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Shane D. Baker
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Hon. Tanya M. Bransford
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Richard A. Nelson
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Thomas J. Radio
Hon. James D. Rogers
David A. Schultz
Marshall H. Tanick
Judith A. Wain



THE SUPREME COURT OF MINNESOTA
BOARD OF CONTINUING LEGAL EDUCATION

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Margaret Fuller Corneille, Esq.
Director
Cleone R. Brazil
Administrator

OFFICE OF
APPELLATE COURTS

JAN 15 2004

FILED

January 15, 2004

Fred Grittner
Clerk of the Appellate Courts
25 Rev. Dr. Martin Luther King Jr. Blvd., Suite 305
St. Paul, Minnesota 55155

Re: Appendices to the Rules of the Minnesota State Board of Continuing Legal Education

Dear Mr. Grittner:

Attached are Appendices I and II, the Minnesota State Board of Continuing Legal Education's Course Accreditation Form and the Affidavit of CLE Compliance. These have been modified to reflect the amendments to the Rules of the Board of Continuing Legal Education ordered by the court on December 10, 2003.

Please feel free to call me if I can provide further information regarding this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "Margaret Fuller Corneille".

Margaret Fuller Corneille
Director

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STATE OF MINNESOTA

In Supreme Court

FILE NO. C2-84-2163

**Petition of the Minnesota State Board
of Continuing Legal Education for
Amendment of the Rules of the
Minnesota Supreme Court and State
Board of Continuing Legal Education
for Members of the Bar**

**AMENDED APPENDICES
TO THE RULES OF THE
MINNESOTA STATE BOARD
OF CONTINUING LEGAL
EDUCATION**

Attached are Appendices I and II, the Minnesota State Board of Continuing Legal Education's Course Accreditation Form and the Affidavit of CLE Compliance. These have been modified to reflect the amendments to the Rules of the Board of Continuing Legal Education ordered by the court on December 10, 2003.

Dated: _____

January 15, 2004



Margaret Fuller Corneille
Director

Minnesota State Board of Continuing Legal Education
380 Jackson Street, Suite 201
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(651) 297-1857
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Appendix I
MN STATE BOARD OF CONTINUING LEGAL EDUCATION
SUITE 201, 380 JACKSON STREET, ST. PAUL, MN 55101
COURSE ACCREDITATION FORM

Instructions: ENCLOSE \$35.00 APPLICATION FEE (RULE 4A (7)). Please type. Leave no blanks. Please refer to the Rules of the Board of Continuing Legal Education published in the Court Rules volume of the Minnesota Statutes. The CLE rules are also available on the Board's website, www.mbcle.state.mn.us.

A lawyer or sponsoring agency adversely affected by the determination of the Director may request review by the Board. Until credit is granted by the Minnesota Board of Continuing Legal Education, sponsors are asked to advertise credit as "applied for."

SPONSOR INFORMATION

Name _____

Street Address _____ City _____ State _____ Zip Code _____

Contact Person _____ Telephone (area code) _____

Submitted by: Name _____

course sponsor course participant (check one)

Expected Audience or Marketing Target: _____

A list of Minnesota participants must be maintained by the sponsor and made available to the Board upon request.

COURSE DATA

Title _____

Date _____ Location _____

Check those which apply:

live lecture in-house course (see Rule 5(B)) demonstration, role play, mock trial

study tour videotape/film (must have live faculty member*) teleconference

live satellite broadcast or webcast (question and answer participation)

FACULTY DATA: Indicate where in the brochure this information is found or attach separate sheet.

SESSION SCHEDULE AND AGENDA: Enclose a copy of the promotional brochure with a detailed agenda or, on an attached sheet, show the complete breakdown of the program. Mark the segments for which credit is requested. For each segment, indicate the beginning and ending times, the faculty, and sufficient detail about the content of the segment so that an accreditation decision can be made. Indicate for each segment the type of CLE credit for which you are applying. For more information regarding each of these types of credit, see the CLE rules. Course segments may be accredited as one of the following:

- Standard CLE (Rule 5A)
- Ethics CLE (Rule 2H, Rule 5A and Rule 6A)
- Elimination of Bias CLE (Rule 2I, Rule 5Aand Rule 6B)
- Law Office Management CLE (Rule 5A and Rule 6C)
- Professional Development CLE (Rule 2P and Rule 5A)

Describe the course materials to be distributed to participants or submit a copy. Please note that in Minnesota, credit is awarded on the basis of one hour for each 60 minutes of actual classroom training.

