

New York State CLE Board Regulations and Guidelines Section 6, revised. Effective July 1, 2004.

SECTION 6. CLE ACTIVITIES APPROVED FOR CREDIT BY ANOTHER JURISDICTION MEETING NEW YORK'S STANDARDS

A. **Rule**— A New York attorney who completes an eligible Approved Jurisdiction course or program may claim New York CLE credit for the course or program in accordance with the requirements of the Program Rules and these Regulations and Guidelines.

B. Definitions

1. An **eligible Approved Jurisdiction course or program** is an out-of-state course or program that is accredited by a New York Approved Jurisdiction and that is (a) presented in the live classroom format or (b) if the course or program is presented in a nontraditional format (i.e., a format other than the traditional live classroom format), the provider of the program has independently verified the attorney's participation in accordance with New York's standards.
2. **Out-of-state course or program.** A live classroom-format program is an "out-of-state" course or program if it takes place outside of New York State. A nontraditional format program is an "out-of-state" course or program if the headquarters of the provider organization is located outside of New York State.
3. A **New York Approved Jurisdiction** is any state, the District of Columbia, territory of the United States or foreign jurisdiction whose CLE accreditation standards for live classroom-format courses or programs have been approved by the CLE Board as meeting New York's CLE accreditation standards for live classroom-format courses or programs. A list of New York Approved Jurisdictions is available on the CLE website, www.nycourts.gov/attorneys/cle, or may be obtained by contacting the CLE Board.

C. **Procedures for Claiming Credit and Attorney Obligations**— An attorney completing an eligible Approved Jurisdiction course or program may claim New York CLE credit in accordance with the requirements of the Program Rules and these Regulations and Guidelines. The attorney must obtain from the provider, and retain for a period of four (4) years, the following:

1. documentation that the course or program was approved by the CLE agency of a New York Approved Jurisdiction;
2. a certificate of attendance indicating (a) the attorney's name, (b) the name, date

and location of the course or program, (c) whether the course is (i) transitional and appropriate for newly admitted attorneys, (ii) nontransitional and not acceptable for newly admitted attorneys or (iii) appropriate for both newly admitted and experienced attorneys, (d) a breakdown of categories of credit as defined in §1500.2(c)-(f) of the Program Rules, and (e) the number of CLE credit hours earned based on a 50-minute hour; and

3. for nontraditional format courses, proof that the provider of the course independently verified the attorney's participation in accordance with New York's standards (e.g., a copy of the attorney affirmation used to report an embedded alphanumeric code to the provider, or a copy and results of a test used by the provider to verify participation, or a written statement from the provider describing the verification method used by the provider, such as online tracking).

D. Limitations— Credit may be claimed only in a manner consistent with the Program Rules and these Regulations and Guidelines.

1. **Newly Admitted Attorneys**— Newly admitted attorneys who complete eligible Approved Jurisdiction courses or programs may earn CLE credit only in accordance with the requirements of section 2 of these Regulations and Guidelines. (E.g., newly admitted attorneys may not earn New York CLE credit for participation in programs offered in a nontraditional format, even if this activity has been approved for credit by an Approved Jurisdiction, as CLE credit is not available to newly admitted attorneys for this activity under these Regulations and Guidelines except as provided in section 2(F).)
2. **Attorneys other than Newly Admitted Attorneys**— Attorneys other than newly admitted attorneys may earn credit for completion of eligible Approved Jurisdiction courses or programs only in accordance with the requirements of section 3 of these Regulations and Guidelines. (E.g., New York attorneys may not earn New York CLE credit for reading legal material, even if this activity has been approved for credit by a New York Approved Jurisdiction, as CLE credit is not available for this activity under these Regulations and Guidelines except as provided in section 3(B).) Credit may be earned for any of the activities set forth in section 3(D)(1)-(4) and (7), for an eligible Approved Jurisdiction course or program, to the extent that credit is available under these Regulations and Guidelines.

E. Procedure for Nonapproved Out-of-State Courses or Programs— An attorney or sponsoring organization seeking New York CLE credit for an out-of-state course or program that is not an eligible Approved Jurisdiction course or program shall comply with the accreditation application procedures for individual courses and programs. (See section 8 of these Regulations and Guidelines.)