

STATE OF MINNESOTA

OFFICE OF
APPELLATE COURTS

IN SUPREME COURT

APR 15 2008

C2-84-2163

FILED

ORDER ESTABLISHING DEADLINE FOR SUBMITTING COMMENTS ON PROPOSED AMENDMENTS TO THE RULES OF THE MINNESOTA STATE BOARD OF CONTINUING LEGAL EDUCATION

WHEREAS, on May 7, 2006 the Minnesota State Bar Association filed a petition requesting amendments to Rules 2 and 6 of the Rules of the Minnesota State Board of Continuing Legal Education to include limited continuing legal education credit for pro bono legal services. The Court invited written comments and held a hearing on the proposed amendments;

WHEREAS, on January 31, 2008 the Court issued an order promulgating amendments to the Rules of the Minnesota State Board of Continuing Legal Education to be effective on July 1, 2008;


WHEREAS, the Court received comments from members of the Minnesota State Bar Association and others advising the Court that the January 31, 2008 rule excluded several pro bono programs in the state;

WHEREAS, the Court is considering amendments to the January 31, 2008 rule expanding the availability of continuing legal education credit for pro bono work performed by qualifying legal services organizations and law firms representing persons of limited means, including pro bono work done on behalf of Minnesota Judicial Branch programs. A copy of the proposed amended rule is annexed to this order.

IT IS HEREBY ORDERED that any individual wishing to provide statements in support of or in opposition to the proposed changes shall submit twelve copies in writing addressed to Frederick Grittner, Clerk of the Appellate Courts, 305 Judicial Center, 25 Rev. Dr. Martin Luther King Jr. Boulevard, St. Paul, Minnesota 55155, no later than Wednesday, June 4, 2008.

DATED: April 15th, 2008

BY THE COURT:



Russell A. Anderson
Chief Justice

Proposed Change to the Rules of the State Board of Continuing Legal Education

Rule 2. Definitions

In these Rules,

R. “Pro bono legal representation” means providing legal representation to a pro bono client without compensation, expectation of compensation, or other direct or indirect pecuniary gain.

S. “Pro bono client” means an individual, not a corporation or other organizational entity, who has been referred to the lawyer by an approved legal services provider or by a Minnesota Judicial Branch program.

T. “Approved legal services provider” means (1) a legal services organization that meets at least one of the following criteria:

- (1) Funded by the Legal Services Corporation, or (2) ~~the Children’s Law Center of Minnesota~~ the Minnesota Legal Services Advisory Committee, or the Minnesota Lawyer Trust Account Board.
- (2) Designated by the Minnesota Lawyer Trust Account Board as an approved legal services provider. Eligibility for designation is limited to:
 - a. Federally recognized 501(c)(3) nonprofit organizations that have as their primary purpose the furnishing of legal services to persons with limited means.
 - b. Programs conducted within law firms that have as their primary purpose the furnishing of legal services to persons with limited means and are under the supervision of a pro bono coordinator or designated lawyer.
 - c. Law firms who are providing pro bono legal services on behalf of a Minnesota Judicial Branch program, including, but not limited to, the Guardian ad Litem Program.

Rule 6. Special Categories of Credit

D. Pro Bono Legal Representation. A lawyer may claim one (1) hour of standard CLE credit for every six (6) hours of pro bono legal representation that the lawyer provides to a pro bono client in a legal matter that has been referred to the lawyer by an approved legal services provider or by a Minnesota Judicial Branch program. No more than six (6) hours of credit may be claimed per reporting period by a lawyer for pro bono legal representation. In order to receive CLE credit, the lawyer must submit an Affidavit of Pro Bono Representation to the Board (see Appendix III).

Appendix III
MINNESOTA STATE BOARD OF CONTINUING LEGAL EDUCATION
180 East 5th Street, Suite 950
St. Paul, MN 55101
AFFIDAVIT OF PRO BONO REPRESENTATION

License Number: _____ Name: _____

CLE Category:¹ _____ Firm Name: _____

1 _____ Street Address:² _____

3 _____ Street Address: _____

2 _____ City State, and Zip: _____

Other _____ Email:³ _____

Name and address of referring legal services provider: _____

Name and phone number of contact person at legal services provider: _____

Type(s) of Representation Provided:

- Consumer Economic Assistance Education Employment
 Family Law Health Housing Immigration/Refugee Individual Rights
 Juvenile Seniors Wills or Probate Other: _____

Date range of representation:⁴ _____

of hours of pro bono legal representation: _____ # of CLE credit hours claimed: _____

By signing this affidavit I swear (affirm) that:

- I give permission to the Minnesota Board of Continuing Legal Education to contact the referring legal services provider to verify that the information I have provided is true and accurate;
- I understand that the Board may use this information that I have provided six (6) hours of pro bono legal representation for each one (1) hour of CLE credit claimed and that the pro bono legal representation provided qualifies in all respects under Rules 2(R), 2(S), 2(T), and 6(D).

Lawyer Signature _____ Date: _____

¹ Your CLE reporting category is found on the Attorney License card issued by the Lawyer Registration Office and online at <http://www.mncourts.gov/mars/>.

² If the address listed here is different from the address on file in the CLE office, this document will be accepted as a request for change of address. If you do not want to change your address, please state that on this form.

³ An email confirmation will be sent after credits are approved or denied.

⁴ If representation covers more than one reporting period, please submit a separate Affidavit of Pro Bono Representation for each reporting period. If representation is ongoing, please write "ongoing" as the date representation ended.