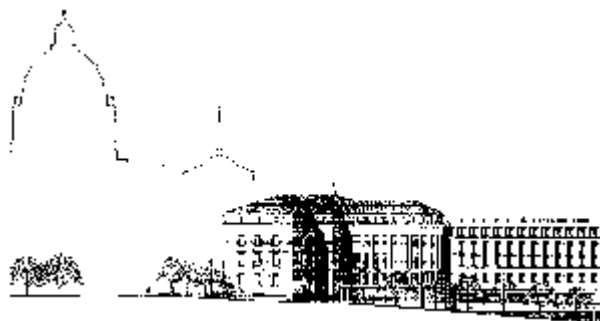


State of Minnesota

**Board
of
Continuing Legal Education**



**ANNUAL REPORT
CALENDAR YEAR 2014**

MINNESOTA BOARD OF CONTINUING LEGAL EDUCATION ANNUAL REPORT: 2014

The Minnesota Board of Continuing Legal Education (Board) administers Minnesota-licensed lawyers' compliance with continuing legal education (CLE) requirements. The Board also ensures that lawyers who fail to comply with the CLE requirements are removed from the list of lawyers who are authorized to practice law in Minnesota. Additionally, the office of the Board reviews and accredits CLE courses in accordance with the requirements set forth in the Rules of the Minnesota State Board of Continuing Legal Education (CLE Rules).

I. LAWYER COMPLIANCE

Under the CLE Rules, in order to maintain an active license, each Minnesota lawyer is required to attend and report at least 45 hours of accredited CLE courses every three years, including three credit hours of Ethics and Professional Responsibility and two credit hours of Elimination of Bias. Each lawyer is assigned to reporting categories "1," "2," or "3," based on the year the lawyer was admitted to the Bar.

During the reporting period July 1, 2011 to June 30, 2014, 7,811 Category 3 Minnesota-licensed lawyers were due to report CLE compliance on or before August 31, 2014. Any lawyer who fails to complete and report CLE in a timely manner is first sent a warning letter, and then a Notice of Non-Compliance. In September 2014, the Board office sent 754 warning letters to Category 3 lawyers; in October 2014, the Board sent 393 Notices of Non-Compliance.

A lawyer has 30 days following receipt of the Notice of Non-Compliance to take one of these actions: 1) complete his or her coursework; 2) request an extension; 3) request to be placed on voluntary restricted status; or 4) request a hearing before the Board. If the lawyer does not take one of these actions, the Board will request that the Court place the lawyer's license on involuntary restricted status.

By the end of 2014, 157 Category 3 lawyers remained out of compliance. Those lawyers' names were sent to the Court in late December, along with a request that the Court place their licenses on involuntary status for failure to comply with CLE requirements for the 2011-2014 reporting period.

II. COURSE REVIEW

The Board office's Online Attorney Sponsor Information System (OASIS) allows sponsors to use an online portal to submit course approval requests, attach documentation, make payments, view pending applications, and view credit determinations in real time.

CLE staff members review each submitted course accreditation application to verify that

the course has legal content, that the faculty meets Rule qualifications, and that the course content meets the CLE Rule 5 standards for approval. Staff reviewed 12,751 course applications during 2014, compared to 11,696 reviewed in 2013.

As referenced above, **Table 1** below shows what appears to be significant variation in course application numbers in recent years. The significant increase in course approvals in 2012 is attributable to inaccurate counting by the previous CLE information system, which was replaced in 2013.

Table 1: Course Review Summary

	2008	2009	2010	2011	2012	2013	2014
Approved Courses	10,949	11,174	11,407	11,165	14,822	11,488	12,619
Disapproved Courses	300	344	176	129	175	102	132
Total Courses Reviewed	11, 249	11,518	11,583	11,394	14,997	11,696	12,751

Courses in the special categories of elimination of bias and ethics are reviewed closely to ensure compliance with Rule requirements. Of the courses for which credit was applied in 2014, 2,915 courses had at least one segment qualifying for ethics credit and 508 courses had at least one segment qualifying for elimination of bias credit. In addition to ethics and elimination of bias, the CLE Rules define three other types of CLE credit: standard, law office management, and professional development. Each course is reviewed on a segment-by-segment basis to determine whether it meets one or more of the five CLE credit types.

