

Lawyer FAQ

1. What is CLE?

In 1985, Mississippi required lawyers to participate in formal continuing legal education (CLE). The Commission on Continuing Legal Education exercises general supervisory authority over the administration of the Rules and Regulations for Mandatory CLE and adopts, repeals and amends regulations consistent with these rules. (Rule 1)

2. What is the CLE hourly requirement?

An attorney that is active must complete 12 hours of CLE, including 1 hour of legal ethics, professional responsibility, professionalism, malpractice prevention, substance abuse or mental health (the “ethics/professionalism hour”). (Rule 3)

3. When must I complete my CLE requirement?

CLE must be earned by July 31 each year and reported to the Commission on the CLE Annual Report Statement by August 15. (Rule 5)

4. How do I get a CLE Annual Report Statement?

The CLE Annual Report Statement is mailed out to attorneys in June of each year. On it will be posted any CLE that has been reported to the CLE Commission at the time of its printing. Any additional CLE earned for the year may be added to this form. (Rule 5)

5. What happens if I earn more credit hours than are required for the year?

If an attorney completes CLE credit hours at approved programs during a compliance period exceeding the number of hours required, the attorney may carry forward to the next compliance period up to 12 unused general CLE credits. (Regulation 3.7)

6. What happens if I take more ethics hours than are required for the year?

Ethics hours in excess of the 1 hour requirement for the year may not be carried over to another year as ethics hours, although they may be carried over as regular hours. Attorneys must earn 1 hour of ethics credit each year. (Regulation 3.7)

7. Do I have to earn CLE credits the first year that I practice?

Each attorney newly licensed to practice law in the state of Mississippi must complete an approved new-lawyer program by the end of the second CLE year occurring after their date of admission. The new-lawyer program is comprised of 12 hours of CLE credit which includes 6 hours of basic skills and 6 hours of ethics/professionalism. This program satisfies the attorney’s CLE requirement for the CLE year of admission and the next succeeding CLE year. (Rule 3(b))

8. What if I am a new attorney in Mississippi, but have been practicing law in another state?

Attorneys that are newly licensed in Mississippi, but have previously been admitted to practice law in another state may be exempted from the 6 hours basic skills portion of the new-lawyer program if they have been actively engaged in the practice of law for 5 or more years immediately prior to admission to this state. The attorney must submit an

affidavit* and complete the 6 hours ethics/professionalism component of the new-lawyer program within 9 months of admission after which the attorney will be required to comply with the annual CLE requirement. (Rule 3(c))

*See “New Lawyer Program Affidavit of Exemption” under forms.

9. Is anyone exempt from the CLE requirement?

The following are exempt from the CLE requirement:

All attorneys licensed to practice law in the State of Mississippi residing outside of the state and not engaged in the practice of law in Mississippi.

All attorneys licensed to practice law in the State of Mississippi residing in the state but not engaged in the practice of law in Mississippi.

All full-time members of the United States Armed Forces.

All of the Justices of the Mississippi Supreme Court, Circuit, Court of Appeals, Chancery, and County Judges, United States Magistrate Judges, Judges of the Bankruptcy Courts and the Judges of the Federal Courts. However, all members of the Judiciary are encouraged to attend and participate in continuing legal education programs.

The Governor of the State of Mississippi.

All members of the United States Senate and the United States House of Representatives.

All members of the bar shall be exempt from the requirement of these rules on and after their 70th birthday.
(Rule 2)

10. Where and when will I be able to attend CLE courses?

There is a CLE Calendar of Events which shows any programs that have been approved for Mississippi CLE credit. There is also a list of providers in Regulation 4.14 of the Rules and Regulations for Mandatory CLE whose live, in-person programs are presumptively approved for CLE credit.

