

REQUEST FOR RECORDS DISPOSITION AUTHORITY		LEAVE BLANK (NARA use only)	
To NATIONAL ARCHIVES & RECORDS ADMINISTRATION 8601 ADELPHI ROAD, COLLEGE PARK, MD 20740-6001		JOB NUMBER <i>NI-060-09-30</i>	
1 FROM (Agency or establishment) U S Department of Justice		Date Received <i>8/10/09</i>	
2 MAJOR SUB DIVISION Executive Office for United States Attorneys		NOTIFICATION TO AGENCY	
3 MINOR SUBDIVISION Office of Legal Education		In accordance with the provisions of 44 U S C 3303a, the disposition request, including amendments is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10	
4 NAME OF PERSON WITH WHOM TO CONFER Gail C Ratliffe	5 TELEPHONE 202 616 6876	DATE <i>11/10/09</i>	ARCHIVIST OF THE UNITED STATES <i>[Signature]</i>
<p>6 AGENCY CERTIFICATION</p> <p>I hereby certify that I am authorized to act for this agency in matters pertaining to the disposition of its records and that the records proposed for disposal on the attached <u>4</u> page(s) are not needed now for the business of this agency or will not be needed after the retention periods specified, and that written concurrence from the General Accounting Office, under the provisions of Title 8 of the GAO Manual for Guidance of Federal Agencies,</p> <p><input checked="" type="checkbox"/> is not required <input type="checkbox"/> is attached, or <input type="checkbox"/> has been requested</p>			
DATE <i>8/10/09</i>	SIGNATURE OF AGENCY REPRESENTATIVE <i>[Signature]</i>	TITLE <i>Director/OKMP</i>	
7 ITEM NO	8 DESCRIPTION OF ITEM AND PROPOSED DISPOSITION	9 GRS OR SUPERSEDED JOB CITATION	10 ACTION TAKEN (NARA USE ONLY)
	Continuing Legal Education (CLE) Accreditation Records United States Department of Justice, Executive Office for U S Attorneys, Office of Legal Education		

Continuing Legal Education (CLE) Accreditation Records

United States Department of Justice (DOJ)
Executive Office for United States Attorneys (EOUSA)
Office of Legal Education (OLE)

I. Organizational Context

The office of the United States Attorney (USA) was created in the Judiciary Act of 1789, which directed the President to appoint in each federal district a “person learned in the law to act as an attorney for the United States.” According to 1 Stat. 92, the United States Attorney was “to prosecute in [each] district all delinquents for crimes and offenses cognizable under the authority of the United States, and all civil actions in which the United States shall be concerned.” In 1789, there were only thirteen federal districts. Today there are 94 federal districts with 93 U.S. Attorneys serving them. (The same U.S. Attorney serves both the District of Guam and the District of the Northern Mariana Islands.)

The Executive Office for United States Attorneys (EOUSA) was created by an order of the Attorney General on April 6, 1953 to “provide general executive assistance and supervision to the offices of the United States Attorneys.” The U.S. Code of Federal Regulation (CFR), 28 CFR § 22, states that: “The Executive Office for United States Attorneys shall be under the direction of a Director who shall: (a) Provide general executive assistance and supervision to the offices of the U.S. Attorneys, including: (1) Evaluating the performance of the offices of the U.S. Attorneys, making appropriate reports and inspections and taking corrective action where indicated. (2) Coordinating and directing the relationship of the offices of the U.S. Attorneys with other organizational units of the Department of Justice.”

The Office of Legal Education or “OLE” is a component of the Executive Office for U. S. Attorneys. The office of the United States Attorney (USA) was created in the Judiciary Act of 1789, which directed the President to appoint in each federal district a “person learned in the law to act as an attorney for the United States.” According to 1 Stat. 92, the United States Attorney was “to prosecute in [each] district all delinquents for crimes and offenses cognizable under the authority of the United States, and all civil actions in which the United States shall be concerned.” In 1789, there were only thirteen federal districts. Today there are 94 federal districts with 93 U.S. Attorneys serving them. (The same U.S. Attorney serves both the District of Guam and the District of the Northern Mariana Islands.)

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offices of the U.S. Attorneys, including: (1) Evaluating the performance of the offices of the U.S. Attorneys, making appropriate reports and inspections and taking corrective action where indicated. (2) Coordinating and directing the relationship of the offices of the U.S. Attorneys with other organizational units of the Department of Justice.” OLE’s mission is dictated by CFR, Section 0.22, which requires that OLE “develop, conduct and authorize the training of all Federal legal personnel.” OLE trains an average of 14,000 federal legal professional and support employees annually.