III. RULE 6D – CREDIT FOR PRO BONO PARTICIPATION

Since July 1, 2008, Minnesota lawyers have the ability to claim one standard CLE credit for every six hours of pro bono work performed for “approved legal service providers,” up to a maximum of six CLE credits per 3-year reporting period. An approved legal services provider is defined as an organization funded by the Legal Services Corporation, or the Minnesota Legal Services Advisory Committee (LSAC), or designated by LSAC to qualify as an approved legal services provider.

During the 2014 calendar year, 144 lawyers claimed a total of 657.5 credits, representing the provision of more than 7,858 hours of pro bono service. The number of pro bono lawyers increased slightly from 2013 when 139 lawyers claimed pro bono credit. Between 2013 and 2014, the number of pro bono hours reported increased significantly, from 6,666 in 2013 to 7,858.98 in 2014. The 2014 number, however, is still lower than the 9,275 hours reported in 2012. Many of the participating lawyers complete in excess of the 36 hours required to obtain the maximum of six credits.

Table 2 shows the agencies through which the pro bono representation was provided, as well as the number of lawyers reporting and the number of hours reported. The four organizations with the highest number of lawyers reporting pro bono hours were the Volunteer Lawyers Network (28 lawyers), the Immigrant Law Center of Minnesota (18 lawyers), the Southern Minnesota Regional Legal Services (11 lawyers), and the Children’s Law Center (11 lawyers). The Volunteer Lawyers Network reported the highest number of pro bono hours provided, a total of 1,248.05 hours. The Federal Bar Association Minnesota Chapter Pro Se Project reported the second highest number of pro bono hours, a total of 1,204.1 hours.

Table 2: Pro Bono Participation: By Legal Services Provided

Agency	2012			2013			2014		
	Lawyers	Credits	Hours	Lawyers	Credits	Hours	Lawyers	Credits	Hours
Access Justice	0	0	0	0	0	0	2	12	215
Cancer Care Line	1	3	18	0	0	0	1	6	48
Central Minnesota Legal Services (CMLS)	1	6	48	3	18	163	2	11	80
Children’s Law Center	14	65.75	1,273	21	100	1,009.1	11	62	691.1
Dorsey & Whitney Low Income Pro Bono Program	1	6	38	0	0	0	1	6	36
East River Legal Services	0	0	0	0	0	0	1	2	12
Faegre & Benson Low Income Pro Bono Program	1	6	193	0	0	0	1	4	212
Federal Bar Association, MN Chapter, Pro Se Project	9	45.25	946	12	54.5	573	9	42.5	1,204.1
Fredrikson & Byron Low Income Program	1	1	6	0	0	0	0	0	0
Immigrant Law Center of Minnesota	11	47.25	326	11	36	313.5	18	67.5	559.93
Indian Child Welfare Center	0	0	0	0	0	0	1	6	107
Innocence Project	2	9	55	0	0	0	0	0	0
Institute for Justice	0	0	0	0	0	0	1	1.5	9.2
Iowa Legal Aid	1	6	50	0	0	0	0	0	0
Judicare of Anoka County	2	12	149	1	6	56	2	12	125
Legal Aid of Arkansas	1	6	36	0	0	0	0	0	0
Legal Aid of Nebraska	0	0	0	1	6	36	0	0	0
Legal Aid of North Texas	0	0	0	1	2.75	17.6	0	0	0
Legal Assistance of Dakota County	7	16	113	14	52.75	601.35	4	14	88.8
Legal Assistance of Olmsted County	0	0	0	0	0	0	2	7	131
Legal Assistance of Washington County	2	8.25	51	0	0	0	2	4	27
Legal CORPS	1	1.5	10	3	18	147.27	5	21.25	148.4
Legal Rights Center	0	0	0	1	6	200	0	0	0
Legal Services of Northwest MN	1	6	45	0	0	0	0	0	0
Leonard Street & Deinard Legal Clinic	7	39.5	573	0	0	0	0	0	0
Lindquist and Vennum	0	0	0	0	0	0	1	6	100

