

1 27 NCAC 01D .1512 is amended without notice pursuant to G.S. 84-23, 150B-21.21 as follows:

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3 **27 NCAC 01D .1512 SOURCE OF FUNDS**

4 (a) Funding for the program carried out by the ~~board~~Board shall come from ~~sponsor's fees and attendee's fees an~~  
5 annual CLE attendance fee and program application fees as provided below, as well as from duly assessed penalties  
6 for noncompliance and from reinstatement fees.

7 (1) Annual CLE Attendance Fee – all members, except those who are exempt from these requirements  
8 under Rule .1517, shall pay an annual CLE fee in an amount set by the Board and approved by the  
9 Council. Such fee shall accompany the member's annual membership fee. Annual CLE fees are  
10 non-refundable. Any member who fails to pay the required Annual CLE fee by the last day of June  
11 of each year shall be subject to (i) a late fee in an amount determined by the Board and approved by  
12 the Council, and (ii) administrative suspension pursuant to Rule .0903 of this Subchapter. Registered  
13 sponsors located in North Carolina (for programs offered in or outside North Carolina), registered  
14 sponsors not located in North Carolina (for programs offered in North Carolina), and all other  
15 sponsors located in or outside of North Carolina (for programs offered in North Carolina) shall, as  
16 a condition of conducting an approved program, agree to remit a list of North Carolina attendees  
17 and to pay a fee for each active member of the North Carolina State Bar who attends the program  
18 for CLE credit. The sponsor's fee shall be based on each credit hour of attendance, with a  
19 proportional fee for portions of a program lasting less than an hour. The fee shall be set by the board  
20 upon approval of the council. Any sponsor, including a registered sponsor, that conducts an  
21 approved program which is offered without charge to attendees shall not be required to remit the fee  
22 under this section. Attendees who wish to receive credit for attending such an approved program  
23 shall comply with paragraph (a)(2) of this rule.

24 (2) Program Application Fee – The sponsor of a CLE program shall pay a program application fee due  
25 when filing an application for program accreditation pursuant to Rule .1520(b). Program application  
26 fees are non-refundable. A member submitting an application for a previously unaccredited program  
27 for individual credit shall pay a reduced fee. The board shall fix a reasonably comparable fee to be  
28 paid by individual attorneys who attend for CLE credit approved continuing legal education  
29 programs for which the sponsor does not submit a fee under Rule .1512(a)(1) above. Such fee shall  
30 accompany the member's annual affidavit. The fee shall be set by the board upon approval of the  
31 council.

32 (3) Fee Review – The Board will review the level of fees at least annually and adjust the fees as  
33 necessary to maintain adequate finances for prudent operation of the Board in a nonprofit manner.  
34 The Council shall annually review the assessments for the Chief Justice's Commission on  
35 Professionalism and the North Carolina Equal Access to Justice Commission and adjust them as  
36 necessary to maintain adequate finances for the operation of the commissions.

37 (4) Uniform Application and Financial Responsibility – Fees shall be applied uniformly without  
38 exceptions or other preferential treatment for a sponsor or member.

1 ~~(b) Funding for a law practice assistance program shall be from user fees set by the board upon approval of the council~~  
2 ~~and from such other funds as the council may provide.~~

3 ~~(c) No Refunds for Exemptions and Record Adjustments.~~

4 ~~(1) — Exemption Claimed. If a credit hour of attendance is reported to the board, the fee for that credit~~  
5 ~~hour is earned by the board regardless of an exemption subsequently claimed by the member~~  
6 ~~pursuant to Rule .1517 of this subchapter. No paid fees will be refunded and the member shall pay~~  
7 ~~the fee for any credit hour reported on the annual report form for which no fee has been paid at the~~  
8 ~~time of submission of the member's annual report form.~~

9 ~~(2) — Adjustment of Reported Credit Hours. When a sponsor is required to pay the sponsor's fee, there~~  
10 ~~will be no refund to the sponsor or to the member upon the member's subsequent adjustment,~~  
11 ~~pursuant to Rule .1522(a) of this subchapter, to credit hours reported on the annual report form.~~  
12 ~~When the member is required to pay the attendee's fee, the member shall pay the fee for any credit~~  
13 ~~hour reported after any adjustment by the member to credit hours reported on the annual report form.~~

