

The Texas Center for the Judiciary

Guidelines for Obtaining Continuing Judicial Education Credit

Understanding how to ensure credit for all applicable judicial education and training begins with realizing the differences between the rules of Minimum Continuing Legal Education (MCLE) which apply to all active members of the State Bar of Texas and the **Rules of Judicial Education (CJE) which apply to all Texas judges and are pursuant to the provisions of Texas Government Code §56.006**. The Texas Center for the Judiciary, primary provider of specialized judicial education and training opportunities for all Texas appellate, district and county court at law judges, provides statutorily mandated training, tracks your continuing judicial education (CJE) hours, maintains your judicial education transcripts, and complies with the Court of Criminal Appeals Rules of Judicial Education. These rules are published on the CCA's website (<http://www.cca.courts.state.tx.us/rules/JERules/rules2006.amended2008.doc>) and are also available on the TCJ website (<http://www.yourhonor.com/pdfs/rules2006amended2008.pdf>).

The Rules of Judicial Education are more limited than MCLE rules. For example, MCLE rules allow for legal self-study, review of videos, and teaching/writing for legal credit. CJE rules do not allow credit for self-study, writing for legal credit, and private review of videos; however, a maximum of three hours CJE credit per year is available for designated online material in the Texas Center website. Educational videos shown to a group in a controlled setting are acceptable for CJE credit if pre-approved by the Texas Center for the Judiciary and verified by official sign-in sheets. CJE credit is not given for introductory remarks, breaks, meal breaks, keynote or luncheon speakers or business meetings. Judges are allowed to claim up to 3 hours CJE credit per year for teaching at certain approved educational activities. However, the method of reporting these credits is different from MCLE, and all teaching credit requests must be submitted to the Texas Center for the Judiciary.

The Rules of Judicial Education require each judge, as an official duty, to complete at least 30 hours of instruction within one year after taking office, unless the judge has been absent from the bench for less than one year. After that period, judges are required to have 16 hours per fiscal year, with a maximum carry-over of 16 hours into the next year.

Only education programs sponsored by certain organizations and approved by the Court of Criminal Appeals Education Committee automatically satisfy the CJE requirements. The Texas Center for the Judiciary is an approved CJE provider organization and attendance at Texas Center conferences ensures that CJE hours are tracked, verified, and automatically posted to your transcript.

Once every three months, the Texas Center downloads from the State Bar system all MCLE information which qualifies for judicial education credit (CJE). Since State Bar Card numbers are the common link between the two systems, they must correspond on the MCLE reporting card, the State Bar record, and the Texas Center's database. However, other judicial education programs may be submitted to the Texas Center Registrar for CJE approval. Here's the procedure:

- Go to the Texas Center website (www.yourhonor.com); open the Conferences tab and select Forms. Click on Continuing Judicial Education Form for a CJE form that you can fill out online. Fill it out completely.
- Then print out the form, attach the course agenda, brochure and/or timed outline and other required materials, noting the courses that you actually attended, and mail or fax to Michele Mund, Registrar, at 512-469-7664.
- If the continuing judicial education activity was not provided by an approved provider, the Registrar refers the CJE request to the Program Attorney for review as to compliance with the Rules of

Judicial Education. **A complete program schedule that includes topics, times, faculty names, credentials, course objectives and course descriptions must be included to facilitate this review.** CJE credit will not be given for introductory remarks, breaks, meal breaks, keynote or luncheon speakers or business meetings. If insufficient documentation accompanies the request, the Program Attorney notifies the Registrar who will seek additional information from the requesting judge. When sufficient documentation is submitted, the Program Attorney completes the review, prepares an initial determination as to CJE compliance, and makes a recommendation to the Curriculum Committee.

- All requests and initial determinations are presented at the next Curriculum Committee meeting. At that time, all CJE requests and documentation are reviewed and the Curriculum Committee makes a recommendation to the Education Committee of the Court of Criminal Appeals. The Education Committee of the Court of Criminal Appeals reviews the Curriculum Committee's recommendation and documentation with regard to each request, and approves or denies the Curriculum Committee's recommendation. Their decision is then communicated to the Texas Center for implementation and update of judicial records.

The Texas Center for the Judiciary tracks all judicial education hours and maintains all judicial education transcripts. Unlike MCLE, CJE requirements have a regular reporting cycle, September 1 through August 31, and are not based on your birthday. Transcripts are mailed to all active and assigned judges three times a year (December, March, and June). These transcripts reflect the most updated information in your file. If you do not see credit for an activity you attended, please notify the Texas Center Registrar so that your records may be corrected. Any requests for a waiver or extension from CJE requirements must be submitted in writing to the Texas Center for the Judiciary prior to August 31; must include the reason for such request; and state whether a 30, 60 or 90 day extension is requested. You may contact the Texas Center Registrar for assistance in locating an activity that qualifies for CJE credit. Unless an extension or waiver for good cause is granted, the Texas Center is required by the Court of Criminal Appeals Rules of Judicial Education to report the names of all deficient judges to the State Commission on Judicial Conduct by November 1 of each year. Thereafter, the Texas Center will not communicate with a judge as to their status, except to refer them to the Commission on Judicial Conduct.

All Texas Center for the Judiciary conferences are MCLE approved by the State Bar of Texas. As a judge, you may claim *exemption* from MCLE requirements by making a written request or by responding on the yearly form sent by the MCLE department of the State Bar. To submit a request, notify the State Bar MCLE Department by email (mcle@texasbar.com); fax (512) 427-4123; or mail to P.O. Box 13007, Austin, TX 78711. Mandatory *legal ethics/professional responsibility* hours are required by MCLE rules, not CJE rules.

Mandatory judicial *family violence* education is required by Texas Government Code § 22.110 for judges hearing cases involving family violence, sexual assault, or child abuse and neglect. These hours are reported separately and full instructions are contained in the Texas Center for Judiciary Guidelines for Obtaining Credit for Judicial Instruction Related to Family Violence, Sexual Assault and Child Abuse and Neglect.

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