

New Credit Requirement – Cybersecurity, Privacy and Data Protection

Beginning on July 1, 2023, the New York State CLE Board is requiring attorneys (both experienced and newly admitted) to earn a new category of credit; **Cybersecurity, Privacy and Data Protection**.

What is the new Cybersecurity, Privacy and Data Protection CLE requirement?

Experienced and newly admitted attorneys must complete 1 CLE credit hour in Cybersecurity, Privacy and Data Protection CLE category of credit as part of biennial CLE requirement.

- Attorneys may complete requirement by taking Cybersecurity, Privacy and Data Protection-**General** or Cybersecurity, Privacy and Data Protection-**Ethics** programs, or a combination of two: ½ credit in Cybersecurity **General** and ½ credit in Cybersecurity **Ethics**.

EXPERIENCED ATTORNEYS

Does the new Cybersecurity, Privacy and Data Protection requirement increase the total number of CLE credit hours that attorneys must complete during each biennial reporting cycle?

No, attorneys must complete the following scheme:

Attorney Required CLE Categories (for attorneys due to re-register on or after July 1, 2023)	Required CLE Credit Hours
Ethics	4
Diversity/Inclusion/Elimination of Bias	1
Cybersecurity, Privacy and Data Protection (General or Ethics)	1*
Any CLE category of credit	18
Total Number of CLE credit hours	24
Attorneys may count maximum of 3 credit hours of Cybersecurity Ethics – but not Cybersecurity General – toward 4-credit Ethics requirement	
• Example: If attorney earns 3 credits in Cybersecurity Ethics, then they must still earn 1 credit in Ethics, 1 credit in Diversity/Inclusion/Elimination of Bias, and 19 credits in any category of credit – 24 credits.	

When can attorneys begin to earn CLE credit in the new Cybersecurity, Privacy and Data Protection category?

January 1, 2023.

When must attorneys comply with new Cybersecurity, Privacy and Data Protection CLE requirement?

The new requirement becomes effective July 1, 2023.

- If you are due to re-register on or after July 1, 2023 (birthday is on or after July 1st), you must complete 1 CLE credit hour in Cybersecurity, Privacy and Data Protection as part of your biennial CLE requirement.
- If you are due to re-register in 2023 but your birthday is before July 1st, you need not comply with the new requirement in 2023 but must comply in future biennial periods.
 - Example: If your birthday is on June 30th and you are due to re-register in 2023, then you do not need to comply with the new requirement in 2023, even if you file your registration form on or after July 1, 2023.
- If you are due to re-register in 2024, or later, you must comply with the new requirement.

Can attorneys carry over Cybersecurity, Privacy and Data Protection CLE credits?

Yes. Once attorneys have completed 24-CLE credit requirement, a maximum of 6 additional credits can be applied toward next reporting cycle. Attorneys can carry over credits in any category, including Cybersecurity, Privacy and Data Protection, from one cycle to the next.

Where can attorneys find courses approved for Cybersecurity, Privacy and Data Protection?

Please visit www.pli.edu or download PLI Mobile from App Store for courses approved in this category. Your W&S email address is your business address to get started.

NEWLY ADMITTED ATTORNEYS

Does the new Cybersecurity, Privacy and Data Protection requirement increase the total number of CLE credit hours that attorneys must complete during each biennial reporting cycle?

No, newly admitted attorneys must complete the following scheme:

Attorney Required CLE Categories (for attorneys due to re-register on or after July 1, 2023)	Year 1 CLE Credit Hours	Years 2 CLE Credit Hours
Law Practice Management, Areas of Professional Practice, and/or Cybersecurity, Privacy and Data Protection - General	7 See below	7 See below
Skills	6	6
Ethics	3	3
Cybersecurity, Privacy and Data Protection – Ethics	See below	See below
Total Number of CLE credit hours	16	16
Cybersecurity, Privacy and Data Protection Category <ul style="list-style-type: none">• Attorneys must complete at least 1 credit in Cybersecurity as part of 32-credit requirement.• Attorneys may complete Cybersecurity credit:<ul style="list-style-type: none">○ in Year 1 or Year 2 (as part of 16 credit-requirement for that years)○ in Cybersecurity General or Cybersecurity Ethics (or combination of two)• Attorneys may apply maximum of 3 credit hours of Cybersecurity Ethics – but not Cybersecurity General - toward 6-credit Ethics requirement.<ul style="list-style-type: none">○ Example: If attorney completes 1 credit in Cybersecurity Ethics in Year 1, they satisfy Cybersecurity requirement and then must complete only 2 credits in Ethics for that year.○ Example: If attorney completes 1 credit Cybersecurity General in Year 1, they satisfy Cybersecurity requirement, and then must complete additional 6 credits in Law Practice Management, Professional Practice and/or Cybersecurity General for that year.		

When can attorneys begin to earn CLE credit in the new Cybersecurity, Privacy and Data Protection category?

January 1, 2023.

When must newly admitted attorneys comply with new Cybersecurity, Privacy and Data Protection CLE requirement?

The new requirement becomes effective July 1, 2023 for attorneys admitted to the NY Bar on or after July 1, 2023.

- If you were admitted to the NY Bar prior to July 1, 2023, you need not comply with the Cybersecurity, Privacy and Data Protection requirement in your newly admitted cycle but must comply in future reporting cycles.
- Attorneys admitted to NY Bar on or after July 1, 2023, must complete 1 CLE credit hour in Cybersecurity, Privacy and Data Protection as part of their newly admitted attorney CLE requirement.

Can newly admitted attorneys carry over Cybersecurity, Privacy and Data Protection CLE credits?

Credit in Cybersecurity, Privacy and Data Protection-**Ethics** may not be carried over. Credit in Cybersecurity, Privacy and Data Protection-**General** may be carried over.

What formats can newly admitted attorneys take Cybersecurity, Privacy and Data Protection courses?

For Cybersecurity, Privacy and Data Protection-**General** courses, you may earn CLE credit in any approved format, including on-demand audio/video or web conference. For Cybersecurity, Privacy and Data Protection-**Ethics** courses, you may earn CLE credit only in traditional live classroom, fully interactive videoconference, or in other live formats (e.g., web conferences, teleconferences) where questions are permitted during the course.

Where can attorneys find courses approved for Cybersecurity, Privacy and Data Protection?

Please visit www.pli.edu or download PLI Mobile from App Store for courses approved in this category. Your W&S email address is your business address to get started.