Agency	2012			2013			2014		
	Lawyers	Credits	Hours	Lawyers	Credits	Hours	Lawyers	Credits	Hours
Mid-Minnesota Legal Assistance	0	0	0	0	0	0	8	23.75	406
Minnesota AIDS Project	0	0	0	0	0	0	1	3.25	20
Minnesota Assistance for Vets	0	0	0	4	10	60	0	0	0
Minnesota Volunteer Attorney Program	7	30	245	3	6.25	39.25	3	9.25	56.1
MN Council for Veterans Pro Bono Program	1	6	55	0	0	0	0	0	0
MN Judicial Branch Program	3	18	1593	1	6	120	4	19.75	375.25
Robins, Kaplan Low Income Project	0	0	0	2	12	184.5	0	0	0
Robins, Kaplan Guardian ad litem Pro Bono Project	0	0	0	0	0	0	1	6	36
Southern Minnesota Regional Legal Services	18	87.75	796	16	68.75	851.4	11	61.5	589.7
The Advocates for Human Rights	8	45	827	9	51.75	1,032.65	8	40.75	480.4
Tubman Family Alliance & Chrysalis	8	34.75	446	2	7	50.25	7	33.25	301.95
Twin Cities Christian Legal Aid	1	1.5	9	2	8.25	183	0	0	0
Volunteer Attorney Program	5	23.5	145	5	19.75	133.45	9	43.25	551
Volunteer Lawyers Network	31	132.25	1,229	27	109.75	894.85	28	132	1,248.05
TOTALS	145	663.25	9,275	139	599.5	6,666.17	144	657.5	7,858.98

Table 3 shows the number of years of practice experience that lawyers participating in pro bono programs have. The highest category of 2014 pro bono lawyers was the category of lawyers who have between 5 to 15 years of practice experience.

Table 3: Pro Bono Participation: Years of Practice and Number of Hours

Years of Practice	2013			2014		
	Lawyers	Credits	Hours	Lawyers	Credits	Hours
0-5	35	147	1,428	29	127	2,143.63
5-15	53	235.75	2,527	58	279.25	2,827.85
15-25	23	101.75	1,386	24	126	1,139.7
25 or more	28	115	1,325	26	125.25	1,747.8
TOTAL	139	599.5	6,666	137	657.5	7,858.98

Table 4 below shows the type of representation provided in 2014. The highest numbers of representation hours reported were in the areas of Family Law (2,177.1 hours), Immigration Law (1,330.6 hours), and multiple categories (924.85 hours).

Table 4: Pro Bono Participation: Practice Areas and Hours Reported

Practice Area	2013			2014		
	Lawyers	Credits	Hours	Lawyers	Credits	Hours
Civil Liberties/Individual Rights	4	21	199	5	16.5	803.6
Consumer	13	60.25	425	13	53	396.8
Contract	0	0	0	0	0	0
Criminal	1	6	200	3	18	358
Education	0	0	0	1	4	212
Employment	9	33.5	329	5	22.5	261.35
Family Law	41	176.75	1,945	38	192.75	2,177.1
Guardian ad Litem	0	0	0	0	0	0
Health	0	0	0	0	0	0
Housing	9	36.25	278	5	22	317
Immigration	24	96.5	1,163	30	139.75	1,330.58
Intellectual Property	2	12	99	4	19.75	139.4
Judgment/Creditor	0	0	0	0	0	0
Juvenile	15	71	746	10	56	591.1
Litigation	2	12	259	1	6	241
Multiple	5	24	561	17	89.75	924.85
Non-profit	1	6	48.5	0	0	0
Real Estate	0	0	0	2	6.25	38.1
Social Security Disability	0	0	0	0	0	0
Tax	1	6	59.5	0	0	0
Wills	5	13.25	97	2	4.25	26
Unspecified or other	7	25	258.5	3	7	42.1
TOTAL	139	599.5	6,667.5*	137	657.5	7,859*

* Rounding accounts for slight differences between corresponding data sets.

