

## Rule 805

### PROGRAM APPROVAL, STANDARDS, AND APPEALS

- (a) **Provider Application for Program Approval.**
- (1) **Live Program.** No later than 30 days before a live program, a provider should submit to OJA an application for approval of the live program and any additional information requested by OJA. The provider must include a \$25 nonrefundable fee with the application.
  - (2) **Prerecorded Program.** No later than 30 days before a provider makes a prerecorded program available to attorneys, the provider should submit to OJA an application for approval of the prerecorded program and any additional information requested by OJA. The provider must include a \$100 nonrefundable fee with the application.
  - (3) **Notice of Accreditation.** OJA must notify the provider of the status of its review of the application no later than 30 days after OJA receives it. A CLE program is not approved until OJA provides a notice of accreditation to the provider. Approval of a prerecorded program will remain valid for up to one year.
- (b) **Individual Attorney Application for Live Program Approval.** An individual attorney may seek CLE credit for a live program that was not previously approved by OJA. To receive credit, the attorney must submit an application for approval of the live program and any additional information requested by OJA. OJA must notify the attorney of the status of its review of the application no later than 30 days after OJA receives it. A live program is not approved until OJA notifies the attorney of approval.
- (c) **Standards.** To be approved, a CLE program must comply with the following standards.
- (1) CLE credit will be awarded on the basis of one credit hour for each 50 minutes actually spent in attendance at the CLE program, excluding introductory remarks, meals, breaks, and other noneducational activities. One-half credit hour will be awarded for attendance of at least 25 but less than 50 minutes. No credit will be awarded for smaller fractional units.
  - (2) The program must have significant intellectual or practical content designed to promote attorney competence and primarily address matters related to the practice of law, ethics and professionalism, or law practice management. An interdisciplinary program that crosses academic lines may meet this standard if the provider or individual attorney seeking credit demonstrates

that the program is beneficial to the practice of law. Generally, credit will not be awarded for keynote speeches.

- (3) The program must be presented by a person qualified by practical or academic experience to present the subject. Generally, a legal subject should be presented by an attorney.
  - (4) The program must provide thorough, high quality, readable, useful, and carefully prepared instructional materials to all participants, unless the Board approves the absence of instructional materials. A brief outline without citations or explanatory notations is not sufficient. The provider must distribute the materials to the participants by the end of the next business day following the program. Instructional materials must satisfy the criteria set forth in the Guidelines for Instructional Materials.
  - (5) A live program must be presented in a setting that is suitable for its contents.
  - (6) Integration of ethics or professionalism instruction into substantive law topics is encouraged, but integrated material does not count toward the two-hour minimum annual ethics and professionalism requirement.
- (d) **Appeal of Determination.** If OJA denies an application for approval of a CLE program or CLE credit, the applicant may appeal the decision to the Board by submitting a letter of appeal to OJA no later than 30 days after the date of the notice of the denial. No other appeal may be taken.

**[History:** New rule adopted effective July 1, 2011; Am. (a) and (b) effective February 22, 2012; Am. (e) effective October 1, 2015; Am. effective July 1, 2017; Am. effective October 2, 2019; [Rule 804 renumbered to Rule 805 and Am. effective April 2, 2021](#); [Am. effective June 1, 2021](#); [Am. effective July 1, 2022](#).]