

1 **18-203. Accreditation; course approval; provider reporting.**

2 A. **Accreditation.** The board shall do the following:

3 (1) accredit and periodically review institutions

4 (a) that have a history of providing quality [~~continuing legal education~~]

5 CLE courses; and

6 (b) that meet current accredited provider standards established by the

7 board; and

8 (2) approve individual programs of continuing legal education. [~~The content~~

9 ~~of the instruction provided may include, but not be limited to, live seminars, participation in~~

10 ~~educational activities involving the use of computer-based resources, audiotapes, and videotapes;~~

11 ~~and~~

12 ~~(3) — periodically review accredited institutions.]~~

13 B. **Accredited institutions and program provider requirements.** Accredited
14 institutions and program providers shall do the following:

15 (1) assure that each program addresses the ethical or professionalism
16 implications where appropriate; provided, however, that only those portions of a program
17 specifically approved or specified as granting ethics and professionalism credit shall be used to
18 fulfill the attorney's ethics and professionalism requirement;

19 (2) assure that the course has significant intellectual or practical content and
20 that its primary objective is to increase the participant's professional competence as an attorney;

21 (3) assure that the curriculum offered relates to legal subjects or subjects which
22 relate to the individual attorney's practice of law, including legal ethics and professionalism;

1 (4) assure that presenters for all programs are qualified by practical or academic
2 experience to teach the subject to be covered;

3 (5) assure that legal subjects are normally taught by attorneys;

4 (6) assure that, with the exception of wellness programs submitted by the New
5 Mexico Lawyers and Judges Assistance Program, program faculty include at least one (1) lawyer,
6 judge, or full-time law professor;

7 (7) assure that thorough, high quality, current, readable, carefully prepared
8 written materials are distributed to all participants at or before the time the course is offered; and

9 (8) assure that a level of activity is noted on the promotional materials
10 following the guidelines listed below:

11 (a) *Advanced.* An advanced [~~continuing legal education~~] CLE course
12 should be designed for the practitioner who specializes in the subject matter of the course;

13 (b) *Intermediate.* An intermediate course is designed for the practitioner
14 experienced in the subject matter, but not necessarily an expert. A survey course in which there
15 have been recent, substantial changes will be deemed intermediate. In an intermediate course,
16 some segments may be low intermediate or basic and others high or advanced. In those instances,
17 the course taken as a whole will be considered intermediate;

18 (c) *Basic.* A basic course is designed for the practitioner with no
19 experience or limited experience in the area of law with which the course deals. A survey course
20 will be considered basic unless there are recent, significant changes in the law.

21 C. **Announcement of approval.** Providers shall announce, [~~as to~~] for a program that
22 has been given approval, that: “This course has been approved by the [~~New Mexico Minimum~~”

1 ~~Continuing Legal Education Board]~~ Board of Bar Commissioners of the State Bar of New Mexico
2 for _____ hours of credit.”

3 D. **Provider attendance lists.** ~~[Under practices and procedures adopted by the board,~~
4 ~~all] All [continuing legal education] CLE providers must, as a condition of accreditation or~~
5 program approval, agree to provide the board a list of all New Mexico attorneys and judges who
6 attended the ~~[continuing legal education] CLE~~ program and the number of hours claimed by each
7 participant. The list and any required credit filing fees shall be provided within thirty (30) days of
8 the program being held. CLE providers who fail to meet the thirty (30) day deadline may be
9 subject to fines established by the board and loss of accredited status.

10 ~~[E.—Unaccredited providers. All CLE providers located in New Mexico that are not~~
11 ~~accredited must seek preapproval for courses offered to New Mexico attorneys.]~~

12 [As amended, effective January 1, 1990; November 1, 1991; January 1, 1994; January 16, 1996;
13 February 18, 1998; January 1, 2001; January 1, 2001; as amended by Supreme Court Order No.
14 05-8300-007, effective January 1, 2006; by Supreme Court Order No. 06-8300-033, effective
15 January 1, 2007; by Supreme Court Order No. 08-8300-049, effective December 31, 2008; by
16 Supreme Court Order No. 11-8300-020, effective May 1, 2011 for compliance year ending
17 December 31, 2011, and subsequent compliance years; as amended by Supreme Court Order No.
18 17-8300-010, effective September 11, 2017; as amended by Supreme Court Order No. 21-8300-
19 030, effective December 31, 2021.]