

REGULATIONS

of the

Tennessee Commission on Continuing Legal Education

These regulations express the standard procedures of the Tennessee Commission on Continuing Legal Education as it operates to fulfill the requirements set forth in Tennessee Supreme Court Rule 21. These regulations were last reviewed, modified, and adopted by the Commission on February 27, 2025, and approved by the Tennessee Supreme Court on October 10, 2025

Section 1 – The Commission

A. Definitions

1. **Commission:** The Tennessee Commission on Continuing Legal Education.
2. **Rule:** The Rule for Mandatory Continuing Legal Education, as set forth in Rule 21 of the Supreme Court of Tennessee.
3. **Continuing Legal Education or CLE:** Legal education programming taught by one or more qualified presenters that has significant intellectual or practical content designed to increase or maintain the lawyer's professional competence and skills as a lawyer.
4. **General CLE Credit:** Credit applicable only to the General CLE requirement.
5. **Ethics/Professionalism (EP) Credit:** Courses focusing solely on the ethical obligations, well-being, or professionalism of attorneys. All EP credit is considered Dual credit.
6. **Dual CLE Credit:** Credit that may be applied to either the General CLE or EP CLE requirement, but not both.
7. **Provider or Sponsor:** An entity having substantial experience offering continuing legal education or demonstrated ability to organize and effectively present continuing legal education.
8. **Annual Report Statement:** A statement published by the Commission after the close of the compliance year and provided to each attorney listing all continuing legal education courses properly reported for that attorney.
9. **Compliance Year:** January 1 through December 31 of a given year.
10. **Request for Exceptional Relief:** A written request for extraordinary relief or exemption from some provision of either the Rule or regulations governing continuing legal education submitted for consideration by the full Commission.
11. **Compliance:** An attorney is compliant with the Commission when they complete all required CLE credits or claim an appropriate exemption from the requirements and pay all outstanding fees.
12. **Comity Compliance:** An attorney active in Tennessee is eligible to claim a comity compliance exemption from the requirements of Tennessee Supreme Court Rule 21 if they are actively licensed

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in and have completed the CLE course requirements for the corresponding time period in any state that the Commission has approved as eligible for comity compliance. Comity compliance may not be achieved if that attorney is exempt from the CLE requirements of that state.

B. Supervisory Authority over Administration of Rule – Tenn. Sup. Ct. R. 21, § 1.02

Suggestions for changes in MCLE requirements or the Commission's policies, procedures, or regulations will be considered at the discretion of the Commission.

Section 2 – Exemptions from Annual CLE Requirements

A. Temporary practice – Tenn. Sup. Ct. R. 21, § 2.03(a)

The Rule does not apply to attorneys who are temporarily admitted to practice, or who are practicing pending admission. Any CLE credits earned during the time attorneys are practicing pending admission may be applied after full admission to the practice of law in Tennessee, provided the attorney has an obligation during that compliance year.

B. Age Exemption – Tenn. Sup. Ct. R. 21, § 2.03(b)

The Commission shall automatically apply the age exemption in the year an attorney turns 71. Attorneys may continue to earn and report CLE and the Commission will maintain such attendance as it is reported.

C. Comity Compliance and Attorney Mobility – Tenn. Sup. Ct. R. 21, § 2.03(c)

1. An attorney who maintains an active Tennessee license but who resided outside of Tennessee for the entire compliance year and who can certify active attorney licensure and CLE compliance in a jurisdiction approved by the Commission shall be eligible for the comity compliance exemption. The exemption must be claimed by completing the Annual Report Statement that is emailed to attorneys after the close of the compliance year. Exemptions are applied only to the most recent compliance year that ended on December 31.
2. The Commission shall maintain a record of all U.S. jurisdictions that have CLE requirements comparable to those of Tennessee for the purposes of comity compliance. Factors the Commission should consider include: number and type of hours required; length of the compliance period; and reporting and accreditation requirements. The Commission shall review the eligibility of each jurisdiction at least once every three years.
3. Attorneys who move out of Tennessee on or before April 30 of the compliance year may claim an exemption for that compliance year upon application to the Commission. Attorneys who move out of Tennessee on or after May 1 shall be subject to the Rule for that compliance year.
4. Attorneys who move into or become licensed in Tennessee on or before August 31 shall be subject to the Rule for that compliance year. Attorneys who move into or become licensed in Tennessee on September 1 or later shall be exempt from the Rule for the compliance year that they moved into Tennessee but shall be subject to the Rule beginning the next compliance year.
5. Attorneys operating under an in-house counsel registration whose in-house counsel registration

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terminates on or before April 30 of the compliance year shall not have a CLE obligation for that compliance year for purposes of re-registration for in-house counsel in a subsequent compliance year. The date for termination is based on the notification date to the Board of Professional Responsibility. Attorneys whose in-house counsel registration takes effect on or after September 1 of the compliance year shall not have a CLE obligation for that compliance year.