11. Can I receive credit for any distance learning programs?

Attorneys can earn up to 6 hours per year including the 1 hour ethics requirement through distance learning courses. These types of courses include, live webcasts, online on-demand programs, live teleconferences, satellite, or video replay. Excess distance learning courses taken during a year will not be credited to the attorney’s records and are not eligible for carryover credits. (Regulations 3.3, 4.9 and 4.10)

12. If I teach a CLE program, do I receive credit for it?

Credit may be earned through teaching in an approved continuing legal education activity. Presentations accompanied by thorough, high quality, readable, and carefully prepared written materials will qualify for CLE credit on the basis of six (6) hours of credit for each instructional hour of presentation. Presentations accompanied by one or two page outlines or not accompanied by written materials will qualify for CLE credit on the basis of three (3) hours of credit per hour of presentation. Repeat presentations qualify for one half of the credits available for the initial presentation. A maximum of twelve (12) hours of CLE credit shall be earned from teaching pursuant to these regulations in any CLE year. (Regulation 3.9)

No credit will be allowed for teaching a continuing legal education activity if the instructor is compensated in any manner, excluding reimbursement of reasonable and necessary expenses. (Regulation 3.10)

See “Teaching Credit Request Form” under forms.

13. May I claim credit for attending a law school class?

Credit may be earned through formal enrollment for audit or for credit for which regular fees are paid in an ABA or AALS accredited law school. Four (4) hours of CLE credit will be awarded for each credit hour of the particular course audited or taken for credit. A maximum of twelve (12) credit hours per CLE year will be awarded. (Regulation 3.13)

14. May I claim credit for teaching a law school class?

Credit may also be earned through teaching a course in an ABA or AALS approved law school. The Commission will award six (6) hours of CLE credit for each hour of academic credit awarded by the law school for the course. (Regulation 3.18)

15. What if I want to attend a CLE activity and the sponsor has not applied for approval?

For live, in-person programs, you may apply for credit using the CLE Course Application. You will need to submit the application along with a program agenda and speakers’ biographies to the CLE Commission office. The sponsor must apply for credit for any distance learning courses. (Regulation 4.10)

16. Why do I have a fee due on my statement?

For courses held in the state of Mississippi, it is the responsibility of the sponsor to pay the CLE fee (\$1.50 per hour). If the course is held outside the state of Mississippi, the attorney is responsible for the fee. (Rule 1(d))

17. How do I pay a fee?

The CLE Commission can only accept checks, money orders or cash. Checks and money orders should be made out to the Mississippi Commission on CLE. Submit the fee with your annual report statement or the certificate of attendance of an approved program.

18. How can I view my CLE records online?

Register by clicking on “Request User Id or Reset Password” and filling out the information. Your current ID is your bar number and you will choose your own user name and password. Once approved, you will have access to your CLE records online.

19. What if I forget my user name or id?

Go to “Request User Id or Reset Password” and fill in the information. You will have to choose a new user name and password.

20. What happens if I do not have my required CLE credits?

As soon as practicable after August 15 of each year, the Commission will compile a list of attorneys who have not complied with the CLE requirement. The Commission will serve by certified mail, each noncompliant attorney with an Order to Show Cause, within sixty (60) days, why the attorney's license should not be suspended. The attorney must furnish the Commission with an affidavit indicating that the attorney has complied with the requirement prior to the expiration of the sixty (60) days or set forth a valid excuse for failure to comply with the requirements because of illness or other good cause.

At the expiration of sixty (60) days from the date of the Order to Show Cause, the Commission will notify the Supreme Court of Mississippi of each attorney who fails to file a satisfactory affidavit and recommend appropriate sanctions to the Supreme Court, which may include, among others, that the attorney's license to practice law be suspended.

(Rule 6)

Sponsor FAQ

- 1. What is the application process for live, in-person programming?**
Course approval may be granted by filling out the CLE Course Application and submitting that along with program agenda and speakers' biographies. (Regulation 4.17)
- 2. What is the application process for distance learning courses?**
Applications for approval must be submitted by the sponsor and submitted 30 days prior to the beginning date of the program. Applications will not be approved retroactively. Sponsors must be able to verify attorney attendance and the number of hours attended. Attorney attendance must be reported to the Mississippi Commission on CLE immediately following the conclusion of the program. (Regulation 4.10)
- 3. What are the fees involved?**
For programs held in the state of Mississippi, the sponsor is responsible for the CLE fee of \$1.50 per hour per attorney. For programs held outside the state of Mississippi, the fee is the responsibility of the attorney. (Rule 1(d))
- 4. What is the minimum number of credits a course presentation must be to be approved for credit?**
A course must be a minimum of 60 minutes in length to be approved for CLE credit. (Regulation 4.9)