

Republic of the Philippines
Supreme Court
Manila

EN BANC

NOTICE

Sirs/Mesdames:

Please take notice that the Court en banc issued a Resolution dated **JANUARY 19, 2021**, which reads as follows:


“A.M. No. 21-01-10-SC (Re: Guidelines in the Conduct of Synchronous MCLE Online Seminars).- The Court Resolved to

(a) **NOTE** the Letter dated January 18, 2021 of Associate Justice Marvic M.V.F. Leonen, Chairperson, Subcommittee on the Maintenance of Membership in the Philippine Bar, stating that the Mandatory Continuing Legal Education (MCLE) Office, through its Governing Board, has passed Resolution No. 06-2020 (Re: Guidelines in the Conduct of Synchronous MCLE Online Seminars) which includes provisions on the registration of lawyers, duties and responsibilities of providers, participants and lecturers during the conduct of online seminars, monitoring of attendance, and penalties for both providers and participants;

(b) **NOTE** the Letter dated January 12, 2021 of Dean Sedfrey M. Candelaria, Officer-in-Charge, MCLE Governing Board, submitting the aforesaid MCLE Governing Board Resolution No. 06-2020 dated December 3, 2020; and

(c) **APPROVE** the Guidelines in the Conduct of Synchronous MCLE Online Seminars, as contained in MCLE Governing Board Resolution No. 06-2020 dated December 3, 2020.” Rosario, J., on official leave. (adv26)

By authority of the Court:


EDGAR O. ARICHETA
Clerk of Court

*(with attached Guidelines in the Conduct of
Synchronous MCLE Online Seminars)*

HON. MARVIC M.V.F. LEONEN (x)
Associate Justice and Chairperson
Sub-Committee on the Maintenance of
Membership in the Philippine Bar
Supreme Court

~~PUBLIC INFORMATION OFFICE (x)~~
Supreme Court

A.M. No. 21-01-10-SC
wmd 11921 (adv26) 12221

DEAN SEDFREY M. CANDELARIA (reg)
Officer-in-Charge
MCLE Governing Board
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ATTY. ROSITA M. REQUILLAS-NACIONAL (x)
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Supreme Court of the Philippines
MANDATORY CONTINUING LEGAL EDUCATION OFFICE
4th Floor, IBP Building
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MCLE Governing Board Resolution No. 06-2020

Guidelines in the Conduct of Synchronous MCLE Online Seminars

I. Definition of Terms

- a. Synchronous MCLE Online seminar means an approved MCLE activity conducted online where the lecturer and the participants are present at the same time.
- b. "Waiting Room" is a feature of a video conferencing application/software where participant/s had already logged-in through the link/password given by the host (Provider) but awaiting for the host's admission to join the activity.
- c. Screen sharing pertains to the ability of a lecturer to share his/her screen to the participants to view the shared content/s.
- d. Video conferencing application/software refers to the technology which allows participants in different locations to hold face-to-face conference without having to move to a common location.
- e. Virtual background refers to an image used by the participant as background during a video conference.
- f. Working Prototype refers to a model or sample of the MCLE online offering of the Provider.

II. Registration

- a. Upon registration, the lawyers-registrants must present their IBP ID which shall be considered the primary ID for this purpose. In case of non-availability of IBP ID, the lawyer-registrant shall be required to explain and present two (2) primary government issued IDs with photo before registration may proceed.
- b. It is the primary responsibility of the Provider to verify the truthfulness of the identity of the lawyers-registrants.

- c. Prior to confirmation of registration, the lawyers-registrants must attest to the veracity of their identity and faithful/truthful attendance to all online courses/modules where they registered.
- d. The Provider must incorporate in its registration process that the lawyers-registrants have given their full consent to the Provider to gather personal information, photos, videos, and that the same may be shared with the MCLE Office, as may be required and necessary.
- e. The maximum number of registrants shall depend on the technical capacity of the system that the Provider will use subject to basic delivery requirements such as clarity, reliable connectivity, and the like, relative to the number of users at any given time.

