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PROPOSED RULES OF THE SUPREME COURT
FOR CONTINUING PROFESSIONAL EDUCATION
OF MEMBERS OF THE BAR, AS APPROVED BY
THE MINNESOTA SUPREME COURT ON
DECEMBER 19, 1974, WHICH PROPOSED
RULES WILL BE SUBJECT TO CONSIDERATION
BY THE COURT AT A PUBLIC HEARING TO BE
HELD BEFORE THE SUPREME COURT AT 2 P.M.
ON JANUARY 31, 1975.

RULE 1 - Purpose

It is of primary importance to the members of the Bar and to the public that attorneys continue their legal education throughout the period of their active practice of law, and that attorneys failing to do so should be subjected to discipline. These rules will establish the minimum requirements for continuing legal education, and the disciplinary proceedings to be utilized.

RULE 2 - State Board of Continuing Legal Education

There is hereby established a State Board of Continuing Legal Education to be appointed by this Court, consisting of 12 members and a chairperson. Three of the members of the Board, other than the chairperson, may be persons who are not members of the Bar of this state. Each other member of the Board, with the exception of one who shall be a District Judge, shall be a member of the Bar of this state who practices in Minnesota, with his principal office located in this state. Six of the members of the Board other than the chairperson shall be nominated by the Minnesota State Bar Association in the manner determined by it. Of the members first appointed, four shall be appointed for one year, four for two years, and four for three years, two in each instance from the nominees of the Minnesota State Bar Association, and one in each instance being a lay member. Thereafter, appointments shall be for a three-year term. No member may serve more than two three-year terms. Each member shall serve until his successor is appointed and qualifies. The chairperson of the

Board shall be appointed by this Court for such time as it shall designate and shall serve at the pleasure of this Court. This Court shall also designate a secretary of the Board. The chairperson, the secretary and other members of the Board shall serve without compensation, but shall be paid their reasonable and necessary expenses incurred in the performance of their duties.

The Board shall have general supervisory authority over the administration of these rules. The Board shall accredit courses and programs which will satisfy the educational requirements of these rules and shall discover and encourage the offering of such courses and programs.

The Board shall at all times be subject to the direction and supervision of this Court in all matters.

RULE 3 - Report of Continuing Education

Each attorney duly admitted to practice in this state must make a written report to the Board ~~in such manner and form as the~~ Board shall prescribe. Such report shall be filed with the Board in duplicate within 60 days after the close of the three-year period within which such attorney is required to complete his continuing legal education requirements. Such report shall be accompanied by proof satisfactory to the Board that such attorney has completed a minimum of 45 hours of course work either as a student or as a teacher in continuing legal education, in courses approved by the Board as suitable and sufficient, within the three-year period just completed.

In individual cases, the Board may grant waivers or extensions of the minimum educational or the reporting requirements.

RULE 4 - Failure to Satisfy Additional Requirements

If an attorney fails to complete the minimum educational or the reporting requirements to the satisfaction of the Board,

the Board shall report such failure to the Supreme Court for appropriate disposition.

The Board of Continuing Legal Education, before reporting any matter to the Court, shall investigate the facts in order to make a report on the reasons for noncompliance including affording the lawyer involved a hearing, upon his request, in accordance with the principles of due process of law. The Board shall, however, before reporting any noncompliance to the Court, attempt to resolve all matters on a confidential basis.

RULE 5 - Confidentiality

Unless otherwise directed by this Court, the files, records and proceedings of the State Board of Continuing Legal Education, as they may relate to or arise out of any failure of any attorney to satisfy the continuing legal education requirements, shall be deemed confidential and shall not be disclosed, except in furtherance of its duties, or upon request of the attorney affected, or as they may be introduced in evidence or otherwise produced in proceedings in accordance with these rules.

RULE 6 - Payment of Expenses

All miscellaneous and necessary expenses of the Board of Continuing Legal Education and its members certified to this Court as having been incurred in the performance of their duties under these rules shall be paid upon vouchers approved by this Court from funds now or hereafter deposited to its credit with the State of Minnesota or elsewhere.

RULE 7 - Supplemental Rules

The State Board of Continuing Legal Education may make and adopt rules and regulations not inconsistent with these rules, governing the conduct of business and performance of its duties.