

MINNESOTA COURT RULES

Appendix III: AFFIDAVIT OF CLE COMPLIANCE

MINNESOTA STATE BOARD OF CONTINUING LEGAL EDUCATION

180 E. 5th Street, Suite 950 St. Paul, Minnesota 55101

651-297-7100 www.mbcle.state.mn.us

As of July 1, 2010, a \$10 processing fee must be submitted with this form.

The processing fee is not assessed when you file courses online through OASIS (www.mbcle.state.mn.us)

License Number: \_\_\_\_\_ Name: \_\_\_\_\_

CLE Category: \_\_\_\_\_ Address: \_\_\_\_\_

Period Covered: \_\_\_\_\_ Address: \_\_\_\_\_

Telephone number: \_\_\_\_\_ Email 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 AND EVENT CODE (if known)	COURSE DATE(S)	# OF HOURS				ELIMN OF BIAS
			STANRD CLE	LAW OFFICE MNGT	PROF DVLPMNT	ETHICS	
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 AND EVENT CODE (if known)	COURSE DATE(S)	# OF HOURS				ELIMN OF BIAS
			STANRD CLE	LAW OFFICE MNGT	PROF DVLPMNT	ETHICS	
1.							
2.							
3.							
4.							

Please note:

- Lawyers must report at least 45 credit hours, including 3 hours of Ethics CLE and at least 2 hours of Elimination of Bias CLE. You may report more than the minimum required number of ethics and bias credits. All ethics and bias credits count towards your 45 hour requirement.

- The event code assigned to the program and the number and type of credits awarded to the program are found at the Board's website at <http://www.mbcle.state.mn.us>. A course segment will be accredited as one credit type, and will not be accredited as both Ethics and Elimination of Bias.
- Law Office Management credits are capped at 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 license card.

CLE 1 reports attendance from {July 1, 2009 to June 30, 2012};

CLE 2 reports attendance from {July 1, 2007 to June 30, 2010};

CLE 3 reports attendance from {July 1, 2008 to June 30, 2011};

The credits must be taken during the reporting period. There is no carry-over of credits from one reporting period to the next.

**DEADLINES:** Courses should be completed prior to June 30 of the reporting year. A lawyer due to report must file an affidavit of attendance with the Board (or enter the information through OASIS) on or before August 31 of the lawyer's reporting year. Postmarks dated on or before the due date are accepted as timely. A \$75.00 late filing fee must be included with your Affidavit if you are filing after the deadline, even if an extension has been granted.

**SANCTIONS:** The Board will issue a Notice of Noncompliance pursuant to Rule 9E to a lawyer who fails to comply with the Rule requirements. A lawyer who submits an affidavit after the issuance of a Notice of Noncompliance must submit a \$200.00 Notice of Noncompliance fee. Failure to comply with the CLE requirements after receiving the Notice of Noncompliance will result in the lawyer's license 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 submit reports to file promptly with the Board. The lawyer may submit the affidavit of CLE compliance (1) by mail; (2) by bringing the affidavit to the Board office; (3) by reporting attendance electronically through the Board's online reporting system (OASIS); or (4) by submitting a signed copy of a certificate of completion from the course sponsor in lieu of an affidavit.

Affidavit processing may be delayed if the affidavit does not correctly and completely identify the course sponsor, the course title, and the dates of each program. To expedite processing, include the course event codes on the affidavit form. Event codes for approved or pending courses can be found on the Board's website [www.mbcle.state.mn.us](http://www.mbcle.state.mn.us).

**ELIGIBLE COURSES:** A lawyer will not receive credit for a course unless the course has been accredited under Minnesota CLE rules. Courses accredited by other states may not be accredited in Minnesota. In addition to the course accreditation criteria in CLE Rule 5, courses should comply with the Rule 4 ethical content requirement. The Course Accreditation Forms may be submitted either by the sponsor or by a lawyer who attended the course.

**RESTRICTED STATUS:** A lawyer who no longer practices law in Minnesota may elect voluntary restricted status pursuant to Rule 12A by sending a written request to the Board. A lawyer on restricted status is not required to comply with the CLE attendance requirements.

**INFORMATION:** The course event code and the number and type of course credits may be found on the Board's website ([www.mbcle.state.mn.us](http://www.mbcle.state.mn.us)) under the "Search Courses" tab. A lawyer may also request this information from the course sponsor. Forms and other information, including frequently asked questions, can also be found on the Board's website.

### CLAIMING TEACHING CREDIT

CLE Rule 7A states as follows regarding 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 to the Board all information called for on the affidavit of CLE Compliance at Appendix III.

Under the provisions of Rule 7A, a lawyer presenting a course may claim the time spent in presenting the course and time in attendance at the course, as well as the hours spent in preparation for the presentation. There is no limit to the number of hours that may be claimed for preparation.

Credit for teaching and/or preparation can be claimed only when the lawyer actually **teaches** in an accredited course. A lawyer who prepares materials that are distributed at the course but who does not present during the program cannot claim credit for the lawyer's scholarly efforts in preparing the program or in preparing materials for the program. Lawyers may not claim credit for writing a law review article or other scholarly articles.

A lawyer who organizes the program **cannot** claim time for administrative tasks, including identifying and persuading speakers to participate, arranging for the written materials or conferring with speakers about the allocation of responsibility for subject areas.

(Amended effective February 1, 2010.)