III. During the Conduct of the Activity

a. For Providers

1. The Provider, as host of the MCLE Online activity, shall have supervision and control of the program such as the designation of lecturers, the duration of the lectures, topics and subject areas, schedules, breaks, etc., which must be strictly in accordance with the program submitted to and approved by the MCLE Governing Board.
2. The Provider shall ensure reliable internet connection with facility for back-up connection to ensure continuous delivery of the program.
3. The Provider shall appoint a moderator who shall be responsible for the orderly manner of delivery of the program (e.g. give permission to lecturers and participants to use certain tools such as the microphone; keep track of questions and/or messages that may appear in the chat window during the lecture; moderate the question-and-answer session after the lecture; etc.).
4. The Provider shall make available screen sharing option in the chosen video conferencing application/software to enable participants to view the visual presentation of the lecturer.
5. The Provider shall limit the activity to a maximum of nine (9) hours of lecture per day, with a maximum of ten (10)-minute break for two (2) hours of lecture and fifteen (15)-minute break for three (3) hours or more of lecture, in addition to the scheduled lunch break.

6. The Provider shall furnish the participants with written materials or hand-outs via e-mail on or before the scheduled activity.
7. The Provider shall undertake monitoring of attendance of the participants as prescribed, and ensure faithful compliance with Bar Matter No. 850 and other issuances relative to the conduct of MCLE.
8. The Provider shall provide facility for open forum between the lecturer and the participants within the allocated time of the lecture.
9. The Provider shall observe compliance with the Data Privacy Act (Republic Act of 2012) and other related laws.
10. The Provider is given autonomy to promulgate additional guidelines in the conduct of its synchronous MCLE online as it may deem appropriate and necessary, subject to notification to the MCLE Board/Office.

b. For Participants

1. The name (surname, first name, middle initial) of the participant as provided in the registration must be visible on the screen throughout the duration of the lecture.
2. The participant shall ensure reliable internet connection with facility for back-up connection to ensure continuous viewing of the program.
3. The participant shall be in the "waiting room" at least ten (10) minutes before the start of the activity.
4. The participant shall observe proper decorum, dress code and use of virtual background, if any, while attending seminar.
5. The participant is prohibited from turning-off the video while the lecture is on-going; absence of the participant from the screen for fifteen (15) minutes or more may result in deduction of corresponding credit unit/s.

c. For Lecturers

1. The lecturer shall deliver the lecture as represented in the topic summary/outline submitted to and approved by the Board.
2. The lecturer shall ensure reliable internet connection with facility for back-up connection to ensure continuous delivery of the lecture.

3. The lecturer shall furnish the Provider with substantive written materials for distribution to the participants at or before the time of the lecture.
4. The lecturer shall observe proper decorum, dress code and use of virtual background, if any, during the lecture.
5. The lecturer shall be in the "waiting room" at least ten (10) minutes before the start of the activity.

IV. Monitoring of Attendance

- a. The Provider shall grant access to the synchronous online seminar (e.g. link, password, etc.) to the MCLE Office whose officers and personnel will monitor the activity in the manner required and necessary.
- b. The Provider shall record the conduct of the activity with the participants in full view throughout the proceedings.
- c. The Provider shall verify the identity of the participants prior to the start of the activity based on the ID submitted upon registration.
- d. The Provider shall immediately call the attention of the participant whose name is not properly displayed on the screen.
- e. The Provider shall take a minimum of four (4) random screen shots of the participants per hour interspersed within the duration of the course/module, with additional one screenshot each at the start and end of the lecture, with the date and time stamp clearly visible on the snap shots.

V. Evaluation Requirements

The Provider must have an evaluation facility for the participants as a mandatory submission for completion thereof on the following items:

1. relevance of the topic;
2. effectivity/clarity of delivery of the lecture;
3. accessibility of the video course/module;
4. over-all viewing experience;
5. other concerns/comments.

VI. Reports and Records Keeping

The Provider shall submit to the MCLE Office the following reports within three (3) days after each daily program, to wit:

- a. List of registered participants together with the ID/s with photo submitted upon registration.
- b. Attendance Report which shall include the names of the participants, roll of attorney numbers, topics, subject areas, and credit unit/s completed in the format herein attached as "Annex A", together with the snapshots and recording of the activity. A copy of the recording must be kept by the provider for a period of three (3) years.
- c. Report on the names of participants who were not visible on the screen for fifteen (15) minutes or more together with the corresponding time thereof in the format herein attached as "Annex B".
- d. Tabulated result of the evaluation questions, together with the comments and suggestions on a separate field.
- e. Other report/s as may be required by the Board.

