

Important Terms and Criteria for CLE Approval in Virginia

Terms

Setting and Audience

- **Open** – Course advertised and open to any attorney.
- **Closed** – Course open only to a specific group of attorneys.
- **In-House** – Program offered to attorneys within the hosting firm.
- **Group Setting** – Program offered in group of 2 or more attorneys.
- **In-House/Firm Attorneys** – Attorneys employed by/members of an organization, company, etc. that is sponsoring a program.
- **Client Attorneys** – Clients of the firm, company, etc. that is sponsoring a program.
- **Other Attorneys** – Attorneys from the public who were invited to attend a program.
- **Non-attorneys** – Any individual that is not a licensed attorney.

Course Types and Delivery Methods

- **Type Live** – Instructor and attendees participate simultaneously. Approved live programs may be held in-person or as a live teleconference, webcast, or videoconference.
- **Type Pre-Recorded** – Recorded version of a CLE presentation.
- **Distance Learning** – Any program where the presenter(s) and attendees are in separate locations. See examples below. (See MCLE Board Opinion 16 for complete approval requirements.)
 - The [MCLE Board Opinion 16 Compliance Form](#) must be completed and submitted with an application when seeking credit for a delivery method not previously approved for your organization.
- **Run time** – The actual recorded length of a program (i.e. 58 mins 13 sec). Required for approval of pre-recorded courses.
- **Original recording date** – The date a program was first recorded.

Distance Learning Delivery Methods

Live methods:

- **Teleconference** – A call-in program. Attendees participate by phone from individual locations.
- **Videoconference** – An audiovisual program. Attendees may attend in groups at separate locations plus at individual locations.
- **Webcast** – An audiovisual presentation. Attendees participate from individual locations.

Pre-recorded methods:

- **Audio** – An audio recording of a program. An attorney may listen to the program at any time.

- **Group Video** – A video viewed by a group of attorneys at one location on a specific date and at a specific time.
- **On-demand** – A downloadable program (usually a link provided by a sponsor or downloadable from a website) that is viewable at any time.
- **Podcast** - Audio or video file available for downloading, available as a series.
- **Pre-Recorded Webcast** – A recorded program held on a specific date and at a specific time. Attendees register and all log onto the program and watch it together from individual locations.
- **Stored Media (USB/CD-ROM)** – Most sponsors have stopped using CD-ROMs since computer technology has evolved toward USB. In any case, these programs are “stored media” provided on a CD or jump drive and viewed at any time at a computer.
- **Technology based learning** – Interactive programs that require attendees to answer prompts, questions, etc. Typically, a participant must respond or answer a certain % of questions correctly to continue through the program and earn a certificate.
- **Video/DVD** – A DVD of a recorded program. At least two attorneys must watch the video together and countersign for each other to claim credit.
- **Other** – Any format that doesn't fall into one of these categories.

Approval Criteria

Review the [MCLE Regulations](#) and [MCLE Board Opinions](#) for complete information.

- The MCLE reporting year runs from November 1 - October 31. Courses are approved for the reporting year they are presented.
- Courses must be directed primarily to attorneys and address a legal topic to be approved.
- Credit will not be awarded to programs that do not have written instructional materials meeting the requirements of MCLE Board Opinion 14.
- Only applications with all required attachments (as indicated on each application) will be reviewed. Omission of any attachments/information will delay application processing.
- Certificates must be distributed to the Virginia attorneys after attendance has been verified.
- **Do not** distribute the Virginia course ID number before a course is approved or in lieu of distributing the Virginia certificates.

Credit Calculation

- Total CLE hours are the number of hours of course instruction excluding introductory remarks, breaks, meals, and closing remarks.
 - Only sessions with written instructional materials are approvable. Credit should not be requested for segments lacking materials.
 - Keynote, mealtime programs, judicial presentations, or roundtable discussions are given CLE credit only when written instructional materials are given to attendees that appropriately cover the program topic.
- Virginia is a 60-minute state, meaning 60 minutes of instruction equals 1.0 CLE credit.
- Total Ethics hours are the number of hours devoted to legal ethics or professionalism topics.

- Programs covering ethics for other professions or general ethics are not approvable for ethics credit.
- Ethics segment(s) must be clearly identified on the course schedule, have defined start and end times, and include specific materials that cover the ethics subject matter.
- See MCLE Regulations 101(s-t), 103(d), and MCLE Opinion 13 for additional guidance.
- Total Well-being hours are the number of hours devoted to subject matter detailed in MCLE Regulation 103(c)(2) and MCLE Opinion 19.
 - Well-being segments must be clearly identified on the course schedule, have defined start and end times, and include specific materials that cover the well-being subject matter, and meet the approval requirements in Regulation 103(c)(2) and Opinion 19.