D. Inactive Status with the Board of Professional Responsibility – Tenn. Sup. Ct. R. 21, §2.03(d)

1. Inactive or suspended status
 - a. Attorneys on any inactive status with the Board of Professional Responsibility, or who are otherwise exempt from Tennessee Supreme Court Rule 9 under section 10.3, shall be designated as inactive with the Commission during the time they are inactive or exempt, unless otherwise ordered by the Tennessee Supreme Court.
 - b. Attorneys on suspended status with the Board of Professional Responsibility shall be designated as suspended with the Commission during the time they are suspended, unless otherwise ordered by the Tennessee Supreme Court.
 - c. Attorneys may earn and report CLE during the time their license is on inactive or suspended status. The Commission will maintain such attendance as it is reported.
2. Returning to active status
 - a. An attorney returning to active status from inactive status, other than those inactive or exempt statuses prescribed in Tennessee Supreme Court Rule 9, Section 10.3 (a), (c), or (d), on or before August 31 of any compliance year shall earn and report continuing legal education credits for the time that the attorney was inactive, up to a maximum of two years of credits. Only credits earned in the two years immediately preceding reinstatement shall be counted. Attorneys returning to active status September 1 or later may include the current compliance year in their two-year calculation.
 - b. An attorney returning to active status from suspended status with the Commission shall earn and report continuing legal education credits for the time that the attorney was suspended, up to a maximum of five years of credits. Only credits earned in the five years immediately preceding reinstatement shall be counted. Attorneys returning to active status September 1 or later may include the current compliance year in their five-year calculation.
 - c. Attorneys wishing to return to active status from inactive or exempt status under Tennessee Supreme Court Rule 9, Section 10.3(a), (c), or (d) will not be required to earn or report CLE to become active if they certify that their occupation involved the application of legal principles, the practice of military law, or the study or instruction of law at a law school during the last two years they were inactive.
 - d. Attorneys on inactive status under provisions of Tennessee Supreme Court Rule 9, Section 10.3 (e), or suspended attorneys who wish to return to active status and have been practicing in a jurisdiction other than Tennessee and can certify that they have been in compliance with that jurisdiction's CLE requirements are not required to make up any CLE for the time they were inactive in Tennessee. See Section 2C of these regulations.

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- e. Inactive attorneys who may have been eligible for the age exemption under Tennessee Supreme Court Rule 21, Section 2.03 for any period of their inactive status and who wish to return to active status must follow the provisions of Section 2D(2)(a). Suspended attorneys who may have been eligible for the age exemption for any period of their suspended status and who wish to return to active status must follow the provisions of Section 2D(2)(b).
3. Disability Status
- a. Attorneys on disability inactive status with the Board of Professional Responsibility shall also be given disability inactive status with the Commission. Before an attorney may reactivate his/her Tennessee law license, the attorney shall make up the CLE credits missed during the time the attorney was on disability inactive status, up to a maximum of two years of credits. Only credits earned in the two years immediately preceding reinstatement shall be counted.
 - b. Attorneys seeking deferment of mandatory CLE who have a long-term disability of one year's duration or longer are encouraged to seek disability inactive status with the Board of Professional Responsibility. Attorneys who have received disability inactive status with the Board of Professional Responsibility shall have their CLE obligation deferred during the period of disability.
4. The provisions of this section are applicable only to mandatory CLE requirements, and attorneys are advised to check independently with the Board of Professional Responsibility on applicable provisions of the rules administered by that organization.
5. An attorney who files an application for retired or inactive status with the Board of Professional Responsibility or petitions to surrender their law license is not required to complete outstanding CLE hours but must pay any outstanding fees. If the attorney requests the change after the initial \$100 noncompliance fee has been assessed, the fee is waived as long as the licensure change occurs prior to March 31 of the current compliance year.

