HSBA
Hawaii State Bar Association

Attorney Requesting CLE Approval Checklist

- ❖ Completed Attorney Application for Approval of Continuing Legal Education

- ❖ Course description, outlines, time schedules, and/or agendas to assist the MCLE Administrator and MCLE Board assess the type and amount of credits to be approved.

- ❖ Faculty description of program presenters.

- ❖ Any necessary fees (please refer to the Continuing Legal Education Fee Schedule).

Payment methods:

- ✓ Check (made out to HSBA) or
- ✓ Credit Card (HSBA Credit Card Authorization form may be used).

Send completed form, accompanying materials, and payment by mail, email, or fax to:

Debbie Blanton
MCLE Administrator
HSBA, Alakea Corporate Tower
1100 Alakea Street, Suite 1000
Honolulu, HI 96813
dblanton@hsba.org
808-792-7348
Fax: 808-521-7936

Attorney Application for Approval of Continuing Legal Education
HAWAII STATE BAR ASSOCIATION

(FOR HSBA USE)

Course Number: _____ Date: _____

The following action has been taken on this application:

☐ **APPROVED** for a total of _____ VCLE credits **INCLUDING**

_____ MCPE Credits _____ Accredited Provider Status

☐ **NOT APPROVED** (See comments.)

☐ **RETURNED** for the request of additional information.

Please complete each item as indicated by the numbers circled below.

1 2 3 4 5 6 7 8 9 10 11 12

☐ **OTHER** (Regulator comments.)

1. ATTORNEY INFORMATION:

NAME

ADDRESS

CITY STATE ZIP

TELEPHONE FAX

EMAIL

2. TITLE OF EDUCATIONAL ACTIVITY :

3. PROVIDER OF THE EDUCATIONAL ACTIVITY:

4. DATE(S) **LOCATION(S)**

5. COURSE FEE:

6. METHODS OF PRESENTATION:

☐ Faculty in Room with Participants ☐ Telephone to Broadcast Site ☐ Live Web Cast ☐ Interactive Video

☐ Recorded Audio Presentation ☐ Recorded Video Presentation ☐ Internet On-Demand (Interactive) ☐ Discussion Leader present

☐ Satellite ☐ Other: _____

7. TYPE OF LAW:

1

2

3

4

8. METHOD OF EVALUATION: ☐Participant Critique ☐Independent Evaluator ☐None ☐Other: _____

9. MATERIALS DESCRIPTION:

Estimated total pages: _____ ☐Loose leaf ☐Bound ☐No Materials Supplied

Distributed: ☐Before Program ☐At Program ☐Other:_____

10. REQUIRED ATTACHMENTS TO THIS APPLICATION:

a. Substantive Outline with Time Schedule/Agenda

b. Table of Contents

c. Faculty Description

11. CREDITS REQUESTED:

Indicate hours of instruction rounded down to the nearest 1/4 hour not including breaks, meals, or introductions:

VCLE: _____ MCPE: _____ Total: _____

12. FEE REMITTED: (See CLE Fee Schedule)

$_____

Attorney Signature _____ Date_____

Hawaii State Bar Association

1100 Alakea Street, Suite 1000

Honolulu, HI 96813

P: (808) 537-1868 **F:** (808) 521-7936 **WEB:** www.hsba.org

Excerpts from
The Continuing Legal Education Regulations

Last updated August 14, 2012

REGULATION 3. Standards for Course or Activity Approval

The Board may approve CLE courses or activities when consistent with these standards:

(A) General CLE Standards:

(1) The course or activity is an organized program of learning with significant intellectual or practical content and deals with matters directly related to the practice of law.

(2) The course or activity's primary purpose is to improve the participant's professional competence as an attorney. Areas of professional competence include substantive legal issues, legal skills or practice, improving the attorney's delivery of legal services to clients, and improving the efficiency of the practicing attorney.

(B) Professionalism Standards. To be approved for MCPE credits, the course or activity shall be devoted to matters involving an attorney's ethical obligations, professional responsibility, bias awareness and prevention, client trust account administration, access to justice, case management, malpractice prevention and law office management.

(C) The course being taught shall be primarily for attorneys on substantive legal subjects or subjects related to the practice of law.

(D) Each course or activity participant is provided with appropriate, legible, substantive course or activity material at or before the time the course or activity is offered, unless the absence of such materials is reasonable under the circumstances of the particular course. Materials may either be in hardcopy or electronic format, and syllabi or agenda outlining the course or activity must be followed.

