

**KENTUCKY BAR ASSOCIATION  
RULES OF THE SUPREME COURT OF KENTUCKY**

**PRACTICE OF LAW**

**SCR 3.662 Qualifying continuing legal education activity and standards**

(1) A continuing legal education activity qualifies for accreditation if the Commission determines that the activity conforms to the following standards:

(a) The activity is an organized program of learning (including a course of study, workshop, symposium or lecture) which contributes directly to the legal competence of an attorney.

(b) The activity deals primarily with substantive legal issues directly related to the practice of law, or practice management and includes consideration of any related issues of ethics or professional responsibility.

(c) The activity has significant intellectual or practical content which is timely.

(d) The activity has as its primary objective to increase the participant's professional competence as an attorney.

(e) The activity must be offered by a sponsor having substantial, recent experience in offering continuing legal education. Demonstrated ability arises partly from the extent to which individuals with legal training or educational experience are involved in the planning, instruction and supervision of the activity.

(f) The activity itself must be taught and conducted by an individual or group qualified by practical or academic experience. The activity, including the named advertised participants, must be conducted substantially as planned, subject to emergency alterations.

(g) Thorough, high-quality, readable, timely, useful and carefully prepared written materials must be made available to all participants at or before the time the activity is presented, unless the absence of such materials is recognized as reasonable and approved by the Commission. A brief outline without citations or explanatory notations will not be sufficient.

(h) At the conclusion of the activity, each participating attorney must be given the opportunity to complete an evaluation questionnaire addressing the quality of the particular activity.

(i) The cost of the activity itself to participating attorneys must be reasonable considering the subject matter and instructional level.

(j) The activity may be presented live or by technological transmission, including: video tape, audio tape, live broadcast transmission, satellite simulcast, teleconference, video conference, CD-ROM, data conference, computer on-line services, or other appropriate technology as approved by the Commission. If presented by technological transmission as set forth above, the transmission, tape, or other technologically-transmitted activity must be produced from an activity submitted and approved by the Commission pursuant to SCR 3.665. Activities presented by technological transmission shall be accredited for the educational year during which they are produced to guarantee timeliness of content. Activities including audio components must have high quality audio reproductions so that listeners may easily hear the content of the activity. Activities including video components must have high quality video reproductions so that observers may easily view the content of the activity. If activities are presented by technological transmission an attorney facilitator must be available for purposes of answering questions and leading discussions. Activities presented by technological transmission to individuals without group participation or the participation of a qualified attorney facilitator will require independent verification of credits.

(k) In cases of in-house activity, as defined in SCR 3.010, such activities may be approved if all standards set forth herein for accreditation are met and if the following additional requirements are met.

(i) Applications for approval must be submitted at least thirty (30) days in advance; applications submitted less than 30 days in advance or after the fact will not be approved.

(ii) At least half the instruction must be provided by qualified persons having no continuing relationship or employment with the sponsoring firm, department or agency. For technologically transmitted activities, the activities must meet all standards for qualifying continuing legal education activities as set forth in SCR 3.662 and must be included as part of the application as set forth at SCR 3.662(l)(k)(i).

(iii) Members of the Court or the Commission or Commission designee may attend or participate in any such program to observe compliance without payment of registration or other fees.

(l) In cases of law school classes attended by members, the member may receive continuing legal education credit provided the following requirements are met.

(i) The member registers for the class with the law school.

(ii) The member completes the course as required by the terms of registration, for credit or by audit.

(iii) Credit is calculated pursuant to Rule 3.663.

(2) The following categories of activities shall not qualify as a continuing legal education activity.

(a) Activities designed primarily for non-lawyers.

(b) In-house activity which has not been accredited at least thirty (30) days in advance.

(c) In-house activities for which less than half the instruction is provided by qualified persons outside the firm, department or agency, and which members of the Court, the Commission or Commission designee are prohibited from observing for compliance without charge of fees.

(d) Technological transmissions as set forth at SCR 3.662(1)(j) which do not meet the standards set forth in SCR 3.662 and which have not been submitted and accredited pursuant to SCR 3.665, or which are of such poor audio and video quality that participants cannot see or hear the content under reasonable circumstances.

(e) Home study or self-study which does not meet the standards set forth in SCR 3.662 and which has not been submitted and accredited pursuant to SCR 3.665.

(f) Bar review courses taken in preparation for bar examinations for admission to the highest court in a state or jurisdiction.

(g) Correspondence classes.

(h) Any activity completed prior to admission to practice in Kentucky except the program required pursuant to SCR 3.661(9) and 3.652(5).

(i) Undergraduate law or law-related classes.

(j) Programs taken in preparation for licensure exams for non-lawyer professionals.

(k) Business meetings or committee meetings of legal and law-related associations.

(3) Continuing legal education credit may be earned as set forth in Rule 3.663 for the following additional activities.

(a) Teaching or participating as a panel member or seminar leader in an approved activity. No credit may be earned for teaching or participating as a panel member or seminar leader for activities that do not meet standards set forth in Rule 3.662.

(b) Researching, writing or editing material to be presented at an approved activity. No credit may be earned for researching, writing, or editing materials for activities that do not meet the standards set forth in Rule 3.662.

(c) Publication of legal writing. A legal writing is a publication which contributes to the legal competency of the applicant or other attorneys or judges and is approved by the Commission. Writing for which the author is paid shall not be approved.

(d) Law-related education and public speaking. Upon application, by teaching or participating as a panel member, mock trial coach or seminar leader for law-related education activities or for public service speeches to civic organizations or school groups.

Speaking for which the member is paid shall not be approved. Written copies of presentations must accompany such applications; provided, however, that, where appropriate, a narrative summary of the material presented may be sufficient.

(4) Accreditation of activities may be withdrawn by the Commission in cases where there is evidence that any of the above standards and criteria have not been met or that circumstances surrounding the actual content or transmission of the activity are not as originally represented to the Commission during the application process such that withdrawal of accreditation is warranted.

HISTORY: Amended by Order 2003-4, eff. 1-1-04; prior amendments eff. 2-1-00 (Order 99-1), 3-1-98 (Order 97-3), 9-1-93 (Order 93-1), 8-1-92; adopted eff. 9-15-90