E. Exceptional Relief – Tenn. Sup. Ct. R. 21, § 2.04

- 1. Attorneys may request Exceptional Relief by submitting to the Commission a Request for Exceptional Relief form (found on the Commission's website) along with any supporting documentation demonstrating that extraordinary circumstances warrant some relief from the CLE requirement and deadlines.
- 2. Requests for Exceptional Relief are considered by Commission members at their next meeting. Typically, meetings are held at least four times per year. The request must be received by the Commission no later than two weeks prior to the meeting in order for the request to be vetted and reviewed by the members of the Commission.
- 3. Attorneys must state with specificity the relief they are requesting. The Supreme Court does not grant authority to the Commission to waive the annual 15-hour CLE requirement, but the Commission will consider requests such as a waiver of fees, an extension of time to complete

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the required CLE hours, or some type of alternate program.

4. The burden is on the attorney seeking relief to clearly explain the basis for the requested relief and to specify in detail the particular relief being sought. The Commission will vote to approve or deny the request based on the information provided.
5. Medical or Disability Exceptions
 - a. An attorney experiencing a temporary or short-term disability who realizes that they are unable to complete their CLE requirements by December 31 of the compliance year shall timely file a Request for Exceptional Relief under Section 2E of these regulations.
 - b. The Request shall include a statement from a qualified medical provider supporting the relief requested. The Request shall also include a proposed plan to obtain the required hours of CLE credit during the compliance year and shall set forth with specificity the reasons for the exceptional relief sought.
6. Commission decisions regarding Exceptional Relief are final.

Section 3 – Continuing Legal Education Requirement

A. Ethics and Professionalism (EP) Credits – Tenn. Sup. Ct. R. 21, § 3.01

1. EP Credit may be granted to programs or sessions within programs to the extent that the subject matter is entirely the Rules of Professional Conduct or ethical considerations applicable only to attorneys.
2. EP Credit may be granted to such programs or topics created specifically for attorneys that are designed to:
 - a. address the tenets of the legal profession by which a lawyer demonstrates civility, honesty, integrity, character, fairness, competence, ethical conduct, public service, and respect for the rules of law, the courts, clients, other lawyers, witnesses and unrepresented parties;
 - b. sustain or increase the capacity of attorneys to strive for and to achieve the highest levels of professionalism, including programs aimed at increasing attorney well-being, optimism, resilience, relationship skills, and engagement in their practices;
 - c. help lawyers reconnect with, strengthen, and apply their values, strengths of character, and sense of purpose toward achieving outstanding professionalism;
 - d. protect lawyers or help them recover from the deleterious effects on professionalism including stress, substance abuse, staff management, financial, law or time management; and/or
 - e. support the development of organizational cultures within firms, law departments, and legal agencies that recognize, support, and encourage outstanding professionalism.
3. Topics that will be approved for EP credit include, but are not limited to: mindfulness, well-being, client confidentiality, diversity, implicit bias, social media, cybersecurity, lawyer advertising, trust accounting, substance abuse, and technology.

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4. EP credits shall not be awarded for undergraduate classes. To qualify for EP credits, the course must be taught at a law school and must be entirely devoted to the topic of legal ethics.
5. Programs and topics focused on advertising or marketing legal services will be denied all credit, except to the extent the program or topic deals with the ethical restrictions concerning advertising legal services.
6. In addition to the other requirements set forth in this regulation, in order to qualify for EP credit, the topics must be presented in a session or section separate and apart from the General credit topics, with specific time or word count allocated to only such topics.

B. Dual Credits – Tenn. Sup. Ct. R. 21, § 3.01(b)

1. Dual credits may count toward either the EP or General requirement as defined in Section 1 of these regulations. All EP credits, with the exception of pro bono and indigent representation credits, are recorded as Dual credit.
2. Dual credit does not mean that the attorney receives CLE credit in both EP and General categories for the time spent earning credit. Credit awarded may not exceed the total amount earned for the course but may be split among the two categories to fulfill requirements.

C. Distance Learning Credits – Tenn. Sup. Ct. R. 21, § 3.01(c)

1. Distance learning formats do not have a live commentator at the viewer's location.
2. The Commission approves the following distance learning formats:
 - a. Sessions streamed live via the internet to any personal electronic device.
 - b. Recorded sessions streamed on demand and attended via any personal electronic device.
3. Distance learning may include audio and video or audio only, but the streaming platform must include the ability to track attendance, specifically when a participant joins and leaves a session. In lieu of tracking, a provider may provide keywords throughout the program that are verified by the provider as proof of attendance.