VII. Presentation of Working Prototype

Prior to its initial offering of synchronous MCLE online seminar, the Provider shall present to the MCLE Governing Board and/or the MCLE Secretariat and Technical Team a prototype of its synchronous online offering particularly on the following:

1. Registration Procedure, including compliance with the Data Privacy Act on gathering, handling and keeping of personal data;
2. Monitoring Procedure/Random screenshots;
3. Reports;
4. Evaluation;
5. Others as may be required.

VIII. Activity Fee

- a. The activity fee for MCLE live online and synchronous shall be:
 1. Twenty-five Pesos (P25.00)/unit for private Providers;
 2. Twelve Pesos (P12.00)/unit for IBP, UP Law Center, Government Offices, State Universities and Colleges.
- b. The activity fee must be paid within ten (10) days from receipt of assessment.
- c. The activity fee is subject to change as may be necessary.

IX. General Provision

All other provisions of Bar Matter No. 850 and its implementing guidelines, Court and Board Resolutions, and other issuances relative to accreditation, approval of activities, crediting of units and other matters relative to Mandatory Continuing Legal Education shall remain valid and applicable.

X. Penalty Clause

a. For the Providers

Any provider found violating any of the terms and conditions of its general and online accreditation, MCLE rules and regulations, and/or employing fraud, misrepresentation or any other form of deceit in the conduct of synchronous MCLE online, shall be subjected to criminal, civil and/or administrative actions as may be deemed necessary and appropriate.

b. For the Participants

Any participant found employing fraud, misrepresentation and/or deceit in the course of availing synchronous MCLE Online shall be subjected to appropriate disciplinary action pursuant to Rule 139-B (Disbarment and Discipline of Attorneys) of the Rules of Court, as amended.

XI. Transitional Provision

In light of the pilot implementation and transitional operation of synchronous online MCLE activities, the Board may revise and supplement these Guidelines and issue resolutions and other subsidiary issuances as it deems necessary for the effective implementation thereof.

This Resolution shall take effect upon approval by the Supreme Court.

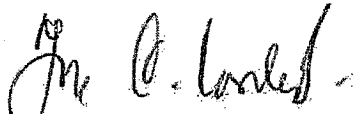
03 December 2020

APPROVED BY:

