



Supreme Court of the Philippines
MANDATORY CONTINUING LEGAL EDUCATION OFFICE
4th Floor, IBP Building
15 Doña Julia Vargas Avenue
Ortigas Center, Pasig City
Tel. Nos. 687-7349 / 627-6268

MCLE Governing Board Resolution No. 09-2019

**(Resolution Adopting Rules and Regulations in the Conduct of
MCLE Online)**

WHEREAS, in consonance with the general purpose of Mandatory Continuing Legal Education as provided in Rule 1, Section 1, Bar Matter No. 850 which is

"Continuing legal education is required of members of the Integrated Bar of the Philippines (IBP) to ensure that throughout their career, they keep abreast with law and jurisprudence, maintain the ethics of the profession and enhance the standards of the practice of law,"¹

the MCLE Governing Board approved a Resolution² allowing the conduct of MCLE online subject to two (2) major requirements as follows:

- a) assurance of authenticity of identity of lawyers taking online MCLE; and
- b) relevancy of content of the program;

WHEREAS, there is a need to clearly define the minimum requirements and responsibilities of accredited MCLE Providers desiring to conduct MCLE online;

WHEREAS, there is likewise a need to define the guidelines and minimum requirements for lawyers who want to avail themselves of MCLE online;

WHEREFORE, in view of the foregoing, the MCLE Governing Board resolves to issue the following rules and regulations in the application, conduct and availment of MCLE online:

Part I. Accreditation Requirements for Providers of MCLE Online

- A) A duly accredited MCLE Provider in good standing with proven experience and track record in the delivery of quality and substantive MCLE programs;
- B) Letter of intent to provide MCLE online addressed to the MCLE Governing Board;

¹ Rule 1, Section 1, Bar Matter No. 850

² MCLE Governing Board Resolution No. 008-2019-Resolution Allowing the Conduct of MCLE Online by Accredited MCLE Providers Subject to Stringent Safeguards and Guidelines as may be Required by the MCLE Governing Board

- C) Presentation to the MCLE Governing Board of a working prototype³ of their MCLE online offering;
- D) Must have a competent Head Legal Officer who will lead and take charge of the structure, review and verification of the contents of the MCLE online courses;
- E) Commitment to comply with the Data Privacy Act (DPA), including but not limited to, Collection, Use, Data Sharing, Accessing/Updating, Retention of data, etc. pursuant to Republic Act No. 10173 (Data Privacy Act of 2012) and any amendments thereto;
- F) For Private Providers, pursuant to the requirement of affiliation with a law school under MCLE Governing Board Resolution No. 005-2014, it is required that faculty members of the affiliate law school must have active participation in the crafting of the MCLE online program such as, but not limited to, 30% participation of the faculty as members of a committee formed for this purpose which will take charge of the development of online courses/modules, or as talents/lecturers in the delivery of MCLE online/lecture;
- G) For IBP National Office, as the sole accredited Provider of all MCLE activities, including those organized by its Chapters pursuant to MCLE Governing Board Resolution No. 002-2014, MCLE online applications from IBP Chapters must be coursed through the IBP National Office and shall be subjected to the same standards as herein set forth;
- H) Compliance with the basic accreditation requirements, as follows:
 - 1) Private Providers:
 - a) Application for Accreditation as MCLE Provider (MCLE Form No. 01);
 - b) Articles of Incorporation and By-laws or Business Registration showing that one of its primary purposes is to provide continuing legal education program to members of the Bar (MCLE Resolution No. 4, s. 2008); Certificate of Registration issued by the Department of Trade and Industry (DTI) for Single/Sole Proprietor stating that one of its purposes is to provide continuing legal education;
 - c) List of officials and employees, including their resume (MCLE Resolution No. 4, s. 2008);

³ Presentation to the MCLE Governing Board of a working proof of concept and live product demonstration of the applicant's MCLE online offering compliant with Bar Matter No. 850.

- d) Organizational structure of the applicant (MCLE Resolution No. 4, s. 2008);
 - e) Affiliation and Memorandum of Agreement with a law school (MCLE Governing Board Resolution No. 005-2014);
 - f) Five Thousand Pesos (P 5,000.00) accreditation fee*.
- 2) IBP National Office:
- a) Application for Accreditation as MCLE Provider (MCLE Form No. 01);
 - b) One Thousand Pesos (P 1,000.00) accreditation fee*.
- 3) Educational Institutions:
- a) Application for Accreditation as MCLE Provider (MCLE Form No. 01);
 - b) Profile and Organizational structure of the applicant (MCLE Resolution No. 4, s. 2008);
 - c) List of faculty members;
 - d) Five Thousand Pesos (P 5,000.00) for private educational institutions and One Thousand Pesos (P 1,000.00) for State Colleges and Universities, accreditation fee*.
- 4) Government Offices and Agencies:
- a) Application for Accreditation as MCLE Provider (MCLE Form No. 01);
 - b) Organizational structure of the applicant (MCLE Resolution No. 4, s. 2008);
 - c) One Thousand Pesos (P 1,000.00) accreditation fee*.

Part II. Technical Requirements

A) Providers must have:

- 1) Reliable internet connection;
- 2) High bandwidth availability, able to scale and capable of supporting numerous simultaneous connections;

* Implementing Guidelines for Collection of MCLE Fees and Disbursement of MCLE Fund dated 07 June 2016 issued by the Supreme Court

- 3) Encryption mechanism to protect users' data;
- 4) High availability/uptime and low downtimes;
- 5) Data Retention and Destruction Policy;
- 6) Audit Trails and Logs;
- 7) Fast and reliable 24/7 Customer Service Support in case of technical glitches/issues.

B) Participants must have:

- 1) A device (desktop, computer, laptop, tablet, smartphones) with front-facing camera and capable of accessing online course/module;
- 2) Reliable internet connection.

The MCLE Office may seek expert assistance of the Management Information System Office (MISO) of the Supreme Court, as needed.

Part III. Security Requirements

A) Registration of Participants:

- 1) The Provider must ensure the identity of their registered participants by requiring submission of a copy, preferably of his/her IBP ID or any government issued ID for authentication purposes;
- 2) The Provider must incorporate, as part of the registration process, statements for affirmation by the participant on the following:
 - a) As to the veracity of his/her identity;
 - b) As to his/her faithful and truthful personal attendance in viewing and completing the MCLE online course/module.
- 3) The Provider shall ensure compliance with the Data Privacy Act (DPA) and its Implementing Rules and Regulations by securing the consent of participants through posting of privacy notices prior to personal data gathering, with assurance that processing of data is consistent with privacy principles of transparency, legitimate purpose, and proportionality⁴;
- 4) Other authentication requirements as may be required by the MCLE Governing Board.

⁴ Section 18 (Principles of Transparency, Legitimate Purpose and Proportionality) Implementing Rules and Regulations of Republic Act No. 10173 known as the "Data Privacy Act of 2012"