(E) Courses or activities are approved for MCPE or VCLE credit if they are classified as CLE approved by:
(1) The HSBA;
(2) The American Bar Association (ABA); or
(3) The Board.

(F) The number of approved MCPE or approved VCLE credits that may be eared from ABA courses shall be the same number of credits the course is advertised as approved for by the ABA.

(G) Courses or activities for which credit will be denied include but are not limited to matters relating primarily to personal self improvement courses, activities designed primarily to sell services, equipment or software programs, courses that are designed to enhance revenue, marketing courses or repeat courses for which the active member has already obtained CLE credit.

(H) In order to receive CLE credit for an approved course, an attorney must be present for the first 60 minutes of a course. After the first 60 minutes, an attorney may receive credit for the time the attorney is actually present at the course rounded down to the nearest quarter hour. If an attorney is late to the start of a course, the attorney may enter the course but shall not receive CLE credit for the course.

REGULATION 4. Credit for Approved Courses in Alternate Formats

(A) Credit may be claimed for viewing or listening to approved courses presented in an alternate format. Alternate formats may include but are not limited to videotape, audiotape, DVD, remote place viewing, online computer presentations, teleconferencing, computer self-study or other formats hereafter developed. The standards set forth in Regulation 3 and procedures set forth in Regulation 10 shall apply when Regulation 7 does not apply.

(B) An active member who completes an alternate format CLE course or activity that has been approved for credit may claim the same number of credits the course is advertised as approved for by the provider.

(C) An alternative format course, activity or material may only be used once for credit. Updated versions may be approved for credit.

(D) Alternate format courses, activities or materials shall be presumed outdated two years after being compiled, recorded or published unless otherwise determined by the Board.

(E) If a complete alternate format course is divided into parts, all parts must be viewed or listened to within the same calendar year in order to earn credit for that course.

REGULATION 5. Credit for Teaching Approved Courses

(A) Credit may be given for teaching and preparing written material for approved courses. The standards set forth in Regulation 3 and procedures set forth in Regulation 10 shall apply.

(B) No more than two hours of preparation time for each one hour of teaching time may be reported. For example, up to three credits may be reported for teaching a one hour course. Credit for courses that are substantially updated from previous presentations may be approved on a similar basis.

(C) Full time teachers and lawyers whose primary employment is teaching law school courses may not earn credit for the preparation or teaching of law school courses.

(D) Panel speakers shall receive teaching credit for the entire time the panel is presenting.

REGULATION 6. In-house Programs or Courses

(A) The Board may approve in-house courses or activities offered by law firms, corporate legal departments, government legal sections, neighbor island bars, HSBA sections or similar entities

primarily for the education of their employees or active members. The standards set forth in Regulation 3, procedures set forth in Regulation 10 and Provider Requirements set forth in Regulation 11 shall apply.

(B) Meetings held primarily for advancing a particular client's interest, including case review and evaluation, shall not be considered a course or activity that may be approved for MCPE or VCLE credit.

(C) The course or activity may be audited free of charge by a neutral member of the Board or the Board's designee.

REGULATION 7. Credit for Attending Out-of-State Courses or Activities

(A) An active member who attends and completes an out-of-state CLE course or activity that has been approved for credit by a jurisdiction listed on the HSBA's list of approved jurisdictions under the MCLE tab on the HSBA website may claim the CLE credits from the course or activity without seeking prior Board approval for the course or activity.

(B) For a live in-person course in a jurisdiction not listed on the HSBA list of approved jurisdictions, the active member or a Provider on behalf of active members must seek prior Board approval for the course pursuant to Regulation 10.

(C) The Board shall approve or disapprove the course or activity pursuant to the standards set forth in Regulation 3.

REGULATION 8. RECORDKEEPING

(A) Each active member is responsible for keeping an organized record of the approved MCPE and VCLE credit hours they complete each year.

(B) Active members participating in approved CLE courses or activities should obtain a certificate of attendance from the course or activity provider at the completion of the course.

(C) Active members should retain the certificate of attendance as well as sufficient documentation from the course or activity to establish that the course or activity was approved for MCPE or VCLE credit, or that the provisions of Regulation 7 apply.

(D) Records should be retained by members for two calendar years.

(E) Certificates of attendance should not be sent to the Board unless requested by the Board to do so.