The primary purpose of OLE attorney training is to ensure that government attorneys have the necessary skills, abilities and knowledge of the law to enable each to serve as criminal prosecutors and representatives of the U.S. government.

II. Description of the Continuing Legal Education (CLE) Records

OLE has no legal or policy obligation to provide CLE credit for its training, but has historically offered CLE accreditation assistance as a service to government employees who participate in its training. This has enabled government attorneys to satisfy their state CLE requirements by attending training that is relevant to their area of practice. Because of the nature of government representation and federal criminal prosecution, there are few alternative sources for relevant, continuing legal education. For many practice areas and topics that are vital to the continuing education of government attorneys, OLE is the only source for training.

CLE has value for all attorneys practicing law. In those states with mandatory CLE requirements, fulfillment of these requirements is necessary in order to maintain an attorney’s bar license. Without a current bar license, government attorneys would be unable to perform their duties.

Records for Continuing Legal Education (CLE) are created and/or received by the US Department of Justice/Office of Legal Education (OLE) regarding the accreditation of training sponsored or co-sponsored by OLE are categorized as follows:

A. Course applications created for those states which require pre-application:

States are: Virginia (VA), Pennsylvania (PA), Washington (WA), and Wisconsin (WI). The applications made to VA, WA, and WI must be accompanied by a draft agenda. Applications to the Washington State Bar Association (WSBA) and Pennsylvania Continuing Legal Education Board (PA CLE Board) are completed via their respective websites. Verification of such applications are maintained on file. Applications are reviewed by the state CLE board/bar/commission. Correspondence generated as a result of CLE credit-denial by any of these states, if applicable, is on file in OLE.

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Temporary: Cut off at the end of the calendar year in which the CLE event occurs. Destroy 10 years after cutoff.

B. CLE packet (pre-seminar materials):

Documents generated for training teams/representatives with which an individual course participant/instructor may apply to his/her state CLE board/bar/commission for CLE credit for specific training events. Packet includes: general instruction sheet; Uniform Certificate of Attendance (UCA), which includes state-specific information; Virginia Forms 2 & 3; Florida reporting information; New York Certificate of Attendance and instruction page; generic instructors' reporting form accepted by most mandatory CLE states; and Pennsylvania-specific evaluation form and reporting instructions.

For those training events co-sponsored by other Department of Justice Office, Boards, and Divisions (OBDs, e.g. the Civil Division, Criminal Division, Tax Division), for which CLE credit is sought, an evaluation form and sign-in sheet are also generated.

Temporary: Cut off file:3 years from the end of the calendar year in which the CLE event occurs. Destroy 10 years after cut off.

C. CLE certifications and other documents completed upon conclusion of CLE event):

UCAs completed by those participants/instructors seeking CLE credit from various state CLE boards/bars/commissions; individual state applications (CLE paperwork for bar members must be submitted to their specific states); the Uniform Application for Accreditation of Continuing Legal Education is accepted by most states; and course ethics materials, if applicable. The following state has a state-specific document which must be generated in order to submit documents for CLE credit: **Georgia**. The following states have databases which must be accessed in order to register an individual's CLE credit: Delaware (DE), Illinois (IL) Professionalism Commission, Oklahoma (OK), Pennsylvania (PA), Texas (TX) (only for in-state courses and JTN CLE-Available broadcasts), and Washington (WA). A transmittal form or other version of confirmation is maintained in the CLE file. If a state requires payment for CLE credit and such

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payment is made through OLE, a copy of the check is maintained on file. OLE requests that individuals seeking CLE credit in self-reporting states submit a copy of their CLE form to OLE to maintain in its CLE files. Copies of course participant list, final agenda, and CLE-related correspondence, memoranda, and emails pertaining to the course are maintained. Copies of state-issued course approval documents are also maintained, if applicable. Copies of any appeal-related materials, if CLE credit is denied for course, is maintained in the file.

Temporary: Cut off at the end of the calendar year in which the CLE event occurs.
Destroy 10 years after cut off.

D. Individual State CLE Files

Files contain: correspondence between state CLE boards/bars/commissions and OLE; any approvals of CLE requests received by OLE; copies of invoices; copies of annual reports (required by only certain CLE states); state-issued audit requests/responses, if applicable; updates pertaining to rules/regulations generated by state CLE boards/bars/commissions, if such notification is provided in writing; copies of SF-186s generated for payment of annual fees or other CLE-related costs (not every state CLE board/bar/commission charges an annual fee); and notes generated by OLE personnel pertaining to any state-related issue.

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Destroy 10 years after cutoff.