*Provide faculty qualifications.

ETHICS AND PROFESSIONAL RESPONSIBILITY CONTENT: Ethics or professional responsibility *must* be a component of every accredited standard CLE course in Minnesota or an explanation must be provided as to why ethics is not covered. In addition, courses may also be accredited as “Ethics CLE.” See Rules 6A and 6B of the CLE rules. **In order to qualify for ethics CLE credit, an ethics course or segment of a course must be at least 30 minutes in length.**

Check below the treatment of **ethics or professional responsibility** content in the program:

- _____ A portion of the program 30 minutes or more in length addresses **ethics or professional responsibility** and is marked as “Ethics” on the attached program agenda.
- _____ Ethics or professional responsibility concerns are addressed throughout the program but no distinct segment is 30 minutes or more in length.
- _____ No portion of the program addressed ethics or professional responsibility. Attached is an explanation of why ethics or professional responsibility content is not present in this program.

ELIMINATION OF BIAS EDUCATION: Please check here to indicate whether you are requesting Elimination of Bias credit for this program:

- _____ Elimination of Bias credit is sought. See attached narrative.
- _____ No credit for Elimination of Bias is sought.

CLE rule 6B describes course requirements for CLE on the “elimination of bias in the legal profession and in the practice of law.” In order to be afforded “**elimination of bias” credit, such courses or segments of courses must be at least 60 minutes in length.** If elimination of bias credit is sought for some portion of this course, please do the following:

1. Review the “elimination of bias” goals listed below;
2. Mark the segment or segments on the agenda that the sponsor believes fulfill these requirements;
3. Attach a brief written narrative describing how the course segment or segments meet one or more of the “Learning Goals for Minnesota Elimination of Bias Courses” listed below.

Please note that courses or segments of courses may address ethics and elimination of bias topics. A sponsor may seek credit in one category or the other, but a course or segment will not be accredited in both categories simultaneously. The Board will determine in which category credit will be granted, based upon the course description and the sponsor’s narrative.

LEARNING GOALS FOR MINNESOTA ELIMINATION OF BIAS COURSES

Courses accredited as “elimination of bias” must be at least **60 continuous minutes in duration**, must be directly related to the practice of law, must meet all other requirements of Rule 5 of the CLE rules and must be designed to meet one or more of the following goals:

1. to educate lawyers about the elimination of bias or prejudice in the legal profession, in the practice of law, and/or in the administration of justice;
2. to educate lawyers regarding barriers to hiring, retention, promotion, professional development and full participation of lawyers of color, women, and those persons referenced in the “course in the elimination of bias in the legal profession and in the practice of law” definition (Rule 2I) of the CLE rules, both in the public and private sector of the legal profession and in the practice of law;
3. to educate lawyers about the problems identified in the Supreme Court’s Race Bias and Gender Fairness Task Force Reports, as well as in other studies, reports or treatises which describe bias and prejudice in the legal profession, in the practice of law, and/or in the administration of justice.

LAW AND LITERATURE

Applications for credit for Law and Literature courses must comply with the requirements of Rule 4D as well as the standard CLE requirements set forth in Rule 5A.

Appendix II
MINNESOTA STATE BOARD OF CONTINUING LEGAL EDUCATION
 Suite 201, 380 Jackson Street, St. Paul, MN 55101
AFFIDAVIT OF CLE COMPLIANCE

License Number: _____ Name: _____

CLE Category: _____ Address: _____

Period Covered: _____ Address: _____

I swear that the information below is an accurate and complete record of my attendance.

Lawyer Signature _____ Date: _____

ATTENDANCE INFORMATION

SPONSORING AGENCY	COURSE TITLE	COURSE DATES	# OF HOURS				
			STANRD CLE	LAW OFFICE MNGT	PROF DVLPMT	ETHICS	ELIMN OF BIAS
1.							
2.							
3.							
4.							

Please retain a copy of this form for your records.

