

Supreme Court

Article IV, Rule 3 of the Supreme Court :
Rules :
(Proposed Amendments) :

ORDER

The Court is seeking public comment on the attached amendments to Article IV, Rule 3 of the Supreme Court Rules on Mandatory Continuing Legal Education. Any member of the bar interested in offering comment may do so in writing by submitting a memorandum containing their comment to the Clerk on or before *Friday, May 12, 2023*.

Entered as an Order of this Court this *14th* day of *April 2023*.

By Order,

/s/
Clerk

Article IV. Periodic Registration of Attorneys.
Rule 3. Mandatory Continuing Legal Education.

* * *

3.2. MCLE requirements. - (a) Except as provided in Section 3.2(b) of this rule, all attorneys admitted to practice in this state shall complete ten (10) credit hours of continuing legal education in each MCLE reporting year, at least two (2) credit hours of which shall be in the area of legal ethics and one (1) credit hour shall be in the area of diversity, equity, and inclusion (DEI). The MCLE reporting year shall be defined to include the period from July 1 to June 30.

(b) Section 3.2(a) of this rule shall not apply to the following attorneys who may be subject to certification of the exemption or waiver:

(1) An attorney who suffers a disability which makes physical attendance at continuing legal education programs an extreme hardship may request a substitute program in lieu of attendance and shall therein propose the alternative continuing legal education program the attorney can undertake;

(2) Other requests by an attorney for alternative continuing legal education programs, waivers, or exemptions for good cause shall be submitted to the MCLE Commission with full explanation of the circumstances supporting the request;

(3) Attorneys who are listed as inactive or retired on the Master Roll of Attorneys of the Supreme Court;

(4) Attorneys holding a full-time federal, state, or municipal position and who are not engaged in the practice of law shall be exempt during their term(s) of employment;

(5) Federal and state court judges and magistrates whose judicial duties are full-time and who are not engaged in the practice of law;

(6) All newly admitted attorneys subject to Section 3.3 “Rhode Island Bridge the Gap” requirement for the current and next full MCLE reporting year;

(7) Attorneys who are seventy (70) years old or over, due to their stature in the profession. Although they are not required to participate in continuing legal education programs, attorneys in this category are encouraged to do so;

(8) Attorneys who are current members of the Rhode Island Board of Bar Examiners and the Committee on Character and Fitness, due to their unique contribution to the profession; and

(9) Attorneys who are current members of the Commission on Judicial Tenure and Discipline, the MCLE Commission, the Disciplinary Board, and the Ethics Advisory Panel are exempt from reporting two (2) legal ethics credits due to their unique contribution to the profession.

(10) Attorneys who are seventy (70) years old or over, due to their stature in the profession. Although they are not required to participate in continuing legal education programs, attorneys in this category are encouraged to do so;

(11) Attorneys who are active full-time, military personnel are exempt from the requirement; and

(12) The Chief Disciplinary Counsel, Deputy Disciplinary Counsel, Assistant Disciplinary Counsel, and the Ethics Advisory Panel staff attorney are exempt from reporting two (2) legal ethics credits due to their unique contribution to the profession.

Notwithstanding any language within this subsection, any attorney who is claiming an exemption or waiver must submit any required documentation to the MCLE Commission by June 30 in each MCLE reporting year.

* * *

3.3. “Rhode Island Bridge the Gap” requirement. – (a) *Requirement.* All newly admitted attorneys shall be required to take the one-day, mandatory “Rhode Island Bridge the Gap” course within ninety (90) days upon admission to the Rhode Island Bar (sworn in and issued a bar number) unless at the time of admission the attorney has been admitted in another jurisdiction for a period of at least three (3) years. The attorney shall submit a certificate of good standing to the MCLE Commission via the MCLE Portal attesting to the fact that the attorney has been admitted in another jurisdiction for the prescribed period. No course substitution from other jurisdictions will be accepted for this requirement.

