

Guide to CLE Accreditation at CLS

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GENERAL CLE INFORMATION

The Law School is accredited by the State of New York to approve in-house Continuing Legal Education (CLE) offerings.

Please visit the New York State CLE Board's website for further information:

<http://ww2.nycourts.gov/attorneys/cle/index.shtml>

If you are seeking CLE credit for an event held at Columbia Law School, please adhere to the following steps and submit your request [via this form](#). Contact cle@law.columbia.edu with any questions.

As a general matter, all CLE programs must adhere to the following requirements:

- The primary purpose of the program should be to increase the professional legal competency of attorneys in one of the categories of credit--the program must be tailored to suit a legal audience.
- Each session must run for a minimum of 50 minutes (not including breaks, set-up, etc). Q&A must not be a substantial part of the session if it is to be included in the calculation.
- A practicing attorney admitted to a Bar and in good standing must participate in the session as either a speaker, moderator, or panel member.
- Each session must be accompanied by legally-related reading materials to be issued to attendees. Materials supplied in support of a program must be legally related, substantial, and cover the issues to be discussed during the session. Brief outlines without citations or explanatory notations, and pages with links to various resources are not considered substantial for the purposes of assessment.
- The program should be held in the New York State area.

STEP 1: ASSEMBLING YOUR PROGRAM

Transitional vs. Non-transitional credit

When assembling your program, you should consider what audience you will be targeting. At the time of your submission you will be required to advise if you are seeking for the program to be classified as appropriate for attorneys who are transitional, non-transitional, or both.

A transitional course is a course that is designed to help newly admitted attorneys (those admitted to the New York Bar for less than two years) develop a foundation in the practical skills, techniques and procedures that are essential to the practice of law.

Non-transitional courses are those where the content has been determined to be appropriate only for experienced attorneys.

If you are applying for a course to be approved for transitional attorneys, please consider that the session and its supporting materials must provide an introduction to a particular subject matter, or help build upon the foundational elements of a particular subject matter.

Categories of credit:

Upon submission, please indicate the type of credit you are applying for.

- **Ethics and Professionalism** may include, among other things, the following: the norms relating to lawyers' professional obligations to clients (including the obligation to provide legal assistance to those in need, confidentiality, competence, conflicts of interest, the allocation of decision making, and zealous advocacy and its limits); the norms relating to lawyers' professional relations with prospective clients, courts and other legal institutions, and third parties (including the lawyers' fiduciary, accounting and record-keeping obligations when entrusted with law client and escrow monies, as well as the norms relating to civility); the sources of lawyers' professional obligations (including disciplinary rules, judicial decisions, and relevant constitutional and statutory provisions); recognition and resolution of ethical dilemmas; the mechanisms for enforcing professional norms; substance abuse control; and professional values (including professional development, improving the profession, and the promotion of fairness, justice and morality).
- **Skills** must relate to the practice of law and may include, among other things, problem solving, legal analysis and reasoning, legal research and writing, drafting documents, factual investigation (as taught in courses on areas of professional practice), communication, counseling, negotiation, mediation, arbitration, organization and trial advocacy.
- **Law Practice Management** must relate to the practice of law and may encompass, among other things, office management, applications of technology, state and federal court procedures, stress management, management of legal work and avoiding malpractice and litigation.
- **Areas of Professional Practice** may include, among other things, corporations, wills/trusts, elder law, estate planning/administration, real estate, commercial law, civil litigation, criminal litigation, family law, labor and employment law, administrative law, securities, tort/insurance practice, bankruptcy, taxation, compensation, intellectual property, municipal law, landlord/tenant, environmental law, entertainment law, international law, social security and other government benefits, and alternative dispute resolution procedures.
- **Diversity, Inclusion and Elimination of Bias** courses, programs and activities must relate to the practice of law and may include, among other things, implicit and explicit bias, equal access to justice, serving a diverse population, diversity and inclusion

initiatives in the legal profession, and sensitivity to cultural and other differences when interacting with members of the public, judges, jurors, litigants, attorneys and court personnel. *[effective January 1, 2018]*.