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15 *History Note: Authority - Order of the North Carolina Supreme Court, October 7, 1987, 318 N.C. 711;*  
16 *Readopted Eff. December 8, 1994;*  
17 *Amendments Approved by the Supreme Court: September 22, 2016; April 5, 2018; September 25,*  
18 *2019;*  
19 *Amendments approved by the Supreme Court June 14, 2023 and re-entered into the Supreme*  
20 *Court's minutes March 20, 2024.*

1 27 NCAC 01D .1520 is amended without notice pursuant to G.S. 84-23, 150B-21.21 as follows:

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3 **27 NCAC 01D .1520 REQUIREMENTS FOR PROGRAM APPROVAL**

4 (a) Approval. CLE programs may be approved upon the application of a sponsor or an active member on an individual  
5 program basis. An application for such CLE program approval shall meet the following requirements:

- 6 (1) The application shall be submitted in the manner directed by the Board.  
7 (2) The application shall contain all information requested by the Board and include payment of any  
8 required application fees.  
9 (3) The application shall be accompanied by a program outline or agenda that describes the content in  
10 detail, identifies the teachers, lists the time devoted to each topic, and shows each date and location  
11 at which the program will be offered.  
12 (4) The application shall disclose the cost to attend the program, including any tiered costs,  
13 (5) The application shall include a detailed calculation of the total CLE hours requested, including  
14 whether any hours satisfy one of the requirements listed in Rules .1518(b) and .1518(d) of this  
15 Subchapter, and Rule 1.15-2(s)(3) of the Rules of Professional Conduct.

16 (b) Program Application Deadlines and Fee Schedule.

- 17 (1) Program Application and Processing Fees. Program applications submitted by sponsors shall  
18 comply with the deadlines and Fee Schedule set by the Board and approved by the Council,  
19 including any additional processing fees for late or expedited applications.  
20 (2) Free Programs. Sponsors offering programs without charge to all attendees, including non-members  
21 of any membership organization, shall pay a reduced application fee.  
22 (3) Member Applications. Members may submit a program application for a previously unapproved out  
23 of state, in-person program after the program is completed, accompanied by a reduced application  
24 fee. On-demand program applications must be submitted by the program sponsor.  
25 (4) On-Demand CLE Programs. Approved on-demand programs are valid for three years. During this  
26 initial three-year term, sponsors shall pay an annual renewal fee each year in the amount set by the  
27 Board. After the initial three-year term, programs may be ~~renewed~~ approved annually in a manner  
28 approved by the Board that includes a certification that the program content continues to meet the  
29 accreditation standards in Rule .1519 and the payment of a program ~~renewal~~ recertification fee.  
30 (5) Repeat Programs. Sponsors seeking approval for a ~~repeat program~~ program, or portion of a program,  
31 that was previously approved by the Board within the same CLE year (March 1 through the end of  
32 February) shall pay a reduced application fee.

33 (c) Program Quality and Materials. The application and materials provided shall reflect that the program to be offered  
34 meets the requirements of Rule .1519 of this Subchapter. Sponsors and active members seeking credit for an approved  
35 program shall furnish, upon request of the Board, a copy of all materials presented and distributed at a CLE program.  
36 Any sponsor that expects to conduct a CLE program for which suitable materials will not be made available to all  
37 attendees may be required to show why materials are not suitable or readily available for such a program.

1 (d) Online and On-Demand CLE. The sponsor of an online or on-demand program must have an approved method for  
2 reliably and actively verifying attendance and reporting the number of credit hours earned by each participant.  
3 Applications for any online or on-demand program must include a description of the sponsor's attendance verification  
4 procedure.

5 (e) Notice of Application Decision. Sponsors shall not make any misrepresentations concerning the approval of a  
6 program for CLE credit by the Board. The Board will provide notice of its decision on CLE program approval requests  
7 pursuant to the schedule set by the Board and approved by the Council. A program will be deemed approved if the  
8 notice is not timely provided by the Board pursuant to the schedule. This automatic approval will not operate if the  
9 sponsor contributes to the delay by failing to provide the complete information requested by the Board or if the Board  
10 timely notifies the sponsor that the matter has been delayed.

11 (f) Denial of Applications. Failure to provide the information required in the program application will result in denial  
12 of the program application. Applicants denied approval of a program may request reconsideration of such a decision  
13 by submitting a letter of appeal to the Board within 15 days of receipt of the notice of denial. The decision by the  
14 Board on an appeal is final.