Section 4 – Continuing Legal Education Credits

A. Credit Earned While Exempt – Tenn. Sup. Ct. R. 21, § 4.02(b)

If an attorney was exempt from the CLE requirement and earned credit hours during the exempt compliance year, hours up to the 15-hour annual requirement will carry forward to the succeeding compliance year.

B. Credit for Teaching a CLE Course to Attorneys – Tenn. Sup. Ct. R. 21, § 4.03(a)

1. To receive credit as the presenter of an accredited CLE program, the attorney should instruct the course provider to report their hours as an instructor/teacher/panel member.
2. Attorneys teaching a CLE course with five or more pages of handouts will receive CLE credit equal to four times the number of hours taught.
3. Attorneys teaching a CLE course with four or fewer pages of handouts will receive credit equal

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to two times the number of hours taught.

4. Course instructors will not receive additional CLE credit for attending the course being taught.
5. No CLE credit is awarded for courses that are cancelled, or for course preparation.
6. Textual materials should be made available in written or electronic form to all participants at or before the time the course is presented, unless the absence of such materials is recognized as reasonable. Textual materials must be high quality, readable, and carefully prepared, not merely outlines or copies of caselaw or statutes without citations or explanatory notations.
7. PowerPoint presentations are acceptable as written materials and will count as one page for every five substantive slides.
8. Each attorney participating as a co-instructor or as part of a panel of an approved activity shall receive credit as though he or she were the only instructor/panel member.

C. Credit for Teaching at a Community College, College, University, or Law School – Tenn. Sup. Ct. R. 21, § 4.03(b)

1. Teaching a law-related course at a community college, college, university, or law school will provide General CLE credit for the attorney instructor. EP credit may be earned only for courses taught at a law school as part of the regular curriculum if the course is entirely devoted to the topic of legal ethics.
2. Law schools offering classes in Tennessee must report and pay for credits awarded to their faculty.
3. For attorneys teaching at law schools outside Tennessee, the attorney should provide to the Commission a letter on the school's letterhead, signed by a school administrator, identifying the attorney as the instructor of the course and including the following information: the attorney's Tennessee Board of Professional Responsibility number, the name of the course taught, the dates when the course was taught, and the number of credit hours awarded by the school to a student for successfully completing the course.
4. The award of Dual credit shall be governed by Section 3 of these regulations. Only courses that are entirely devoted to attorney ethics and taught to students enrolled in a law school are eligible for Dual credit.

D. Credit for Published Writing - Tenn. Sup. Ct. R. 21, § 4.08(b)

1. An attorney seeking credit under Rule 21, Section 4.08(b) shall submit the form available on the Commission's website along with a Word or PDF (not a scanned image) of the written work. A maximum credit of six General credit hours and one and one-half EP credit hours may be awarded during a compliance year. Credit in the amount of one hour for every 1,000 words shall be awarded, not including footnotes, endnotes, or citations of authority.
2. In order to qualify for EP credit, the topic must be presented in a section separate and apart from the General credit topics. The attorney shall submit a separate word count for the EP

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section and for the General section in order to receive appropriate credit.

3. Attorneys seeking credit as joint authors must indicate the division of labor for the article.

E. Pro Bono Credit – Tenn. Sup. Ct. R. 21, § 4.08(c)

1. An attorney may receive an annual maximum of three EP credits for performing pro bono work for an approved legal assistance organization, through court appointment, through an organized bar association program, or through mediation services under Tennessee Supreme Court Rule 31 or the Federal Court Mediation Programs established by the United States District Courts in Tennessee.
2. An organization may apply to the Supreme Court for approval as an “Approved Legal Assistance Organization” by using the form linked on the Commission’s website.

F. Indigent Representation Credit – Tenn. Sup. Ct. R. 21, § 4.08(d)

1. An attorney may receive an annual maximum of three EP credits for performing indigent representation work submitted through the Court’s system for compensation.
2. In order to receive indigent representation credit, the attorney must complete the form found on the Commission’s website. The attorney must attach copies of the claim for attorney fees supporting their request, or a signed order from the judge indicating the uncompensated hours.
3. The Commission shall review annually the calculation to determine the uncompensated portion of indigent representation work that is applicable to CLE credit.