(F) Active members must certify on their annual attorney registration statement the number of MCPE and VCLE credit hours they completed for the calendar year (see RSCH 17(d)).

REGULATION 10. Procedure for Individual Course or Activity Approval

(A) Providers seeking MCPE or VCLE approval for a course or activity, or active members seeking approval for a course or activity for which the provider has not already obtained approval shall submit the following to the Board:

(1) A completed Application for Approval of Continuing Legal Education form including the required attachments;

(2) The application fee pursuant to the attached fee schedule; and

(3) Any other information requested by the Board.

(B) Provider applications and proper fees must be received by the Board at least 30 days prior to the date on which the course or activity is scheduled. An application that is not complete or timely submitted to the Board may be rejected, or at the Board's discretion accepted for review subject to a late fee pursuant to the attached fee schedule.

(C) Attorney applications and proper fees must be received by the Board no later than 30 days after the completion of the course for which the attorney is seeking approval. An application which is not complete or timely submitted to the Board may be rejected, or at the Board's discretion accepted for review subject to a late fee pursuant to the attached fee schedule.

(D) After review of the complete application, the Board may:

(1) Approve all or a part of the course or activity for MCPE or VCLE credit; (2) Disapprove the course for MCPE or VCLE credit; or (3) Request more information from the applicant.

(E) Within 30 days of receiving the complete application, the Board shall inform the applicant in writing, fax or electronic mail of the Board's determination. If the course is approved, the Board shall indicate the number of credit hours for which the course is approved.

(F) If a course or activity is approved, the provider may state on promotional materials that the course or activity has been approved in Hawaii for the number of MCPE or VCLE credit hours determined by the Board.

(G) Any applicant whose course or activity is disapproved for MCPE or VCLE credit may submit a written request to the Board for reconsideration within 15 days of receipt of the notice of disapproval. The request for reconsideration shall state the specific reason the applicant believes the course or activity meets the standards set forth in Regulation 3, and include any additional supporting information. The Board shall consider the matter at its next regular meeting and decide the matter by majority vote. The Board's decision is final. If the Board's decision is to uphold the course or activity's disapproval, the Board shall refund the applicant's application fee less 1/3 of the fee up to $150.00.

Continuing Legal Education Fee Schedule

I. Providers

(A) Providers seeking approval for a for-fee course or activity for CLE credit . . . . . $100.00 per credit hour up to a maximum of $500.00 + $5.00 per attendee

(B) Providers seeking approval for a no-fee course or activity $0.00

(C) Providers seeking Accredited status . . . . . $500.00 annually + $10.00 per attendee per course or activity

(D) Late fee for attendee fees not received by the due date $250.00

(E) Late fee for applications received less than 30 days before a scheduled course or activity . . $ 50.00

II. Attorneys

(A) Active members seeking credit approval for a course or activity that has not already been approved

. . . . . .$5.00 per credit hour

(B) Active members seeking approval for teaching credit who were not compensated for teaching . . . . . $ 0.00

(C) Late fee for applications received more than 30 days after the end of a course, seminar or conference . . . . . $ 50.00

(D) Late compliance with CLE requirements fee . . . . . $ 50.00

Amended February 13, 2012

Hawaii State Bar Association

CREDIT CARD
AUTHORIZATION
(MCLE Fee)

Applicant's Name (please print): _____

Phone No.: _____ **Email**: _____

Billing Address: _____

Credit Card Type:
- ☐ VISA
- ☐ MasterCard

Credit Card No.: _____ **Exp. Date**: _____/_____

I hereby authorize the Hawaii State Bar Association to charge the above-referenced credit card in the amount of $ _____ (see CLE Fee Schedule posted online) **for the following MCLE Fee(s)** (check all that apply):

Providers
- ☐ Provider Application Fee
- ☐ Late Provider Application Fee
- ☐ Accredited Provider Annual Fee
- ☐ Attendee Fees for _____ Attendee(s)
- ☐ Late Attendee Fees
- ☐ Other _____

Attorneys
- ☐ Attorney Application Fee
- ☐ Late Attorney Application fee
- ☐ Late Compliance with CLE Requirement Fee

Name on Credit Card (please print): _____

_____
Authorized Signature **Date**

Please submit this form to Debbie Blanton, MCLE Administrator by mail at HSBA, Alakea Corporate Tower, 1100 Alakea Street, Suite 1000, Honolulu, HI 96813 or via email at dblanton@hsba.org or by fax at 808-521-7936.