



## **Pennsylvania Continuing Legal Education Board 2021 Distance Learning Policy for CLE during COVID-19 Pandemic**

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The Pennsylvania CLE Board continues to monitor COVID-19's impact on continuing legal education and adopt policy and procedural modifications to help lawyers comply with CLE requirements.

While we all share cautious optimism for the return of in-person CLE programs next year, the CLE Board will temporarily modify its classification of distance learning credits for 2021.

With the exception of 2020, a limitation of six (6) credit hours has historically applied to all forms of accredited distance learning. This cap essentially requires completion of at least half of the annual CLE requirement through traditional live classroom-style training. Distance learning CLE includes different delivery formats including programs held live and in real-time (synchronous) and programs offered on-demand through prerecorded replays (asynchronous).

Effective January 1, 2021 through December 31, 2021 the CLE Board is adopting a temporary policy to recognize live online programming by accredited distance learning providers as live (*non-capped*) credit towards lawyers' CLE requirement. This will acknowledge the engagement and real-time learning experience synchronous training provides while extending compliance accommodations for attorneys.

In order for recognition as live (non-capped) credits in 2021:

1. Programs must be offered and conducted by accredited distance learning providers.
2. Programs must be conducted via live webcast or other streaming technology where the event is delivered on a specific date and time and the instructor(s) and attendees engage simultaneously for credit.
3. Programs must include interaction and the ability for participants to ask questions of faculty in real-time.
4. Providers must have the ability to incorporate video, PowerPoint, polling features, chat functions or other media/interaction as needed for the presentation of the program.
5. Attendees shall receive high-quality written materials to supplement the program.
6. Providers shall report program notifications and attendance within 30 days of the activity in a format determined by the CLE Board.

Credits earned through approved distance learning programs that do not meet the above conditions, such as pre-recorded and certain on-demand formats will remain subject to the six-hour cap.

In summary, for 2021 lawyers must earn 12 CLE credits. Six credits can be earned via distance learning programming. Six credits must be earned in live learning formats. This policy expands the definition for live learning to include in-person, non-virtual programs, as well as virtual, synchronous programming.