(b) *Filing and Records.* ~~The course shall be taken by the end of the first full MCLE reporting year after the attorney is admitted to the Rhode Island Bar. On or before June 30 of that MCLE reporting year,~~ Each attorney shall file the date of attendance with the MCLE Commission via the MCLE Portal in such form as the Commission shall prescribe, documenting compliance with this requirement. The responsibility to ensure the accuracy and timely submission of the data rests solely with the reporting attorney. Each attorney shall maintain such records as may be required to substantiate the attorney’s compliance for a period of three (3) years following the close of each MCLE reporting year.

* * *

(d) *No Exemptions or Extensions.* Because the course will be offered as a video replay, there will be no exemptions or extensions granted by the MCLE Commission except in exceptional circumstances. An attorney may file a request for waiver or makeup consideration to the MCLE Commission ~~via the MCLE Portal~~ with a full explanation of the extraordinary circumstances supporting the request. The MCLE Commission shall review and approve or disapprove each request on an individual basis.

* * *

(f) *Failure to Comply.* A newly admitted attorney who fails to fulfill the requirement under this section within ninety (90) days of admission to the Rhode Island Bar by June 30 following the end of the first full MCLE reporting year after the attorney is admitted to the Rhode Island Bar, shall be assessed a makeup filing fee and shall be removed from the Master Roll of Attorneys without further notice. An attorney whose name has been removed from the Master Roll and who practices law or holds self out in any manner to the public or to another person as being competent, qualified, authorized, or entitled to practice law in this State is engaged in the unauthorized practice of law and may be subject to the disciplinary procedures of the Supreme Court.

(1) An attorney whose name has been removed from the Master Roll for failure to comply with this rule may be reinstated upon completing the “Rhode Island Bridge the Gap” course and payment of the makeup or late filing fee, plus reimbursement of the costs of collection, if any, within six (6) months of the initial filing deadline. Reinstatement after having been removed from the Master Roll for a period of ~~less than~~ six (6) months or less may be completed via the MCLE Portal.

* * *

(g) *Effective Date.* This Section rule will take effect on July 1, 2023~~12~~. ~~Individuals admitted as a Rhode Island attorney on or after January 1, 2011 shall be subject to this Section 3.3. On July 1, 2012, individuals admitted as a Rhode Island attorney before January 1, 2011 shall be required to complete only the MCLE requirements set forth in Section 3.2.~~

3.5. Accredited Sponsor Approval.

* * *

(d) In order to obtain and maintain approval, sponsors of MCLE courses or activities must comply with the following minimum requirements:

* * *

(3) The accredited sponsor must apply for course approval at least thirty (30) days prior to the course date as well as report attorney attendance no later than thirty (30) days after the course date via the MCLE Portal. Course approval received by an accredited sponsor less than (30) days prior to the date of the course and attorney attendance received later than thirty (30) days after the course date will be subject to a late fee and may subject the accredited sponsor to the potential loss of accreditation. Course approval received after the date of the course will be subject to an additional late fee and the potential loss of accreditation.

3.7. Standards. - A continuing legal education course, program, or activity shall meet the following minimum standards in order to be approved for MCLE credit:

* * *

(2) The subject matter shall be directly or supportively relevant to the practice of law, and/or legal ethics, and/or DEI;

* * *

(4) Be presented in a classroom, meeting room, or lecture hall, or other venue conducive to a meaningful educational experience;

(5) The content shall be presented in a multi-mode fashion, utilizing oral presentations, and may be supplemented with written, digital, and/or electronic materials. All materials shall meet the highest professional standards in terms of their timeliness, organization, and detail; and

* * *

3.9. Failure to comply - Sanctions.

* * *

(c) An attorney whose name has been removed from the Master Roll for failure to comply with MCLE may be reinstated upon completing and filing the courses, payment of the makeup or late filing fee, ~~filing certification of proof the MCLE Commission via the MCLE Portal~~, and payment of a reinstatement fee within six (6) months of the removal date.