Section 5. Continuing Legal Education Providers

A. Approved Continuing Legal Education Credits – Tenn. Sup. Ct. R. 21, § 5.01

1. If a course is not listed on the Commission’s website, it has not been approved for CLE credit in Tennessee, and the Commission does not guarantee accreditation of such courses.
2. Courses that have expired are noted in the course details on the Commission website. Credit will not be awarded for courses that are expired at the time the attorney participated in the course, regardless of whether the course was expired at the time the course was purchased.
3. One hour of credit will be awarded for each 60 minutes of instruction.
4. The Commission reserves the right for staff or Commission members to audit any CLE course for which a provider seeks or has received accreditation from the Commission, including attending in person or reviewing recordings, without fees. Providers are not required to report CLE hours for such staff attendance.
5. The Commission reserves the right to audit provider attendance records at any time.

B. Submission of Written Materials – Tenn. Sup. Ct. R. 21, § 5.01(e)

1. A provider requesting program approval need not submit materials provided to participants unless requested to do so by the Commission or its staff.
2. See Section 4B of these regulations for more information regarding course materials.

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C. Applications for Reconsideration – Tenn. Sup. Ct. R. 21, § 5.05(b)

1. Upon request from an attorney or provider, the Commission will review staff accreditation decisions. Requests for such review must be in writing, state the basis for the applicant's position that staff has erred, and include all relevant materials for the Commission's consideration. In-person presentations or discussions with the applicant are at the discretion of the Commission.
2. The Commission will reconsider denial of program accreditation only upon an application showing that the Commission staff misapprehended a material fact concerning such application. If a provider made changes to a program, such as subject matter, speakers, or audience, the Commission will not consider the appeal. The provider must resubmit the course for accreditation to the staff.

D. Attorney Request for Accreditation – Tenn. Sup. Ct. R. 21, § 5.05(d)

1. Any attorney may request approval of CLE credit for programming held outside Tennessee by non-Tennessee providers if the Commission has not accredited the program. Attorneys must complete the appropriate information as outlined on the Commission's website and pay the appropriate fees.
2. No activity conducted in Tennessee or sponsored by Tennessee-based providers or sponsors will be approved except upon application by the provider or sponsor.

E. Credit for Law-Firm Sponsored Courses, In-House Sponsored Courses, Vendor Sessions

1. Courses otherwise appropriate for credit that are sponsored by law firms will be accredited if they are open in some significant manner to a broad spectrum of the bar either in a geographical area or in the field of practice. Programs strictly limited to the firm's attorneys or clients will not be accredited.
2. An in-house activity shall be defined as an activity conducted primarily for the benefit of attorneys in, or clients of a single firm, corporation, or governmental department except as follows:
 - a. Any training activity conducted for the attorneys of a governmental department shall not be considered "in-house" if it:
 - i. is available to all attorneys in that department on a state-wide basis, and
 - ii. at least 50% of the hours of approved instruction are taught by persons with no continuing relationship or employment with the department.
3. In-house activities will not be approved for CLE credit in Tennessee.
4. Presentations or training offered by organizations that sell legal or technology services are not eligible for CLE credit.
5. Notwithstanding technical compliance with this regulation, the Commission may deny

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accreditation to activities lacking substantive merit as a continuing legal education activity.

Section 8. Attendance – Fees and reports

A. Attendance Reporting and Fees for Activities Held in Tennessee – Tenn. Sup. Ct. R. 21, § 8.02

1. A provider conducting a CLE course in Tennessee is required to report and pay for credits for any Tennessee-licensed attorney if the attorney wishes to receive credit for the activity.
2. Course attendance shall be posted online via the Commission's website.

B. Attorney Reporting and Payment for Out-of-State Activities – Tenn. Sup. Ct. R. 21, § 8.03

An attorney may not report credits earned for courses held in Tennessee. Attorneys may request credit for courses attended out of state only if they are not accredited by the provider.

C. Reporting Fee Waiver

1. The per-hour fee assessed to sponsors on in-state programs is hereby waived if
 - a. the program is priced to attorneys at \$10.00 per hour or less;
 - b. gross proceeds from the program are contributed to the Tennessee Lawyers Assistance Program or an organization that is an approved legal assistance organization under Tennessee Supreme Court Rule 21, Section 4.08; and
 - c. attendance is reported electronically through the attendance reporting system available on the Commission's website.