

**SUMMARY OF NEW CLE REQUIREMENTS (208.3(A)(1)):<sup>1</sup>**

**All active members of the V.I. Bar Association must complete 24 CLE credits (which includes specialized areas listed below) every 2 years as follows.<sup>2</sup>**

Last Names A-K	Start January 1 odd number years, complete by December 31 of following even number year, file report by the following January 31
Lat Names L-Z	Start January 1 even number years, complete by December 31 of following odd number year, file report by the following January 31

**Of the 24 Credits the 4 following specialized categories are required: (208.3(A)(2))**

Specialized Area	"CLE programming that	Credits
"Ethics Professionalism Programming"	addresses standards set by the VI Rules of Professional Conduct, as well as the tenets of the legal profession by which a lawyer demonstrates civility, honesty, integrity, character, fairness, competence, ethical conduct, public service and respect for rules of law, the courts, clients, other lawyers, witnesses, and unrepresented parties."	4
"Virgin Islands Law Programming"	[is] devoted to the study of the law of the USVI including, but not necessarily limited to, VI statutory and common law, rules of practice and procedure of V.I. Supreme Court and VI Superior Court and other issues of local law. Courses focusing primarily on federal law, general trial skills or other subjects of activities not unique to the VI do not qualify."	4
"Technology Programming"	[is] designed for lawyers providing education on safe and effective ways to use technology in one's law practice, such as to communicate, conduct research, ensure cybersecurity, and manage a law office and legal matters. Assists with complying	2

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<sup>1</sup> As of December 16, 2019.

<sup>2</sup> The V.I.B.A. may enact regulations that provide for carry-over credit hours from the immediate prior period. (208.3(A)(3)). As of December 16, 2019 no regulations have been filed with the V.I. Supreme Court.

	with Rule 211.1.1 requiring VI lawyers to possess knowledge and skills necessary for competent representation.”	
“Mental Health and Substance Use Disorders”	addresses the prevention, detection, and/or treatment of mental health disorders and/or substance use disorders, which can affect a lawyer’s ability to perform competent legal services.”	1

### **TRANSITION TO NEW RULE 208 (FROM PROMULGATION ORDER)**

<b>Year</b>	<b>Applies to:</b>	<b>Requirement</b>
2019	All Attorneys	Same as previous Rule 208 (all attorneys complete 12 credits including 2 ethics by Dec. 31, 2019 and report these credits by January 31, 2020.)
2020	Attorneys A-K	From January 1, 2020 to December 31, 2020- must complete 12 credits, including 2 <u>Ethics</u> , 1 <u>Technology</u> , 2 <u>V.I. law</u> . Must report these credits by January 31, 2021
	Attorneys L-Z	New Rule 208 applies (No 2020 reporting is required. All 24 credits must be completed from January 1, 2020 to December 31, 2021, and reported by Jan. 31, 2022.)
2021	All Attorneys	New Rule 208 Applies

There is no requirement for a Mental Health CLE for Group 1 during this Pro-Rated/Abbreviated Reporting Period.

### **QUALIFYING CREDITS (208.4)**

CLE Program must:

- A. be designed for lawyer audience;
- B. cover a recognized legal subject;
- C. be delivered as Moderated Programming, or Non-Moderated Programming with Interactivity as a Key Component; The Sponsor must have a system which allows certification of attendance to be controlled by the Sponsor and which permits the Sponsor to verify the date and time of attendance;
- D. provide thorough, high-quality instructional written materials which appropriately cover the subject matter must be distributed to all attendees in paper or electronic format during or prior to the program;
- E. be presented by a faculty member or members qualified by academic or practical experience to teach the topics whether they are lawyers or have other subject matter experience.

### **ACCREDITATION (208.5)**

Regulations accrediting CLE programs are to be established by V.I. Bar. All courses offered by the V.I. Bar, the V.I. Judiciary and the V.I. federal courts are approved; any sponsor may apply for accreditation;

the V.I. Bar may recognize an organization as an “approved sponsor” on its own; Reciprocity recognized for jurisdictions that recognize V.I. Bar accredited programs.

**OTHER MEANS OF OBTAINING CLE CREDITS (208.6)**

Teaching; publishing an article, chapter, book, revision, or update; Serving on a board or committee of the V.I. Judiciary, the V.I. District Court, the V.I. Bar Association, or the V.I. Bar Admission.

CLE Ethics and V.I. Law Programming credits are automatically awarded to members of the V.I. Board of Professional Responsibility, the Board on Unauthorized Practice of law, Committee of Bar Examiners,<sup>3</sup> and the Commission of Judicial Conduct.

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<sup>3</sup> The Committee of Bar Examiners was inserted by Order dated March 13, 2019.