* * *

(e) An attorney in the practice of law in another jurisdiction who is removed from the Master Roll for a period of six (6) months or more for failure to comply with this rule shall, in addition to any other prerequisite contained in these rules before being returned to the Master Roll, provide to the Supreme Court a certificate from the appropriate disciplinary tribunal of the jurisdiction in which the attorney has been practicing law that:

* * *

(f) An attorney removed from the Master Roll pursuant to this rule who thereafter comes into compliance shall file certification of proof with the MCLE Commission in such form as the Commission shall prescribe and shall also pay a reinstatement fee and a makeup or late filing fee. An attorney aggrieved by the refusal of the MCLE Commission to approve the attorney's certification of proof may file a petition for review with the Supreme Court.

3.10. Effective date. - ~~This rule will take effect immediately with respect to the appointment of the MCLE Commission and the performance by the Commission of the adoption and promulgation of regulations and rules of procedure, the designation of persons, corporations or other entities as sponsors of automatically approved MCLE courses, and the approval of specific courses for MCLE credits. This rule will take effect with respect to compliance by members of the bar beginning July 1, 1993. At the discretion of the MCLE Commission, credit may be given for courses taken in the 1993 calendar year prior to July 1. Changes to these rules will take effect on July 1, 2023~~⁴⁹.

Mandatory Continuing Legal Education Regulations

RULE 1.3.0. PURPOSE AND DEFINITIONS.

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(b) Definitions.

(1) “*Accredited Sponsor*” means a sponsor of continuing legal education activities accredited pursuant to Article IV, Rules 3.4 and 3.5; and MCLE Regulations §§ 1.3.4 and 1.3.5.

* * *

(3) “*Approved Program or Activity*” means a continuing legal education program that meets the requirements of Article IV, Rules 3.4 and 3.7 and MCLE Regulations §§ 1.3.4 and 1.3.7 and is offered by an Accredited Sponsor under Article IV, Rule 3.5 and MCLE Regulation § 1.3.5, or

a program that otherwise meets the requirements of Article IV, Rules 3.4 and 3.7 and MCLE Regulations §§ 1.3.4 and 1.3.7 and is approved by the MCLE Commission pursuant to Article IV, Rule 3.6 MCLE Regulation § 1.3.6.

* * *

(8) “*Late Filing*” means the Active Practitioner did complete the requisite courses or credits during the current MCLE Reporting Year, but did not submit or certify the credits ~~prior to~~ by June 30th of that reporting year.

* * *

RULE 1.3.2. MCLE REQUIREMENTS.

(a) Active Practitioners in Rhode Island shall complete ten (10) MCLE Credit Hours of continuing legal education in each MCLE Reporting Year. At least two (2) of the required ten (10) MCLE Credit Hours shall be in the area of legal ethics and one (1) MCLE Credit Hour shall be in the area of diversity, equity, and inclusion (DEI), as defined in Appendix A.

(b) *Exemptions.* Article IV, Rule 3.2(a) and sSubsection (a) of § 1.3.2 shall not apply to the following Active Practitioners who may be subject to certification of the exemption or waiver:

(1) An Active Practitioner who suffers a disability which makes physical attendance at continuing legal education programs an extreme hardship shall file on the summary reporting form (Appendix G via the MCLE Portal) by June 30 of each MCLE Reporting Year ~~may file annually via the MCLE Portal~~ a request for a substitute program in lieu of attendance and shall therein propose the alternative continuing legal education program the Active Practitioner can undertake, together with a doctor’s letter specifically stating the Active Practitioner’s inability to ~~participate in MCLE attend~~. The MCLE Commission shall review and approve or disapprove such alternate programs or waivers on an individual basis;

(2) Other requests for alternative continuing legal education programs, waivers, or exemptions for good cause shall be submitted ~~annually~~ to the MCLE Commission on the summary reporting form (Appendix G via the MCLE Portal) by June 30 of each MCLE Reporting Year with full explanation of the circumstances supporting the request (**Appendix G** via the MCLE Portal);

* * *

(4) Attorneys holding a full-time federal, state, or municipal ~~office position~~ and who are not engaged in the practice of law shall be exempt during their term(s) of ~~office employment~~ but must certify said status on office letterhead indicating job title and any other relevant documentation to the MCLE Commission on the summary reporting form (Appendix G via the MCLE Portal) by June 30 of each MCLE Reporting Year;