IV. FUNDING

Board revenues are generated from Lawyer Registration fees and fees derived from CLE late filing fees, CLE lawyer reinstatement fees, affidavit filing fees, and course applications. In calendar year 2014, these fees generated revenue totaling \$566,476. **Table 5** shows the fees received in 2014 compared to those received in the past three calendar years. Lawyer Registration fees, late affidavit/non-compliance filing fees, and paper affidavit fees decreased, while course accreditation fees increased. Overall, a slight increase of \$3,323 was received in 2014.

Table 5: CLE Receipts for Calendar Years 2011-2014

Fee	2011	2012	2013	2014
Lawyer Registration fees	\$166,688	\$176,137	\$176,320	\$146,901
Late affidavit/non-compliance filing fees	\$79,105	\$70,725	\$91,975	\$80,350
Reinstatement fees	\$24,500	\$25,125	\$27,375	\$27,375
Course accreditation fees	\$244,184	\$258,811	\$262,113	\$306,890
Paper affidavit fees	\$8,140	\$6,150	\$5,370	\$4,960
Total	\$522,617	\$536,948	\$563,153	\$566,476

The revenue received from late affidavit and non-compliance filing fees decreased by \$11,625 between 2013 and 2014. The revenue received from Lawyer Registration fees decreased by \$29,419 in 2014 because in June 2014, the Court amended the Lawyer Registration Rules to reduce by \$2 per lawyer the Lawyer Registration fee allocation to the CLE Board. The reallocation was effective October 1, 2014.

The Board receives a \$35 application fee for each course that is more than 60 minutes in length that is not a video replay of a previously approved course. Revenue received in 2014 from course accreditation fees increased by \$44,777, compared to 2013 revenue. This increase is due primarily to the newly adopted rule permitting the approval of on-demand courses, which was effective July 1, 2014. For the foreseeable future, the Board has adequate revenue from existing funding sources to fund its operations.

V. EMERITUS LAWYER PROGRAM

The Emeritus Lawyer program permits retired Minnesota lawyers to represent pro bono clients who have been referred by an approved legal services provider. An Emeritus lawyer must have elected retired status under the Lawyer Registration rules and must comply with the specific CLE requirements, outlined in Rule 14 of the Rules of the Minnesota State Board of Continuing Legal Education. Rule 14 provides that Emeritus lawyers attend three hours of CLE related to the area or areas of pro bono law in which they intend to practice.

Between January 1, 2014 and December 31, 2014, three lawyers sought and received emeritus status.

VI. ON-DEMAND CREDITS

Effective July 1, 2014, the Rules of the Minnesota State Board of Continuing Legal Education were revised to permit Minnesota-licensed attorneys to claim up to 15 hours of credit for viewing on-demand courses, within the 45 hour CLE reporting period. A total of 1,405 on-demand courses were submitted for approval during 2014.

The Court has tasked the Board of Continuing Legal Education to monitor the impact of the on-demand CLE course amendments and to prepare and deliver a report to the Court within 18 months after the effective date of the amendments, on or about December 31, 2015. The report will comment on the availability and use of on-demand CLE programming in this state. Within 36 months after the effective date of the on-demand amendments, the Board of Continuing Legal Education will conduct an evaluation on the impact of these amendments and report to the Court any recommended modifications or rule amendments. The final report is due July 1, 2017.

VII. SUPERVISORY AUTHORITY OF THE CLE BOARD OVER THE LAWYER REGISTRATION OFFICE

Since May 2013, the Lawyer Registration Office (LRO) has been located in the CLE office and has shared staff with the CLE Board. In May 2014, the Continuing Legal Education Board petitioned the Supreme Court to grant the CLE Board supervisory authority responsibility over the Lawyer Registration Rules. By order dated July 24, 2014, the Court granted that supervisory authority to the CLE Board effective August 1, 2014.

