours	=	25 credit hours
Over 50 hours	=	30 credit hours
  
14. **Paralegal Certifying Exam Credit.** Twenty (20) hours of MCLE credit will be awarded for the successful completion of a paralegal certifying exam and ten (10) hours of MCLE credit will be awarded for the successful completion of a specialty exam.
  
15. **Pro Bono Activities Credit.** CLE credits may be granted to volunteer paralegals who have performed substantive pro bono legal services under the supervision of an attorney through a program established or endorsed by the Equal Access to Justice (EAJ) Committee of the PD. Documentation of time spent on substantive work must be submitted to the CLE Tracking Committee with the *Request for Pro Bono CLE Credit* signed by the pro bono supervising attorney (the form is in the membership package or may be obtained from the PD website). The CLE Tracking Committee may award one (1) hour of credit for each twelve (12) hours of substantive paralegal assistance *provided*. **No more than five (5) hours of MCLE credit will be awarded during a compliance year for pro bono activity.**
  
16. **Carry-Over.** A maximum of twelve (12) hours (11 hours of general credits and one (1) hour of ethics) earned in the **current** compliance year **only**, may be carried over to the next compliance year. **Self-study and Pro Bono hours may not be carried over.**
  
17. **Reporting CLE Activities.** Each member is responsible for reporting his/her CLE activities to the CLE Tracking Committee as soon after completion of the CLE Activity as possible and within the calendar year in which it is attended (calendar year reporting also applies to all new members who are reporting MCLE credit hours in their initial compliance year[s]). The request for credit form (Request by a Member of the State Bar of New Mexico Paralegal Division for Approval of A Continuing Legal Education Program for CLE Requirements, which may be obtained from the PD

website,) must be submitted to the CLE Tracking Committee together with the Certificate of Attendance and the brochure or summary that describes the program in detail and identifies the MCLE credit hours approved by the New Mexico MCLE Board and/or the PD. When additional information is requested by the CLE Tracking Committee to assess the program, the PD member must respond within 30 days of the date of the request. Attendance at the one-hour CLE seminars held in Albuquerque, Santa Fe, Las Cruces and Roswell (or other outlying areas) that are sponsored and approved by the PD will automatically be reported to the CLE Tracking Committee. This automatic process applies **only** to those luncheon seminars being sponsored and approved by the PD. A Member attending these seminars is only required to sign in and provide their PD identification number. The luncheon seminar sign-in sheets are sent to the CLE Tracking Committee for approval.

18. **MCLE Reports.** PD members will be provided annual reports in November documenting the MCLE hours **that have been reported by and awarded the member**. The reports identify the MCLE hours accumulated and hours needed for compliance (deficiency). **It is the PD member's responsibility to review and verify the hours as reflected on the reports.** Members now have easy access to monitor the status of their CLE credits on-line throughout the year. CLE credits are posted on the PD web page on a monthly basis.
19. **Administrative Penalty.** A "penalty" of \$25.00 may be assessed to a member who fails to comply with reporting or pre-approval requirements and that failure causes an additional administrative burden to the CLE Tracking Committee and/or the Administrative Assistant to resolve the problem(s) or issue(s).
20. **MCLE Credit Hours Fee.** Effective January 1, 2009, and thereafter, fees for CLE credits shall be included in the annual membership renewal fee of \$80.00. Members are still required to earn 12 hours of MCLE each year.
21. **Notification of Deficiency.** No later than January 15<sup>th</sup> of each year, the CLE Tracking Committee shall notify those members who are deficient CLE credit hours for the compliance year. The member has until February 15<sup>th</sup> to submit evidence of compliance not previously provided. On March 31<sup>st</sup>, any member who is not in compliance shall be disenrolled. A member who has been disenrolled and subsequently files proof of compliance may be reinstated subject to the discretion of the CLE Tracking and Membership committees, payment of a \$25.00 administrative penalty and any other appropriate membership/CLE fees. A member who is disenrolled due to failure to comply with MCLE reporting requirements for two consecutive years will be permanently disenrolled except at the discretion of the PD Board of Directors.
22. **Appeals.** An appeal of a CLE Tracking Committee decision regarding MCLE credit approval should be submitted **in writing** to the PD at the address above within thirty (30) days from the date of the decision. All appeals will be submitted to the CLE Tracking Committee for response and review by the PD Board of Directors. If requested by the Member or the Board of Directors, a hearing may be granted.