



Commission on Minimum Continuing Legal Education (MCLE)

State of Connecticut Judicial Branch

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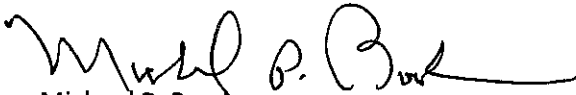
Whether an Obligation by a Firm that its Attorneys Read the Rules of Professional Conduct Every Three Years Qualifies as Minimum Continuing Legal Education (MCLE)

The Commission on Minimum Continuing Legal Education (Commission) received a request from an attorney who is the general counsel to his law firm. The firm requires each of its attorneys every three years to read all of the Rules of Professional Conduct in each jurisdiction in which the attorney is admitted, then to certify completion of the requirement to the firm. The requesting attorney has asked for an opinion whether firm attorneys who comply with the requirement in 2016 may carry over up to two hours of the time spent complying with the activity as MCLE credit to 2017. The question is premised on the presumption that the required reading of the Rules of Professional Conduct constitutes compliance with Practice Book §2-27A, the MCLE rule. The opinion of the Commission, however, is that the activity is not MCLE within the meaning of the rule. Accordingly, the Commission will not address the original question about credit computation.

To receive credit for complying with Practice Book §2-27A, attorneys must satisfy the delivery and content requirements of the rule. The Commission concludes that a standing requirement by a law firm that its attorneys triennially read the Rules of Professional Conduct

does not satisfy the delivery requirement of the rule. See Practice Book §2-27A(b). The delivery requirement allows in-person attendance at “legal education courses” offered by certain providers (§2-27A(b)(1)); self-study of “appropriate programs or courses . . . prepared by those continuing legal education providers in subsection (b)(1)” (§2-27A(b)(2)); by publishing legal articles (§2-27A(b)(3)); and by serving as a full-time, part-time, or adjunct faculty member at a law school accredited by the American Bar Association (§2-27A(b)(4)-(6)). A requirement that an attorney read the Rules of Professional Conduct as part of his or her job responsibilities does not satisfy any of the delivery means listed in §2-27A(b)(2).

Accordingly, because a law firm’s requirement that its attorneys read the Rules of Professional Conduct does not constitute MCLE, no amount of time to complete that requirement can be counted towards MCLE compliance.



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