



The State Bar of California

Minimum Continuing Legal Education: Discussion of Proposed Changes to Competency Credit Hours and Possible Topics

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LAP Oversight Committee, September 30, 2022

Existing MCLE Requirements

25 Hours Every Three Years

- No more than 12.5 hours can be self-study
- Special credit requirements:
 - At least four hours legal ethics;
 - At least one hour on competence issues; and
 - For the compliance period ending January 31, 2022
 - At least one hour in an area called the Recognition and Elimination of Bias in the Legal Profession and Society
 - For the compliance period ending January 31, 2023 and thereafter,
 - At least two hours dealing with elimination of bias, with at least one hour focusing on implicit bias and promotion of bias reducing strategies



Recommendations

Special credit requirements in:

1. Technology competency (one hour);
2. Cyber security (one hour);
3. Civility (one hour); and
4. Competency (expansion from one to two hours).

Plus allowing credit for certain volunteer participation in mock trial programs.



Existing Competence Credit Description

Competence issues:

Approved activities must consist of education that identifies and discusses the detection of substance abuse, mental illness, or other mental or physical issue that impairs an attorney's ability to perform legal services with competence.

Courses that discuss or provide treatment for any of the mental, emotional, or physical issues that affect professional competence do not qualify for credit in this area. This includes programs primarily about alcohol and drug treatment, meditation, or other forms of stress management.



Expanding Credit for Competency CLE



San Diego Bar Association

- Wellbeing
- Stress Management
- Treatment (going beyond detection/symptoms and focusing on root causes)
- Reducing Stigma of Mental Illness and Substance Abuse in the Profession



MCLE Provider Surveys

- Cultural Competency (working w/indigent or non-English speaking clients)
- Wellness and Wellbeing Strategies
- Mental Health Awareness



Specific Topics

- Engagement v. Burnout
- Rejuvenation & Physical Activity
- Work-Life Conflict Management
- Control & Autonomy
- Meditation for Mindfulness
- Leader Development & Training



Next Steps

It is anticipated that recommendations for all MCLE-related recommendations will be presented to Board of Trustees at November 2022 meeting with a request that such recommendations be issued for public comment.