* * *

(6) All newly admitted attorneys subject to Article IV, Rule 3.3 and MCLE Regulation § 1.3.3 “Rhode Island Bridge the Gap” requirement shall be exempt ~~for the current and next full MCLE Reporting Year;~~

(7) Active Practitioners who are current members of the Rhode Island Board of Bar Examiners

and the Committee on Character and Fitness, due to their unique contribution to the profession shall be exempt but must certify said status by submitting a letter from the chairperson attesting to membership to the MCLE Commission on the summary reporting form (**Appendix G** via the MCLE Portal) by June 30 of each MCLE Reporting Year;

(8) Active Practitioners who are current members of the Commission on Judicial Tenure and Discipline, the MCLE Commission, the Disciplinary Board, and the Ethics Advisory Panel are exempt from reporting two (2) legal ethics credits due to their unique contribution to the profession. The chairperson must submit a letter to the MCLE Commission attesting to membership by June 30 of each MCLE Reporting Year. The Active Practitioner may submit said status on the summary reporting form (**Appendix G** via the MCLE Portal);

(9) Notwithstanding any of the other provisions in this section, any attorney who reaches the age of seventy (70) during a MCLE Reporting Year shall be granted exemption for that year and thereafter;

(10) Attorneys who are active full-time, military personnel are exempt from the requirement, but must certify said status on the summary reporting form (**Appendix G** via the MCLE Portal) by submitting current documentation including a copy of the attorney's military identification by June 30 of each MCLE Reporting Year; and

(11) The Chief Disciplinary Counsel, Deputy Disciplinary Counsel, Assistant Disciplinary Counsel, and the Ethics Advisory Panel Counsel-staff attorney are exempt from reporting two (2) legal ethics credits due to their unique contribution to the profession. The office must submit a letter to the MCLE Commission attesting to membership by June 30 of each MCLE Reporting Year. The Active Practitioner may submit said status on the summary reporting form (**Appendix G** via the MCLE Portal).

(c) Attorneys who participate on the criminal Court Appointment Panel shall be awarded one (1) MCLE Credit Hour per case with a maximum of five (5) MCLE Credit Hours allowed per MCLE Reporting Year. Credit shall be awarded in the MCLE Reporting Year of the disposition of the criminal case. Attorneys shall complete a MCLE Criminal Court Appointment Panels form located on the Rhode Island Judiciary's website at www.courts.ri.gov. Attorneys shall submit an Appendix D via the MCLE Portal and attach the Criminal Court Appointment Panels form.

RULE 1.3.3. "RHODE ISLAND BRIDGE THE GAP" REQUIREMENT.

(a) The "Rhode Island Bridge the Gap" requirement is a mandatory one-day course, which shall be taken by each newly admitted attorney within ninety (90) days upon admission to the Rhode Island Bar (sworn in and issued a bar number)~~no later than the end of the first full MCLE Reporting Year after admittance to the Rhode Island Bar.~~

* * *

(2) The effective date of this rule is January 1, 2023~~12~~. ~~Individuals admitted, as a Rhode Island attorney, on or after January 1, 2011 shall be required to take this course. On July 1, 2012, individuals admitted as a Rhode Island attorney before January 1, 2011 shall be required to complete only the MCLE requirements set forth in Article IV, Rule 3.2 and MCLE Regulation § 1.3.2.~~

(i) ~~Example: An attorney admitted to the Rhode Island Bar in November 2012 must complete the "Rhode Island Bridge the Gap" course on or before June 30, 2014.~~

* * *

(e) ~~As this course is mandatory for all newly admitted attorneys, n~~No MCLE credits are given for this course.

(f) *Failure to Comply*. A newly admitted attorney who fails to comply with the requirements of Article IV, Rule 3.3 and this subsection within ninety (90) days of admission to the Rhode Island Bar ~~by the end of the first full MCLE Reporting Year after the attorney is admitted to the Rhode Island Bar~~, shall be assessed a makeup filing fee and shall be removed from the Master Roll of Attorneys without further notice. An attorney whose name has been removed from the Master Roll of Attorneys and who practices law or holds self out in any manner to the public or to another person as being competent, qualified, authorized, or entitled to practice law in this state is engaged in the unauthorized practice of law and may be subject to the disciplinary procedures of the Supreme Court.

