18-204. Earning credits; credit types.

A. Scope. This rule sets forth the means by which a member may acquire the credits required by Rule 18-201 NMRA.

B. Live program credit.

   (1) Credit for attending approved live programs shall be based on one (1) hour of credit for each sixty (60) minutes of actual instruction time, which may include the following:

   (a) lecture;

   (b) panel discussion;

   (c) question-and-answer periods;

   (d) film presentation; or

   (e) time spent viewing video or listening to audio at an organized open enrollment program at which there is a moderator assigned to supervise the program and to foster discussion among participants, and provided that this program is approved as provided for in these rules.

   (2) The individual seeking live program credit must not have previously received credit for the same program.

C. Self-study credit. Attorneys may obtain up to four (4) self-study credits per compliance period licensing year. Self-study credits may be earned by participating in legal activities or listening to previously recorded courses, providing the following conditions are met:

   (1) Legal activities. The Board of Bar Commissioners of the State Bar of New Mexico shall establish policies and procedures for accrediting the legal organizations to award CLE credits to attorneys who engage in certain legal activities. To receive CLE credit, attorneys must perform the legal activity through a BBC-
accredited legal organization and receive a certificate of completion from that organization. Legal activities that may qualify for CLE credit include serving on [MCLE-accredited] BBC-accredited boards, committees, and commissions that perform legal work such as drafting rules, investigating cases, or participating in hearings; or performing pro bono legal services through a [MCLE-accredited] BBC-accredited legal service provider.

(2) Previously recorded courses. To be eligible for credit, the previously recorded course must comply with the standards defined in Rule 18-203 NMRA and attorneys seeking credit must provide a certificate of completion. The attorney seeking self-study credit must not previously have received self-study or live program credit for the same program.

D. Speakers. Speakers who participate in an accredited provider's program or an approved program may receive credit for preparation time and presentation time, including credit for repeated presentations, within the following parameters:

(1) Speakers may receive credit for the actual presentation time.

(2) Speakers may receive up to three (3) hours of credit for preparation time for each presentation hour.

(3) For repeat presentations, the speaker may only receive credit for presentation time.

E. Publications.

(1) Credit for one (1) hour may be earned for each sixty (60) minutes spent authoring or co-authoring written material that is actually published in a legal periodical, journal, book, or treatise approved by the board, provided that the following conditions are met:

(a) the material substantially contributes to the legal education or competency of the attorney and other attorneys; and
(b) the work is not done in the ordinary course of the attorney's practice
of law or the performance of regular employment.

(2) Credit is given [in] for the licensing year the work is accepted for
publication, or in which publication actually occurs.

(3) The maximum number of credits an attorney can earn for a publication is
ten (10) general credits.

F. Other attorney reporting procedures

(1) An attorney may self-report credits only for courses that were not pre-
approved by the board. If a course has been pre-approved by the board, the course provider will
report credits and pay filing fees for program attendees.

(2) To self-report credits, the attorney must first submit the course for approval
under Rule 18-203(A)(2) NMRA and pay any required course approval fees. If the course is
approved, the attorney may then file the credits and pay the filing fees. [An attorney wishing to
obtain approval for a program, for which the provider has not sought accreditation or has not
properly reported attendees, shall comply with the practices and procedures established by the
board.]

G. Judges.

(1) In addition to other means set forth in this rule, judges, retired judges who
are active licensed members of the state bar, domestic violence special commissioners, and
domestic relations hearing officers may satisfy the continuing legal education requirements of Rule
18-201(F) NMRA by attending judicial education programs

(a) provided by the Judicial Continuing Education Committee;

(b) approved by the Minimum Continuing Legal Education Board;
(c) provided by the Judicial Education Center; or

(d) approved by the Administrative Office of the Courts under the Rules Governing Judicial Education.

[(2)—Annual training for metropolitan, district, and appellate court judges, domestic violence special commissioners, and domestic relations hearing officers shall include appropriate training in understanding domestic violence, as determined by the Judicial Continuing Education Committee.]

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