

NO. 45298

STATE OF MINNESOTA
IN SUPREME COURT

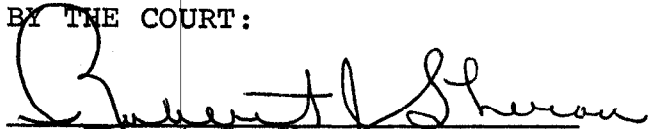
In Re: Rules Relating to Continuing) ORDER OF PROMULGATION
Professional Education)

IT IS HEREBY ORDERED, that the attached Rules for continuing professional education of lawyers admitted to practice in Minnesota are adopted, and shall be distributed to the attorneys and judiciary of this state, to be effective immediately.

IT IS HEREBY FURTHER ORDERED, that the Board of Continuing Legal Education shall classify, by lot, the attorneys and judges presently licensed in the State of Minnesota in three classifications of substantially equal size, for purposes of administration of and compliance with the said Rules. The first class shall complete fifteen (15) hours of approved legal study between the dates of July 1, 1974 and June 30, 1976, inclusive. The second class shall complete thirty (30) hours of approved legal study between the dates of July 1, 1974 and June 30, 1977, inclusive. The third class shall complete forty-five (45) hours of approved legal study between the dates of July 1, 1974 and June 30, 1978. After the first period, each class shall complete the prescribed educational requirements during successive three-year periods.

Dated: April 3, 1975.

BY THE COURT:


Robert J. Sheran
Chief Justice

RVS

RULES OF THE SUPREME COURT FOR
CONTINUING LEGAL EDUCATION OF
MEMBERS OF THE BAR

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. These rules will establish the minimum requirements for continuing legal education.

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 1 year, four for 2 years, and four for 3 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 3-year term. No member may serve more than two 3-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 registered attorney duly admitted to practice in this state desiring active status 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 3-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 lecturer, in continuing legal education in courses approved by the Board as suitable and sufficient within the 3-year period just completed.

Any registered attorney duly admitted to practice in this state who desires restricted status as hereinafter defined shall so indicate in the space provided in his annual registration

statement. A restricted attorney shall not be required to maintain the educational requirements provided by these rules. Other than himself, he may not represent any person in any legal matter or proceedings within the State of Minnesota except a full-time employer, spouse, son, daughter, father, mother, brother, sister, father-in-law, mother-in-law, brother-in-law, or sister-in-law. Judges, referees, judicial officers, or magistrates of any court of record of the State of Minnesota, or attorneys serving as legal counsel in any governmental unit of the State of Minnesota, are not eligible to apply for restricted status until they retire or leave their position.

A restricted attorney who desires to change his status to that of an active attorney may do so by filing with the Clerk of Court of the Supreme Court notice in writing of such intent and by further stating therein that he will conform to the rules and regulations of the State Board of Continuing Legal Education as approved by this Court and that he has not theretofore violated such rules or regulations.

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 active 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 an active 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.