15 (g) Attendance Records. Sponsors shall timely furnish to the Board a list of the names of all North Carolina attendees  
16 together with their North Carolina State Bar membership numbers in the manner and timeframe prescribed by the  
17 Board.

18 (h) Late Attendance Reporting. Absent good cause shown, a sponsor's failure to timely furnish attendance reports  
19 pursuant to this rule will result in (i) a late reporting fee in an amount set by the Board and approved by the Council,  
20 and (ii) the denial of that sponsor's subsequent program applications until the attendance is reported and the late fee  
21 is paid.

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23 *History Note: Authority - Order of the North Carolina Supreme Court, October 7, 1987, 318 N.C. 711;*  
24 *Readopted Eff. December 8, 1994;*  
25 *Amendments Approved by the Supreme Court: February 27, 2003; March 3, 2005; October 7, 2010;*  
26 *March 6, 2014; April 5, 2018; September 25, 2019; June 14, 2023;*  
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28 *Court's minutes March 20, 2024.*  
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1 27 NCAC 01D .1522 is amended without notice pursuant to G.S. 84-23, 150B-21.21 as follows:

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3 **27 NCAC 01D.1522      ~~RESERVED~~REGISTERED SPONSORS**

4 (a) Registered Sponsor Status. Notwithstanding the requirements of Rule .1520(b), the following rules apply to  
5 registered sponsors:

6       (1) Presumptive Approval of Programs. Once an organization is approved as a registered sponsor, the  
7 continuing legal education programs sponsored by that organization are presumptively approved for  
8 credit; however, application must still be made to the board for approval of each program pursuant  
9 to Rule .1520(a). The Board will provide notice of its decision on CLE program approval requests  
10 pursuant to the schedule set by the Board and approved by the Council. A program will be deemed  
11 approved if the notice is not timely provided by the Board pursuant to the schedule. The registered  
12 sponsor may request reconsideration of an unfavorable accreditation decision by submitting a letter  
13 of appeal to the Board within 15 days of receipt of the notice of disapproval. The decision by the  
14 Board on an appeal is final.

15       (2) Professionalism for New Admittees (PNA) Programs. Registered sponsors shall be permitted to  
16 provide PNA programs approved pursuant to Rule .1525 of this subchapter.

17       (3) Other services provided by the Board. The CLE Board may, in its discretion, provide additional  
18 services and adjustments to registered sponsors, including but not limited to reduced program  
19 application fees, different application deadlines, and optional payment structures. However, all  
20 registered sponsors shall be treated uniformly.

21 (b) Eligibility Standards. The Board may, in its sole discretion, register a sponsor if it meets the following  
22 requirements:

23       (1) The sponsor shall submit an application in the manner directed by the Board;

24       (2) The application shall contain all information requested by the Board and include payment of an  
25 application fee in an amount set by the Board;

26       (3) The sponsor must have had at least 20 programs approved for credit in the year prior to applying for  
27 Registered Sponsor status; and

28       (4) The sponsor shall suitably demonstrate a history of consistent compliance with the rules of this  
29 subchapter.

30 (c) Annual Renewal. Registered Sponsors must renew their status annually in the time and manner directed by the  
31 Board, including the payment of an annual renewal fee in an amount set by the Board.

32 (d) Revocation of Registered Sponsor Status. The Board may, at any time and in its sole discretion, revoke the  
33 registration of a registered sponsor for failure to satisfy the requirements of this subchapter. A sponsor who has its  
34 status revoked may re-apply for Registered Sponsor Status pursuant to Paragraph (b) of this rule.

35 (e) Previously Registered Sponsors. A sponsor that was previously designated by the board as a registered sponsor  
36 prior to the effective date of this revised rule shall maintain its registered sponsor status for the duration of the CLE

1 year in which this rule becomes effective but shall be required to renew its status annually subject to the revised  
2 eligibility requirements in Paragraph (b) of this rule.

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4 *History Note: Authority - Order of the North Carolina Supreme Court, October 7, 1987, 318 N.C. 711;*  
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6 *Amendments Approved by the Supreme Court: March 7, 1996; March 6, 1997; February 3, 2000;*  
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9 *Amendments approved by the Supreme Court October 18, 2023 and re-entered into the Supreme*  
10 *Court's minutes March 20, 2024.*