

2005 Membership:

Rosa Copeland Miller, Esq., *Chair*
Thomas M. Golden, Esq., *Vice Chair*
Richard Antonelli, Esq.
Samuel Tyrone Cooper, III, Esq.
Leonard Dubin, Esq.
Martin Greitzer, Esq.
Robert C. Heim, Esq.
Abraham C. Reich, Esq.
Stuart 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.

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 randomly assigned. 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 description of each committee follows.

Accreditation Committee

The Accreditation Committee has three members: Rosa Copeland Miller, Esq.; Samuel T. Cooper, III, Esq. and Thomas M. Golden, 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 Rosa Copeland Miller, Esq.; Thomas M. Golden, Esq. and Kelly H. Shuster, 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. This committee also oversees the budget, annual independent audit and review of board operations.

Compliance Committee

Rosa Copeland Miller, Esq.; Martin Greitzer, Esq. and Richard Antonelli, 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.

2005 Board Actions and Operations Highlights

The board held four meetings in 2005.

Distance Learning Formally Approved -- Rule Change Effective

A two-year pilot project was begun in January 2003 to offer lawyers the option of completing up to three hours of CLE classes through preapproved, interactive Internet or computer-based programs. Such courses allow for CLE requirements to be completed on a schedule convenient to the learner and greatly expand the availability of subject matter.

In late 2004 the board recommended that the Supreme Court make the option permanent. The Court agreed, approving the rules changes effective December 30, 2004. It also increased the number of allowable credit hours to four.

Bridge the Gap Program Revised

Bridge the Gap is a program begun in 2001 to assist new attorneys in the transition from law school to practice. It is required that

new attorneys complete it before their first CLE compliance deadline has passed.

In 2005 the CLE Board and CLE providers collaborated on a new version of Bridge the Gap. In addition to updated content and addressing changes in the Rules of Professional Conduct, a strong emphasis was placed on the delivery style. The updated version actively promotes interaction and participation between attendees.

The program is offered by accredited CLE providers. Support from providers continues to ensure availability and low cost for the lawyers required to attend.

Automated System for Accredited Providers (ASAP)

ASAP is an internally-developed Internet software that allows for the paperless reporting of provider courses, course attendance and course evaluations. It is used by 217 accredited CLE providers.

In 2005 78 percent of credit hours were reported electronically. In addition, Annual Provider Evaluation Reports were automated and made accessible to providers via ASAP, and the software was expanded to include a new module called CLE Application Professional or "CLE APPro." This new functionality allows for non-accredited providers to electronically file and receive the status of applications for CLE course approval.

Web Site Enhancements

Two thousand five marked the one-year anniversary of the board's redesigned Web site. The new "MyPACLE" feature that allows lawyers to access their full CLE transcripts has been particularly well-received, with the number of lawyers creating accounts for the free on-line service increasing by 126percent.

Beta testing of the newest compliance assurance "Law Firm Services Online" also began in 2005. This tool will allow law firms to access the compliance statuses of their lawyers. The service, which is the first of its kind, is updated daily and is protected using secure password protection.

ORACLE

Two meetings of the international Organization of Regulatory Administrators for Continuing Legal Education (ORACLE) were held in 2005. Pennsylvania maintained a strong and active presence within the organization. As immediate past president, Dan Levering continued to serve on ORACLE's Management and Technology Committees. The board's office manager, Katey Buggy, was nominated for secretary and served on the membership committee.

Other Accomplishments

The annual providers conference was held in May 2005 and included sessions on Quality Assurance in CLE, Presentation Strategies for CLE, Pennsylvania CLE News & Updates and marketing CLE.

In 2004 the board introduced a direct debit option for electronic payment by CLE providers. The number of providers using this method doubled in 2005. This initiative continues to minimize the need to mail and process checks and reduces the time it takes to post CLE credits to lawyer transcript records.

Rule of Criminal Procedure 801 called for defense counsel in capital cases to have completed minimum educational requirements by November 1, 2005. The board continued to play a key role by accrediting and promoting CLE training relevant to capital cases. The board also tracks and identifies those lawyers who have met this specialized requirement.

A Virtual Private Network (VPN) was deployed, which allows for highly secure remote access to CLEB systems through an encrypted Internet connection.

The board engaged in three successful disaster recovery exercises. In the event of disaster, the board should be capable of adequately reestablishing technical operations within eight hours.

Attorney Compliance

Lawyer compliance rates with the CLE requirement remain extremely positive. Chart 3.6.1 below and on the following page indicates

the high levels of compliance rates and the low number of lawyers in each group who were involuntarily inactivated by the Supreme Court for failure to meet the CLE requirement.

Looking Ahead to 2006

The board will begin to explore the accreditation of teleconferences as an additional means of distance learning, plan for the annual providers conference and launch the Law Firm Services on-line. Automation will continue to assist and provide expanded services while maintaining high standards of CLE administration.

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| 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 |
| 04-05 | 19,223 | 19,141 | 82 | 99.6 |
| 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 |
| | | | | continued... |

Table 3.6.1

| Attorney Compliance, continued | | | | |
|--|--|--------------------------------|--|---------------------------------|
| Compliance Group/ Year Ending | # Lawyers Subject to Requirements | # Lawyers Complying | # Lawyers Involuntarily Inactivated | Compliance Rates (%) |
| Group 2 (August) | | | | |
| 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 |
| 04-05 | 19,098 | 19,019 | 79 | 99.6 |
| 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 |
| 04-05 | 19,443 | 19,347 | 96 | 99.5 |

Table 3.6.1, cont'd.