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Sent: Thursday, November 21, 2019 3:16 PM
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Subject: CLE and BLC Matters

Thank you for providing the opportunity to submit an update in writing. I am sorry that I am unable to attend the rescheduled meeting on Monday due to a prior commitment. If possible, I would appreciate moving my report from the November meeting to the January meeting, but there are a few time sensitive matters that I did want to share with the Committee.

1. CLE Petition: The CLE Board at its September meeting submitted the Petition to the OnDemand Committee for further review. The Committee met and discussed the similarities of the current Petition to the Petition filed in 2012. The Committee also discussed the comprehensive study that the Board had done between 2009 and 2013, the Board's Petition in 2013 to amend the Rules to permit up to 15 hours of credit per 45-hours of CLE, and the 2014 and 2017 reports filed by the Board. The Board also discussed the information in the Board's 2018 annual report, including the 78.8% increase in the number of on-demand credits reported in calendar year 2018 compared to 2015. The Board discussed the current Petition that has been filed and the comparison of CLE requirements of other jurisdictions between 2012 and the present, and the Committee will be bringing its recommendation to the full Board on December 5th. The Board will also be hearing from MN CLE and Jaimie Cavanaugh (one of the five Petitioners.) If any of the Committee members would like any of the materials referenced, please let me know. (They can also be obtained by accessing either PMACS or the Board's website – or in some cases they are on both.)
Kevin Hofman, CLE Board Chair, and Liz Vanderbeek, CLE Administrator, both plan to participate in the meeting on Monday.
2. BLE Petition: The Board of Law Examiners filed a Petition today for minor revisions to the Board's rules. These include:
 - a. Extending the validity period for transfer of MBE scores from 24 to 36 months. This change would be consistent with the UBE transfer provision and the time period that scores achieved in Minnesota remain valid, and would extend validity to the period of time to when individuals begin eligibility for transfer based on prior practice in another U.S. jurisdiction;
 - b. Providing a mechanism to permit candidates to begin the character and fitness process in Minnesota before they know their UBE score. From time to time, the Board receives inquiries, primarily from prospective applicants on the border of Minnesota and North Dakota, to begin the C&F process (which typically takes 3-6 months) while waiting for their UBE score in North Dakota. Currently, the applicant must wait until the scores are released and may then file for admission.
 - c. Cleaning up a carry-over provision of fees under Rule 12J and a two-step refund process for applicants ineligible under Admission based on years of practice who elect not to pursue the examination.
 - d. Creating a process to permit carry-over of fees to the next bar examination for serious, unexpected non-medical reasons, such as death of a parent.

I have attached a courtesy copy of the Petition. I am happy to answer any questions that anyone has.

3. Foreign Practice: The Board of Law Examiners is seeking input on admission of foreign educated graduates. Additional information can be found here: <https://www.ble.mn.gov/minnesota-board-of-law-examiners-seeks-comments-related-to-foreign-legal-education/>

Please let me know if you or the Committee members have any questions.

Emily J. Eschweiler | Director

Minnesota Board of Law Examiners | Board of Continuing Legal Education | Board of Legal Certification | Office of Lawyer Registration

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