With supervisory authority, the CLE Board is now able to consider and address issues and complaints that LRO receives, adopt policies and procedures for handling matters that arise in the administration of the Lawyer Registration Rules, consider needed rule amendments, and finally, permit lawyers who are dissatisfied with the operation of the Lawyer Registration Rules to be heard by the CLE Board, rather than petitioning the Court. With this supervisory authority, the CLE Board will also be able to provide direction and counsel on the LRO budget.

VIII. BOARD MEMBERS

The Continuing Legal Education Board is comprised of 12 Board members and a chairperson. The Minnesota State Bar Association nominates six lawyer members to the Board; three members are public members; one member is a district court judge; and three members are lawyer members. All are appointed by the Minnesota Supreme Court.

The Minnesota Supreme Court appoints each member to a staggered 3-year term, with no member serving more than two 3-year terms. In 2014, the Board was comprised of the following members:

- Daniel R. Kelly, Chair, Felhaber, Larson, Fenlon & Vogt, P.A.
- Shari L. Aberle, Dorsey & Whitney, LLP (term ended 6/30/2014)
- Hon. Diane R. Alshouse, Judge of the Second Judicial District
- Ravindra Chintapalli, Public Member
- Craig T. Dokken, Henningson & Snoxell, Ltd.
- Samuel Edmunds, Sieben Edmunds PLLC (appointed 7/1/2014)
- Geoffrey Hjerleid, Olmstead County Attorney's Office
- Kevin Hofman, Halleland Habicht (appointed 7/1/2014)
- Kathleen Kelly, Public Member
- William Kuhlmann, Security Bank & Trust Co.
- Sally L. Macut, Public Member
- Nancy McLean, Hennepin County Attorney's Office - Retired
- Brett W. Olander, Walsh & Gaertner, P.A.
- Cameron R. Seybolt, Fredrikson & Byron (retired 6/30/2014)
- Constance Tuck, Minnesota Department of Human Services

Justice Wilhelmina Wright is the current Supreme Court liaison to the Board.

In addition to the Board's quarterly meetings, Board members also sit on Board committees that meet on a regular basis. The standing committees in 2014 included: CLE Rules Committee, Lawyer Registration Rules Committee, Operations & Finance Committee, and On-Demand/Elimination of Bias Committee.

IX. AFFILIATIONS WITH OUTSIDE GROUPS

Liz Vanderbeek, CLE Administrator, is active in the Continuing Legal Education Regulators Association (CLEreg), a national organization promoting best practices among CLE regulators.

A portion of the time of the following members of the Board's professional staff is allocated to the CLE office: Margaret Fuller Corneille, Director; Emily Eschweiler, Assistant Director and Counsel; and Sarah Kassera, Staff Attorney.

X. CONCLUSION

The Board continues to operate with adequate funds generated by course accreditation fees and from an allocation from the Lawyer Registration fee. The number of sponsors using OASIS continues to increase as does the rate of CLE compliance among lawyers. At the same time, the number and quality of available CLE programs continues to meet the requirements of Minnesota lawyers' for continuing professional education.

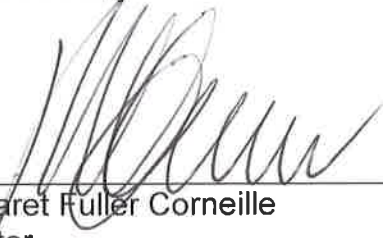
The Board continues to increase and refine its use of technology in the administration of the Continuing Legal Education Rules and the Rules on Lawyer Registration. The expanded use of technology continues to be the most efficient way to administer the two sets of rules, as well as the most effective way to serve Minnesota lawyers as well as course sponsors.

Respectfully submitted,

MINNESOTA BOARD OF CONTINUING LEGAL EDUCATION



Daniel R. Kelly
Chair



Margaret Fuller Corneille
Director

6/30/2015

Date