- **Cybersecurity, Privacy and Data Protection**

- **Cybersecurity, Privacy and Data Protection-Ethics** must relate to lawyers' ethical obligations and professional responsibilities regarding the protection of electronic data and communication and may include, among other things: sources of lawyers' ethical obligations and professional responsibilities and their application to electronic data and communication; protection of confidential, privileged and proprietary client and law office data and communication; client counseling and consent regarding electronic data, communication and storage protection policies, protocols, risks and privacy implications; security issues related to the protection of escrow funds; inadvertent or unauthorized electronic disclosure of confidential information, including through social media, data breaches and cyber-attacks; and supervision of employees, vendors and third parties as it relates to electronic data and communication. *[effective January 1, 2023]*
- **Cybersecurity, Privacy and Data Protection-General** must relate to the practice of law and may include, among other things, technological aspects of protecting client and law office electronic data and communication (including sending, receiving and storing electronic information; cybersecurity features of technology used; network, hardware, software and mobile device security; preventing, mitigating, and responding to cybersecurity threats, cyber-attacks and data breaches); vetting and assessing vendors and other third parties relating to policies, protocols and practices on protecting electronic data and communication; applicable laws relating to cybersecurity (including data breach laws) and data privacy; and law office cybersecurity, privacy and data protection policies and protocols. *[effective January 1, 2023]*

Calculation of credit:

- 50 mins of programming = 1 credit
- Cannot include time for breaks, introductory and closing remarks, or non-legal sessions
- Different calculation for speakers and panelists (3 x participant credit). Moderators do not receive extra credit.
- The awarding of partial credit to an attendee for a particular session is discretionary. The CLE Board have advised that this type of credit should only be awarded in limited circumstances.

Assessment Timeline

While every effort is made to approve the programs as quickly as possible, we ask you to please submit programs for approval a minimum of three (3) weeks prior to the sooner of:

1. the program date; or

2. the posting or distribution of any program, announcement or promotional materials advertising the offering of CLE credit.

STEP 2: PROGRAM APPROVAL SUBMISSION

Submit your request [via this form](#). Note that at the time of submission you must include the following:

1. A timed agenda, that includes date, location, start and end times of each session, a description of what each session will cover, and a listing of panelists for each session.
2. Biographies of each speaker. For attorney panelists/speakers, the biography must disclose the city/state/country in which they are admitted to practice law. There must be at least one attorney per eligible session.
3. Affirmations of good standing for all attorney speakers/presenters.
4. List of reading materials assigned to each session; and
5. Copies of the reading materials for each session--these must be legally based and substantive.

If you are seeking Diversity and Inclusion or Ethics credit, please let us know.

Approved offering text:

The below blurb must be present on all announcements, programs, agendas, websites and other printed materials relating to your CLE program. This blurb can only be used after a program has been approved by our office as it indicates the category of credit approved and the number of credits to be awarded. Until such time as your program is approved, you are unable to advertise the existence of CLE credit.

However, to streamline the submission process, we ask that you ensure the below wording (adjusted for your purposes) is present on the submitted program documentation. If any corrections are to be made, we will notify you of required changes at the time of approval.

"Information Regarding New York CLE Credits:

Columbia Law School has been certified by the New York State Continuing Legal Education (CLE) Board as an Accredited Provider of CLE programs. Under New York State CLE regulations, this live [non-transitional] CLE Program will provide [1] credit hour that can be applied toward the [Areas of Professional Practice] requirement. This CLE credit is awarded only to New York attorneys for full attendance of the Program in its entirety. Attorneys attending only part of the Program are not eligible for partial credit for it, although they are most welcome to attend it. Attendance is determined by an attorney's submission of their attendance verification with appropriate course codes noted. On submission of the attendance verification, attorneys should also submit their completed Evaluation Form, provided at the Conference. Please note the NYS Certificates of Attendance will be sent to the email address as it appears in the register unless otherwise noted there."