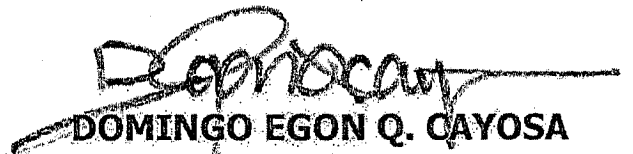
MCLE GOVERNING BOARD



SEDFREY M. CANDELARIA
Officer-in-Charge



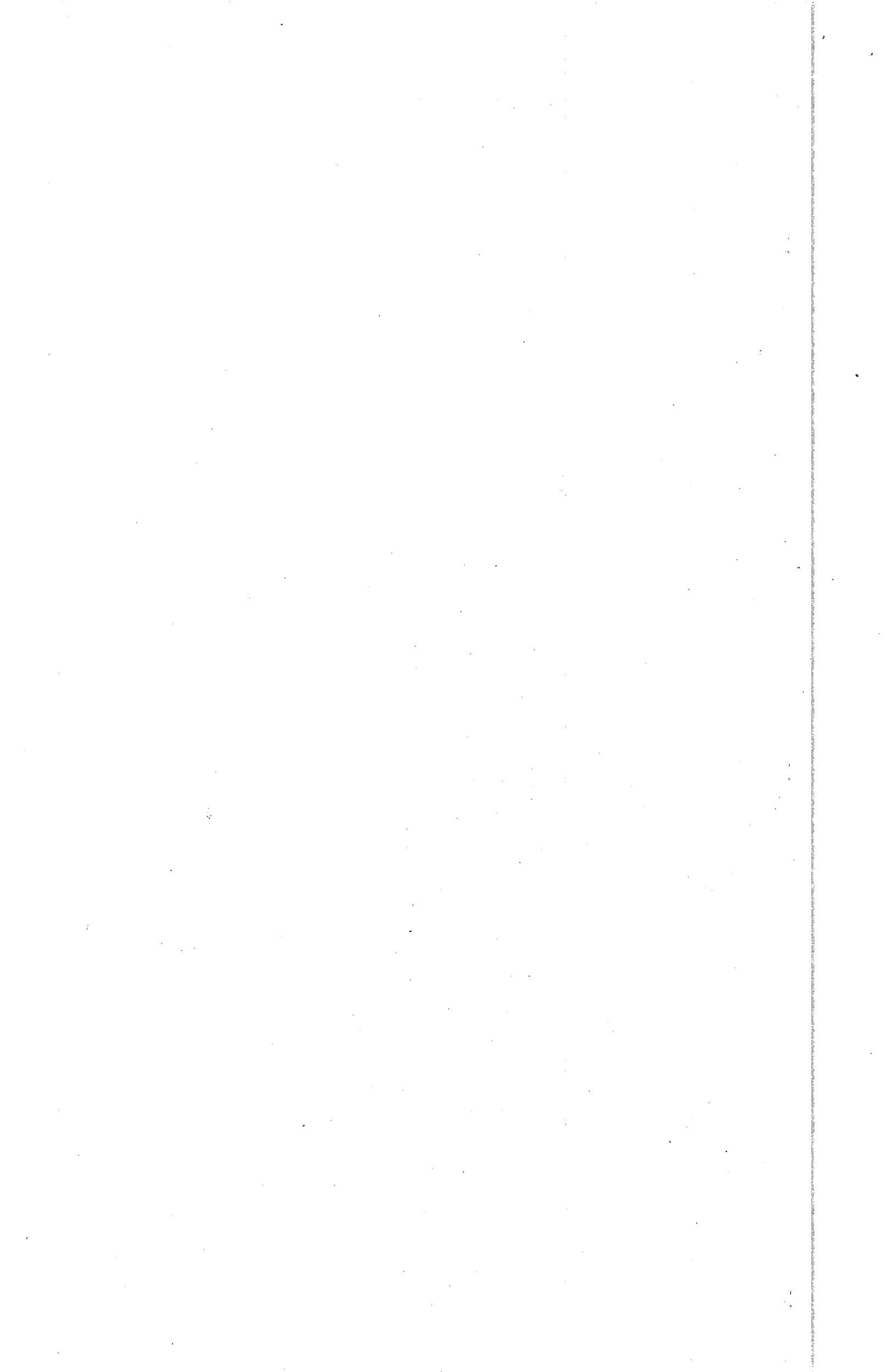
FIDES C. CORDERO-TAN
Member



DOMINGO EGON Q. CAYOSA
Member



MARISOL D.L. ANENIAS
Member



**ATTENDANCE REPORT
ON SYNCHRONOUS MCLE ONLINE COMPLETED**

Provider: _____
Date of Activity: _____

	Name (Last name, First name, Middle initial)	Roll No.	CREDIT UNITS EARNED				
			Topic 1: (Title) Subject Area: Time: (start-end)	Topic 2: (Title) Subject Area: Time: (start-end)	Topic 3: (Title) Subject Area: Time: (start-end)	Topic 4: (Title) Subject Area: Time: (start-end)	Topic 5: (Title) Subject Area: Time: (start-end)
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							

By signing herein below the undersigned attest to the veracity of the record of attendance submitted.

Printed Name and Signature
Designation: _____
Date : _____

SYNCHRONOUS MCLE ONLINE

List of participants not visible on screen for fifteen (15) minutes or more

Provider: _____

Date of Activity: _____

	Name (Last name, First name, Middle initial)	Roll No.	Topic	Time Duration	Total Number of Minutes / Hour/s
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					

By signing herein below the undersigned attest to the veracity of the details on this report.

Printed Name and Signature

Designation: _____

Date : _____