

2004 Membership

Sandor Yelen, Esq., *Chair*
Rosa Copeland Miller, Esq., *Vice Chair*
Samuel Tyrone Cooper, III, Esq.
G. Fred DiBona, Esq.
Thomas M. Golden, Esq.
Robert S. Grigsby, Esq.
Alan C. Kessler, Esq.
John F. Mizner, Esq.
Stuart H. Savett, Esq.
Kelly H. Shuster, Esq.

Staff:

Daniel Levering, *Administrator*
Katey Buggy, *Office Manager*

Legal Authorization:

Title 204 - Judicial System General Provisions Part V. Professional Ethics and Conduct [204 PA Code C. 82]
Pennsylvania Rules for Continuing Legal Education; No. 99 Supreme Court Rules Doc. No. 1

About the Board

The Continuing Legal Education Board administers the rules pertaining to continuing legal education (CLE) for attorneys.

The board is comprised of ten active Pennsylvania attorneys. Terms are three years in length, and members may serve two consecutive terms.

Pennsylvania

Continuing

Legal

Education

Board

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Compliance Requirements and Deadlines

Annual CLE credit-hour requirements are met by completion of accredited courses in the areas of substantive law, practice and procedure, ethics, professionalism or substance abuse. Lawyers must complete twelve hours of CLE, including a minimum of one hour of ethics, professionalism or substance abuse before the compliance year deadline.

Compliance deadlines and CLE requirements are based on one of three annual compliance periods to which lawyers have been assigned by random selection of lawyer identification numbers. The annual deadline dates are April 30, August 31 or December 31.

Board Organization

To best accomplish the requirements set forth by the Pennsylvania Rules for Continuing Legal Education, the Continuing Legal Education Board is organized into three committees, each covering a major area of operations: Accreditation, Administration and Compliance. A fourth committee, the Audit Committee, was discontinued. A description of each committee follows.

Accreditation Committee

The Accreditation Committee has three members: Sandor Yelen, Esq.; Rosa Copeland Miller, Esq. and Samuel T. Cooper, III, Esq. Its duties include oversight of the certification of providers and courses, CLE program standards, adequacy of course availability, and course and provider accreditation standards.

Administration Committee

The Administration Committee includes Sandor Yelen, Esq.; Rosa Copeland Miller, Esq. and Robert Grigsby, Esq. It handles matters

involving staff, employee relations, benefits, office equipment, office operations, fees and banking, and those enhancements to program administration necessary to ensure quality and efficiency.

Compliance Committee

John F. Mizner, Esq.; Rosa Copeland Miller, Esq.; Robert S. Grigsby, Esq. and Alan C. Kessler, Esq. comprise the Compliance Committee. This committee oversees attorney compliance; reviews requests for waivers, extensions and deferrals; reviews determination of lawyer noncompliance; and makes recommendations to the board for action regarding these issues.

2004 Board Actions and Operations Highlights

The board held four meetings in 2004.

Web Site Redevelopment

A significant accomplishment in 2004 was the redevelopment of the CLE board's Web site. In addition to adopting a clean and friendlier design, the new site includes new programs and on-line services for lawyers. E.g., the new "MyPACLE" feature allows lawyers to review their full CLE transcripts. The database of upcoming CLE courses was improved to include expanded and customizable search criteria.

Distance Learning Pilot Project

Two thousand four saw the second year of a two-year pilot project to allow attorneys the option of taking up to three hours of Internet or computer-based courses. The program was well-received by attorneys, and a report filed by the board with the Supreme Court in the fourth quarter of 2004 included a recommendation to continue it.

Capital Counsel CLE

In June of 2004 new Rule of Criminal Procedure 801 established qualification standards for lawyers to represent defendants in death penalty cases. The education component of the rule requires counsel to complete a specified amount of training relevant to representation in capital cases.

In response, the CLE board developed administrative standards and an action plan to review and accredit qualifying CLE programs, make a list of qualifying programs available to lawyers and track the lawyers who meet the requirement. A list of approved programs and qualifying counsel may be accessed on the board's Web site.

ORACLE

Board administrator Dan Levering served as immediate past president of the Organization of Regulatory Administrators for Continuing Legal Education in 2004. ORACLE is a national organization that represents the country's 40 mandatory continuing legal education jurisdictions.

Other Accomplishments

The board's other accomplishments for 2004 include

- conducting a CLE providers conference in the spring

- rolling out a direct debit payment option for CLE providers. This minimizes the need to mail and process checks and reduces the time it takes to post CLE credits to lawyer transcript records.
- electronically generating and distributing annual provider course evaluation reports to over 200 accredited providers.

Attorney Compliance

Lawyer compliance with requirements of Pennsylvania CLE Rules remains very high. Chart 3.6.1 on page 52 displays the compliance rate and number of lawyers in each group whose names were submitted to the Disciplinary Board of the Supreme Court for failure to meet CLE requirements.

Looking Ahead to 2005

Board projects for 2005, include

- major systems upgrades to all servers and most workstations as current machines reach the ends of their equipment cycles.
- updating Bridge the Gap program to include recent rule changes and enhanced presentation techniques.
- working with the new Investment Advisory Board to coordinate and develop an investment policy and plan. **AOPC**

Attorney Compliance				
Compliance Group/ Year Ending	# Lawyers Subject to Requirements	# Lawyers Complying	# Lawyers Involuntarily Inactivated	Compliance Rates (%)
Group 1 (April)				
92-93	17,100	16,959	141	99.2
93-94	17,300	17,179	121	99.3
94-95	17,619	17,552	67	99.6
95-96	17,873	17,768	105	99.4
96-97	17,804	17,639	165	99.1
97-98	17,665	17,523	142	99.2
98-99	17,864	17,751	113	99.4
99-00	18,132	18,018	114	99.4
00-01	18,426	18,295	131	99.3
01-02	18,480	18,342	138	99.2
02-03	18,668	18,539	129	99.3
03-04	18,224	18,720	104	99.4
Group 2 (August)				
92-93	17,124	16,868	256	98.5
93-94	17,289	17,134	155	99.1
94-95	17,649	17,540	109	99.4
95-96	17,595	17,507	87	99.5
96-97	17,410	17,294	116	99.3
97-98	17,613	17,511	102	99.5
98-99	17,756	17,666	90	99.5
99-00	18,087	17,974	113	99.4
00-01	18,181	18,100	81	99.6
01-02	18,143	18,011	132	99.3
02-03	18,572	18,493	79	99.6
03-04	18,753	15,664	89	99.5
Group 3 (December)				
92-93	17,269	16,936	333	98.1
93-94	17,474	17,414	60	99.7
94-95	17,679	17,574	105	99.4
95-96	17,542	17,430	112	99.4
96-97	17,582	17,456	126	99.3
97-98	17,781	17,647	134	99.2
98-99	17,968	17,865	103	99.4
99-00	18,220	18,113	107	99.4
00-01	18,361	18,227	134	99.3
01-02	18,479	18,366	113	99.4
02-03	18,625	18,527	98	99.5
03-04	18,887	18,792	95	99.5

Table 3.6.1