(1) An attorney whose name has been removed from the Master Roll for failure to comply with Article IV, Rule 3.3 and this subsection may be reinstated upon completing the “Rhode Island Bridge the Gap” course and payment of the makeup or late filing fee, plus reimbursement of the costs of collection, if any, within six (6) months of the initial filing deadline (June 30). (See **Appendix C**, Schedule of Fees.) Reinstatement after having been removed from the Master Roll for a period of ~~less than~~ six (6) months or less may be completed via the MCLE Portal.

* * *

RULE 1.3.4. CREDITS AND COMPUTATION.

(a) MCLE credit(s) for Approved Program or Activity attendance will be awarded on the basis of one (1) credit hour for each fifty (50) minutes actually spent in attendance. One-half credit shall be awarded for:

(1) Approved Programs or Activities exceeding standard credit increments by at least twenty-five (25) minutes (e.g. seventy-five (75) minutes = 1.5 $\frac{1}{2}$ credits); and

(2) Legal ethics and DEI presentations of at least twenty-five (25) minutes duration, whether stand-alone or included in a larger program.

* * *

(e) MCLE Credit Hours may be obtained for attendance at In-house programs that meet the requirements of Article IV, Rules 3.4 and 3.7 and MCLE Regulations §§ 1.3.4 and 1.3.7 and are approved by the MCLE Commission pursuant to Article IV, Rule 3.5 and MCLE Regulation § 1.3.5 (**Appendix D**, Course Accreditation).

* * *

(g) MCLE Credit Hours may be earned for certain activities crossing academic lines (e.g., accounting-tax). (See **Appendix A**, Accreditation Guidelines for Continuing Legal Education, for criteria.)

(h) The MCLE Commission will award teaching credits, with an annual limitation of six (6) MCLE Credit Hours, to an Active Practitioner who teaches an Approved Program or Activity

and submits an **Appendix F** on the MCLE Portal. Rules for course accreditation, standards, and teaching qualifications are provided herein in **Appendix A**, Accreditation Guidelines for Continuing Legal Education Activities, Article IV, Rule 3.7 and MCLE Regulation § 1.3.7, ~~Standards~~, and **Appendix B**, Teaching Qualifications, respectively.

* * *

(j) The MCLE Commission may award credit for research activities upon application via the MCLE Portal by attorneys engaged in such activities, provided the activity:

* * *

Such credit(s) shall not exceed five (5) MCLE Credit Hours per MCLE Reporting Year. The MCLE Commission will, upon publication and submittal, judge applications on a case-by-case basis as to acceptability, and if so found, the number of MCLE Credit Hours allowed. (**Appendix E**, Authorship Credit, via the MCLE Portal.)

* * *

(m) If an Active Practitioner earns more than ten (10) MCLE Credit Hours in a MCLE Reporting Year, the excess hours may be used to fulfill, as far as possible, the Active Practitioner's MCLE requirement for the next ensuing year, but not thereafter. Excess credits must be reported in the year taken.

(o) No more than one (1) MCLE Credit Hour will be granted for acting as a judge, facilitator, or trainer in a moot or mock trial competition or seminar per MCLE Reporting Year. Such credit will ~~only~~ be granted only if student critiquing is part of the Active Practitioner's contribution to the competition.