(USE ADDITIONAL SHEETS IF NECESSARY)

HOURS OF PREPARATION AND TEACHING INFORMATION

SPONSORING AGENCY	COURSE TITLE	COURSE DATES	# OF HOURS				
			STANRD CLE	LAW OFFICE MNGT	PROF DVLPMT	ETHICS	ELIMN OF BIAS
1.							
2.							
3.							
4.							

Please note:

- Lawyers must report at least 3 hours of Ethics CLE and at least 2 hours of Elimination of Bias CLE. All courses must total at least 45 hours in a 3-year reporting period.
- A course segment will not be accredited as both Ethics and Elimination Of Bias. If you report more than the minimum Ethics and Elimination of Bias hours, we will credit the excess hours as Standard CLE.
- Law Office Management courses are limited to 6 hours per 3-year period.
- There is no limit on the number of hours of professional development CLE you may claim.

COMPLIANCE INSTRUCTIONS

REQUIREMENTS: The CLE Rules require that each lawyer holding an active license complete a minimum of 45 credit hours including at least 3 ethics credits, and 2 elimination of bias credits, every three years. A reporting category number is assigned to each lawyer and is printed on the face of the lawyer's wallet license.

CLE 1 reports attendance from {July 1, 2003 to June 30, 2006};
CLE 2 reports attendance from {July 1, 2001 to June 30, 2004};
CLE 3 reports attendance from {July 1, 2002 to June 30, 2005}.

The credits must be taken prior to June 30 in the reporting year. There is no carry-over of credits from one reporting period to the next.

DEADLINES: Courses must be taken prior to June 30 of the reporting year. A lawyer then has 60 days from that date to file an affidavit of attendance with the Board. Affidavits received after the filing deadline are subject to a \$50.00 late filing fee.

SANCTIONS: Failure to comply with the CLE reporting requirement will result in the issuance of a Notice of Noncompliance. Affidavits received after the issuance of a Notice of Noncompliance must be accompanied by a \$100.00 late filing fee. Continued noncompliance will result in the lawyer being placed on involuntary restricted status by court order.

RECORDKEEPING: It is the responsibility of the lawyer to maintain records of courses taken and to file promptly with the Board. The lawyer may file a signed copy of a certificate of completion from the course sponsor in lieu of an affidavit.

The Board office maintains course files by sponsor name. A course cannot be identified unless the sponsor is correctly and completely listed.

ELIGIBLE COURSES: A lawyer will not receive credit for attending a course until the course has been accredited under CLE rules. Courses accredited by other CLE states are not necessarily acceptable in Minnesota. In addition to the criteria listed in CLE rule 5 for course accreditation, eligible courses should comply with rule 4 requiring ethical content. The Course Accreditation Form guides the sponsor or lawyer in providing the information necessary for review.

RESTRICTED STATUS: A lawyer who no longer practices law in Minnesota may be excused from the CLE requirement by electing voluntary restricted status under Rule 12.

INFORMATION: Information on the credits allowed for a course should be obtained from the course sponsor. Other information and additional forms may be obtained upon request from the office of the Board of Continuing Legal Education, or by accessing the Board's website at www.mbcle.state.mn.us.

INSTRUCTIONS FOR CLAIMING CREDIT FOR TEACHING

Rule 7(A). Teaching Credit. Credit for teaching in an accredited course shall be awarded to presenting faculty on the basis of one credit for each 60 minutes spent by the faculty preparing the presentation and materials for the course and teaching the course. No credit shall be awarded for teaching directed primarily to persons preparing for admission to practice law. A lawyer seeking credit for teaching and preparation for teaching shall submit all information called for on the Affidavit of CLE Compliance at Appendix II.

A lawyer who makes a one-hour presentation and spends five hours in preparation is entitled to claim a total of six hours. If he/she also sits as a member of the audience for some portion of the course being presented by other speakers, he/she can claim credit for attending that part of the course. Course information should be reported on the form in the appropriate sections.

Credit for teaching/preparation can only be claimed when the lawyer actually **teaches** in an accredited course. A lawyer who prepares materials that are distributed at the course but who fails to appear on the platform as a speaker cannot claim credit for his/her scholarly efforts. Lawyers also cannot claim credit for writing a law review article or other scholarly articles.

A lawyer who is in charge of a course normally spends administrative time persuading speakers to participate, encouraging them to complete their written materials and conferring with speakers about the allocation of responsibility for subject areas. Time so spent **cannot** be included in teaching/preparation time.