***Note – this language has changed to reflect the fact that CLE programs are currently offered electronically.**

In limited instances, we may approve the usage of “pending” terminology to assist in the earlier advertising of an event. Such approval is within our discretion.

STEP 3: APPROVAL

During the approval stage, the Executive Education Office may request additional information from you to clarify aspects of the program or possibly request additional materials from you to bring the program into compliance with the rules.

We will also provide you with an instruction sheet concerning offering Online CLE Programs.

STEP 4: POST-APPROVAL

Approved offering text:

As a general rule, you are unable to advertise the specific offering of CLE credit prior to program approval. Once your program has been approved, we will advise you of any changes required to be made to your approval text and you must make sure that it is incorporated on any materials, printed or electronic, relating to your CLE program. We will need copies of all such updated documentation to hold on file.

Note: If there are any changes to the program line-up, timing, location, etc., after the date of approval, please advise of those changes by emailing cle@law.columbia.edu as it may affect the eligibility of the program.

Financial Hardship Policy:

Each CLE Event for which a fee is charged is required to adhere to the Law School’s financial hardship policy.

It is the Law School’s policy that each hardship scholarship request submitted in a timely fashion and indicating reasonable need will be granted. Scholarship recipients are required to pay no more than 25% of the standard registration fee and, contingent on approval from the event’s primary sponsors, are often admitted free of charge.

For compliance purposes, each registration website or printed program, must contain the below language, in addition to the CLE approval language. We will need copies of any printed program with this wording, or screenshot of a registration page showing this wording.

“Financial hardship scholarship

Persons seeking a hardship scholarship should register using the form below and then separately complete their registration by submitting a scholarship request, no later than [date], to [Organizer] [email address included]. Requests, which will be answered, should detail in a few sentences the basis of the applicant's need and the background to his or her interest. Please understand that without a complete scholarship request, the applicant may be notified that the scholarship registration has been cancelled.”

Written materials:

The supporting reading materials must be issued to attendees prior to or at the session itself.

The day before the event:

- Generate the sign-in register using the approved template. This requires the collection of first name, last name, and email address of each participant.
- Generate the standard evaluation form using the approved template.
- Ensure you have hard copies of the reading material available for participants who ask for them, even if materials have been disseminated electronically.

STEP 5: ON THE DAY OF THE EVENT

- Have hard copies of the material available for participants who ask for them, even if materials have been disseminated electronically.
- Ensure each attendee signs-in and signs-out, indicating the times at which they have done so.
- For online synchronous programs, you must verify virtual attendance by speaking and/or displaying code words during the program. The attendees will then use these code words to verify their attendance on the Attendance Affirmation form. You will need to use one code word for every 50 minutes of program, and the code words should not be communicated at the very beginning or end of the program. It is up to you to choose the code words and to let us know what they were and when they were communicated so that we can then compare against the attendance affirmations.
- Each attendee must be given an Evaluation Template for completion. These forms should be collected at the end of the event. *Note: it's okay not to have a 100% return rate.*

STEP 6: POST-EVENT

- Return the original sign-in sheets (or Affirmations of Attendance) and Evaluation Forms to the Executive Education Office.
- If you charged a fee for the event, report to us:
 - (a) The number of financial hardship scholarships received;
 - (b) The number of financial hardship scholarships awarded; and
 - (c) If a financial hardship application has been rejected, the reasoning behind this decision.

- The Executive Education Office is then responsible for processing and issuing the certificates to attendees via their registration email. *Note: processing time is usually 4-6 weeks post-event. This timeline may be delayed in the current circumstances.*

After the original documents have been returned, the Executive Education Office process the program and issue certificates to attendees via email. Certificates will be processed approximately 4-6 weeks following the event.

Further reading:

Link to NY CLE page <http://ww2.nycourts.gov/attorneys/cle/index.shtml>

Program Rules: <http://ww2.nycourts.gov/sites/default/files/document/files/2018-03/programrules.pdf>

Regulations & Guidelines: <http://ww2.nycourts.gov/sites/default/files/document/files/2018-03/regulationsandguidelines.pdf>