(p) Book Discussion Groups are an Approved Program or Activity. A Book Discussion Group must be led by a teacher or facilitator and have in attendance not less than six (6) members. The book to be discussed must be preapproved by the MCLE Commission **BEFORE** credit will be awarded and include how the book qualifies under Article IV, Rule 3.7 and MCLE Regulation § 1.3.7 and a proposed agenda for discussion. An Active Practitioner is limited to one (1) book discussion per MCLE Reporting Year. No more than 1.5 MCLE Credit Hours will be granted per MCLE Reporting Year for a Book Discussion Group. Active Practitioners shall not submit an Appendix D Course Accreditation form for Book Discussion Group credit as the book shall be preapproved prior to the course registration. Teaching credits will be awarded under subsection (h) and are also limited to one (1) book discussion per MCLE Reporting Year. Pursuant to Article IV, Rule 3.5 and MCLE Regulation § 1.3.5, the Accredited Sponsor must apply for book approval at least thirty (30) days prior to the course date as well as report attorney attendance no later than thirty (30) days after the course date via the MCLE Portal.

RULE 1.3.5. ACCREDITED SPONSOR APPROVAL.

* * *

(e) The MCLE Commission may at any time reevaluate and, for cause, revoke the status of an Accredited Sponsor for including, but not limited to, failure to comply with Article IV, Rule 3.8 and MCLE Regulation § 1.3.8(e).

* * *

(g) A sponsor wishing to apply for Accredited Sponsor status shall submit to the MCLE Commission via the MCLE Portal, information on any continuing legal education programs planned for the current application year. The MCLE Commission may, at its discretion, request submission of course materials for inspection (**Appendix D**).

(h) Sponsors of courses which have been accredited or approved may announce in informational brochures or registration materials: “Subject to Article IV, Rule 3 of the Rhode Island Supreme Court Rules, this course has been approved by the Mandatory Continuing Legal Education Commission for a maximum of _____ CLE credits, inclusive of _____ legal ethics credits and/or diversity, equity, and inclusion credits.”

* * *

(k) In the case of In-person, Webcast/Webinar, and Teleseminar courses, a qualified person must be in attendance and shall be the one who, by academic or professional qualifications, possesses the knowledge to interact with the audience to supplement the presentation and answer questions. Commentary and question-and-answer segments should occur at a meaningful time during the program, preferably after each subject matter break.

~~(l) For Webcast/Webinar, Teleseminar, and Video Replay courses, attendance prompts are required.~~

(l) Sponsors shall maintain a record of all courses and attendance from the MCLE Reporting Year for a period of three (3) years. Such records will be subject to review by the MCLE Commission upon request.

RULE 1.3.7. STANDARDS.

~~(a)~~ A continuing legal education course, program, or activity shall meet the following minimum standards in order to be approved for MCLE credit:

* * *

(2) The subject matter shall be directly or supportively relevant to the practice of law, ~~and/or~~ legal ethics, and/or DEI (Appendix A);

* * *

(4) Be presented in a classroom, meeting room, ~~or~~ lecture hall, or other venue conducive to a meaningful educational experience;

(5) The content shall be presented in a multi-mode fashion, utilizing oral presentations, and may be supplemented with written, digital, and/or electronic materials. All materials shall meet the highest professional standards in terms of their timeliness, organization, and detail; and

* * *

RULE 1.3.8. FILING AND RECORDS.

* * *

(b) In cases where a program sponsor either failed to supply certification, the same was supplied or lost, and/or certification was not available (e.g., scholarly writing), the Active Practitioner shall certify the Active Practitioner's attendance in **Appendices D** and **G** via the MCLE Portal.

* * *

(d) Any documentation received by the Director after July 15 (Tier I), October 1 (Tier II), or ~~after~~ January 1 (Tier III) for the prior MCLE Reporting Year will subject the Active Practitioner to a progressive makeup or late filing fee (**Appendix C**, Schedule of Fees). Submission of documentation for courses or credits taken more than three (3) years prior to the then current MCLE ~~R~~eporting ~~Y~~ear shall be subject to approval by the MCLE Commission.

(e) As set forth in Article IV, Rule 3.5(~~de~~)(3), any Accredited Sponsor must apply for course approval at least thirty (30) days prior to the course date as well as report attorney attendance no later than thirty (30) days after the course date via the MCLE Portal. Course approval received by an Accredited Sponsor at least (30) days prior to the date of the course will be subject to a late fee. (See Accredited Sponsor Prior Course Approval Late Fee – in **Appendix C**.) Attorney attendance received by the MCLE Commission from the Accredited Sponsor after thirty (30) days from the date of the course will be subject to a late fee. (See Accredited Sponsor Late Attorney Attendance Fee in **Appendix C**.) Course approval received after the date of the course will be subject to an additional late fee. (See Accredited Sponsor Approval After Course Date Late Fee in **Appendix C**.) Accredited Sponsors may be subject to the potential loss of accreditation.

