

Rule 2. Definitions

In these Rules,

A. "Approved course" means a course approved by the Board.

B. "Approved legal services provider" means a legal services organization that meets at least one of the following criteria:

(1) Funded by the Legal Services Corporation, the Minnesota Legal Services Advisory Committee; or

(2) Designated by the Minnesota Legal Services Advisory Committee as an approved legal services provider. Eligibility for designation is limited to:

(a) Programs providing pro bono legal representation within 501(c)(3) nonprofit organizations that have as their primary purpose the furnishing of legal services to individuals with limited means.

(b) Law firms, law libraries, or bar associations that conduct programs that have as their primary purpose the furnishing of legal services to individuals with limited means and are under the supervision of a pro bono coordinator or designated lawyer.

(c) Law firms that provide pro bono legal services on behalf of a Minnesota Judicial Branch program, including but not limited to, the Guardian ad Litem Program.

C. "Board" means the State Board of Continuing Legal Education.

D. "Chairperson" means the Chairperson of the Board.

E. "Classroom setting" means a room, including an office, suitably appointed with chairs, writing surfaces, lecterns and other normal accoutrements of a teaching room, which is exclusively devoted to the educational activity being presented.

F. "Course in ethics or professional responsibility" means a course or session within a course that deals with the Minnesota Rules of Professional Conduct, the ABA Model Rules of Professional Conduct, the rules of professional conduct or professional responsibility of other jurisdictions, or the opinions and case law arising from the application of any of the above-specified rules, including a course or session within a course that addresses in a specific way concepts such as professionalism, civility and ethical conduct in the practice of law and in the legal profession.

G. "Course in the elimination of bias in the legal profession and in the practice of law" means a course directly related to the practice of law that is designed to educate attorneys to identify and eliminate from the legal profession and from the practice of law biases against persons because of race, gender, economic status, creed, color, religion, national origin, disability, age or sexual orientation.

H. "Course in mental health and substance use in the legal profession and in the practice of law" means a course that educates attorneys about substance use, addiction and/or mental health issues related to the practice of law. This includes, but is not limited to: (a) the reduction of risk for and detection, referral, and treatment of substance use and/or mental health issues and the assistance available for impaired attorneys; (b) recognizing signs of misuse, addiction, and mental health disorders in oneself or one's colleagues; (c) impairment, intervention, treatment, and available lawyer assistance programs, including steps to assist and refer an affected attorney; and (d) stress management programs which focus on building awareness and reducing the risk of stress-related problems in the law, including, but not limited to, recognizing signs of stress in oneself or one's

colleagues, addressing the connection between stress, burnout, and other factors on the development of mental health issues, work/life balance, instituting preventative measures individually, and the development of policies and practices within a law firm, legal department, or other organization employing lawyers for reducing the risk of impairment, supporting well-being, and guiding organizations on options when an attorney may be impaired.

I. "Court" means the Supreme Court of the State of Minnesota.

J. "Director" means the Director of the Board.

K. "Emeritus status" is the status of a lawyer who is on retired status pursuant to Rule 7 of the Rules of the Supreme Court on Lawyer Registration, is not on involuntary restricted status, has submitted an Affidavit of Emeritus Status Appendix IV showing compliance with the requirements of CLE Rule 14, and is authorized by Rule 14 to provide pro bono legal representation to a pro bono client when referred by an approved legal services provider. Emeritus status lawyers remain on restricted status.

L. "Established continuing legal education course sponsor," for the purposes of Rule 5B, is a person or entity regularly retained by firms or organizations for the purpose of presenting continuing legal education programs, which is completely independent of the firm or organization for whose members the continuing legal education course is presented.

M. "Fee" means funds payable to the Minnesota State Board of Continuing Legal Education.

N. "In-house course" means a course sponsored by a single private law firm, a single corporation or financial institution, or by a single federal, state or local governmental agency for lawyers who are members or employees of any of the above organizations.

O. "Involuntary restricted status" means the status of a lawyer licensed in Minnesota who is not in compliance with the educational and reporting requirements of these Rules and who has been placed involuntarily in that status by order of the Court. See Rule 12 for additional provisions.

P. "Laboratory setting" means a mock courtroom, law office, negotiation table, or other simulated setting in which demonstrations are given, roleplaying is carried out or lawyers' activities are taught by example or participation.

Q. "Law and literature course" means a course that meets the requirements of Rules 4D and 5A, based upon a literary text and designed to generate discussion, insight, and learning about topics such as the practice of law, the history and philosophy of law, rhetoric, lawyers' professional or ethical responsibilities, professional development, and the elimination of bias in the legal profession and in the practice of law.

R. "Moderator" means an individual, knowledgeable in the topic or topics addressed by the course, who guides the discussion and answers questions related to the material presented.

S. "On-demand course" means archived CLE programming that meets all the requirements of Rule 5A and is available to participants at any time.

T. "Participant" means a lawyer licensed in Minnesota attending an approved course and actively engaged in the subject matter being presented.

U. "Pro bono client" means an individual, who is not a corporation or other organizational entity, and who has been referred to the lawyer by an approved legal services provider or by a state or federal court program.

V. "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.

W. "Professional development course" means a course or session within a course designed to enhance the development and performance of lawyers by addressing issues such as career satisfaction and renewal, stress management, mental or emotional health, substance abuse, and gambling addiction. Professional development courses do not include individual or group therapy sessions.

X. "Restricted status" means the status of a lawyer licensed in Minnesota who has voluntarily chosen not to comply with the educational and reporting requirements of these Rules. See Rule 12 for additional provisions.

Y. "Submit" means to communicate information to the Board office in writing or electronic submission:

- (1) through the Board's Online Attorney and Sponsor Integrated System (OASIS);
- (2) by regular U.S. mail; or
- (3) by delivery.

Z. "Law office management course" is a course or session within a course designed to enhance the efficient and effective management of the law office by addressing topics of mentoring, staff development, and technology related to a law office.

(Amended effective February 1, 2004; amended effective July 1, 2008; amended effective February 1, 2010; amended effective July 1, 2010; amended effective July 1, 2013; amended effective July 1, 2014; amended effective July 1, 2016; amended effective July 1, 2018; amended effective July 1, 2024.)