

American Bar Association

MCLE BASELINE STANDARDS FOR ACCREDITATION

Written Materials Requirements

MCLE jurisdictions require written materials to be provided to program attendees. There are several reasons for the requirement. First, it ensures thorough course preparation by the provider. A second purpose of this requirement is to ensure that the attendees will be provided with materials that are useful after the course is completed. In jurisdictions where the ABA is an approved provider and our programs are approved or preapproved without further individual program applications, we are asked to stand in the shoes of the MCLE boards/commissions and ensure that all ABA programs offered for credit meet their standards for CLE accreditation. States are scrutinizing provider course materials more closely.

Although MCLE rules and regulations vary from state to state, they generally agree that the following are NOT sufficient for MCLE purposes:

1. Mere topical outlines without citations or explanatory notations.
2. PowerPoint presentations in simple outline format (such presentations can make good adjunct materials but will not suffice as the sole written materials.)
3. Agendas
4. Copies of cases, statutes, or regulations (or similar documents – e.g., oral argument transcripts, party or amicus briefs, etc.) without customized materials (i.e., some kind of substantive analysis from the faculty)
5. Bibliographies or a list of other reference materials, such as Internet sites, standing alone
6. Hypotheticals without other course materials

Failure to heed these guidelines risks not only the approval of the particular program at issue but also the ABA's status as an approved provider and the ABA's relationship with the accrediting jurisdiction. MCLE rules aside, a strong set of materials enhances the value of the program and helps to strengthen the ABA brand as a provider of high-quality CLE.