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RULE 1.3.12. FEES.

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(c) Accredited Sponsors including In-house qualifiers, who offer not more than two (2) MCLE Credit Hours in any MCLE Reporting Year, shall pay a separate fee for the first and the second offering. (Appendix C). In-house programs may exceed the two (2) credit limit without further Accredited Sponsor fees.

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Appendix A

Accreditation Guidelines For Continuing Legal Education Activities

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(a) The activity consists of an organized program of education dealing with:

* * *

(5) Diversity, equity, and inclusion; or

(6) Law office management.

* * *

(f) High quality written materials should be distributed to all participants at or before the time the activity is offered.

* * *

“Diversity, equity, and inclusion (DEI)” shall include programs that recognize the diversity of society and teach attorneys to effectively serve and have regard for this multi-lingual, multi-cultural, multi-racial, multi-religious, and multi-gender society while focusing on equity by highlighting equal opportunity and outcomes for all and achieving equal justice under the law, regardless of being a protected class or status.

“Diversity” refers to the variety of personal experiences, values, and worldviews that arise from differences of culture and circumstance. Such differences include, but are not limited to, race, ethnicity, gender, age, religion, language, abilities/disabilities, sexual orientation, socioeconomic status, and geographic region.

“Equity” is the guarantee of fair treatment, access, opportunity, and advancement for all, while at the same time striving to identify and eliminate barriers that have prevented the full participation of marginalized groups.

“Inclusion” is the act of creating environments in which any individual or group can feel welcomed, respected, supported, and valued.

Examples of such programs shall include, but are not limited to, those that address one or more of the following: the challenges faced by groups underrepresented in or by the legal profession, eliminating bias, access to justice, increasing representation, reducing harassment, and barriers to hiring, retention, promotion, professional development, and full participation of underrepresented groups in the legal profession; give practical advice to participants that they can utilize and employ when improving DEI in their professional circles as well as the legal profession as a whole; and have speakers with personal and/or professional experience with DEI and offer unique insight into the challenges facing the legal profession and the justice system.

* * *

Examples of such programs shall include, but ~~is~~are not limited to, those involving disciplinary rules, rules of professional conduct, malpractice avoidance, substance abuse and stress as an impairment on law practice, alternate dispute resolution, pro bono legal services, and the participation of women and minorities in the legal profession.

* * *

Examples of such programs shall include, but ~~is~~are not limited to, those involving: (1) administrative and organizational structure and planning for law firms; (2) case management and docket control; (3) accounting systems and time and billing systems for lawyers; (4) client filing and monitoring systems; (5) computerization, automation, and data processing for law firms; and (6) personnel management.

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Appendix B

Teaching Qualifications

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An attorney shall not receive participation, ~~or legal ethics, or DEI~~ credits in addition to teaching credits. If an attorney has reached six (6) teaching credits for the MCLE Reporting Year and the attorney teaches additional courses or sessions, the attorney shall not receive participation credit.

Teaching an Approved Program or Activity under the following circumstances does not qualify for teaching credit:

1. Actual instruction time was less than twenty-five (25) minutes; or
2. Materials were not distributed; ~~and~~
3. ~~Presentation was to less than six (6) students not including the instructor.~~

Appendix C

Schedule Of Fees

The following fee schedule is adopted by the Mandatory Continuing Legal Education Commission to be effective July 1, 2023~~19~~:

MCLE Regulation Section Number		Amount
§ 1.3.3(f)	Rhode Island Bridge the Gap Late Filing Fee	\$ 50.00
§ 1.3.3(f)	Rhode Island Bridge the Gap Makeup Filing Fee	\$ 100.00
§ 1.3.5(f)	Accredited Sponsor Annual Fee	\$ 250.00
§ 1.3.5(f)	Accredited Sponsor Limited Annual Fee	
	One (1) Credit per MCLE Reporting Year	\$ 75.00
	Two (2) Credits per MCLE Reporting Year	\$ 100.00
	<u>In-house</u>	<u>\$ 100.00</u>
§ 1.3.5(f)	Application Fee per Course	\$ 45.00 ¹

¹ Sponsor submission of courses/programs for approval by the MCLE Commission should adhere to the following procedures depending upon the mode of instruction. If a course is offered as In-person and/or Webcast/Webinar AND as a Video Replay, the sponsor shall submit two (2) course applications as indicated below:

* * *

§ 1.3.8(d)	<u>Late Filing of Compliance, Waiver, or Exemption</u> MCLE . Late Filing Fee if filed:	
	July 15 to September 30 (Tier I)	\$ 50.00
	October 1 to December 31 (Tier II)	\$ 100.00
	January 1 to June 30 (Tier III)	\$ 150.00
§ 1.3.8(e)	<u>Accredited Sponsor Prior Course Approval Late Fee</u>	\$ 75.00
§ 1.3.8(e)	Post 30-Day Accredited Sponsor Late Attendance Fee	\$ 30.00
§ 1.3.8(e)	<u>Accredited Sponsor Approval After Course Date Late Fee</u>	\$ 100.00
§ 1.3.9(a)	Makeup Filing Fee (Tier I)	\$ 100.00
§ 1.3.9(b)	Makeup Filing Fee (Tier II)	\$ 200.00
§ 1.3.9(c)	Reinstatement Fee for a Period Less Than Six (6) Months	\$ 75.00
	Reinstatement Fees for a Period in Excess of Six (6) Months Pursuant to Article IV, Rule 1(e)	Amount
	Less Than Three (3) Years	\$ 375.00
	Greater Than Three (3) Years	\$ 525.00

Appendix D Course Accreditation

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7. Description of Materials to be Distributed

Total pages	Unbound copies
<u>Electronic File</u>	<u>CD/DVD/Flash drive</u>
Bound/Book	CD/DVD/Flash drive

* * *

10. Total Minutes of Instruction, not Including Breaks, Meals, or Introductions

General-~~(nonethics)~~
Legal Ethics
Diversity, Equity, and Inclusion
 Total

Appendix F Teaching Accreditation

* * *

32. Educational Activity

Course title	Location
Date	

43. Description of Materials to be Distributed

Bound/Book	Unbound copies
CD/DVD/Flash drive	

Total pages
Electronic File
Bound/Book

Unbound copies
CD/DVD/Flash drive

54. When are Materials Distributed?

Before program
At program

Other

65. Required Attachments to the Application

Syllabus/Timed agenda/Course description
Instructor credentials /Curriculum vitae

76. Total Minutes of Instruction

Teaching credits
General credits
Total

Appendix G
Summary Reporting Form

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The paper Appendix G form has been replaced by electronic filing via the MCLE Portal located at www.courts.ri.gov. The electronic Appendix G must be completed annually no later than June 30 certifying accrual of a minimum of ten (10) MCLE Credits Hours inclusive of a minimum of two (2) legal ethics MCLE Credits Hours and one (1) MCLE Credit Hour in the area of diversity, equity, and inclusion.

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*NOTE: Video Replay courses are limited to six (6) MCLE Credits Hours per year. Webcast/Webinar and Teleseminar course credits are unlimited.

Teaching credits are limited to six (6) MCLE Credits Hours per year

In-house credits are limited to five (5) MCLE Credits Hours per year.

Authorship credits are limited to five (5) MCLE Credits Hours per year.

Book Discussion Group credits are limited to one and one-half (1.5) MCLE Credit Hours per year.

Criminal Court Appointment Panel credits are limited to one (1) MCLE Credit Hour per case with a maximum of five (5) MCLE Credit Hours per year.

Judge, facilitator, or trainer in a moot or mock trial competition or seminar is limited to one (1) MCLE Credit Hour per year.