



## Tip of the Month – June 2008

### CLE Credit for Pro Bono Legal Services

The Minnesota Supreme Court issued an order, **effective July 1, 2008**, amending Rules 2 and 6 of the Rules of the Minnesota State Board of Continuing Legal Education to allow limited continuing education credit for pro bono legal services.

The amended rules provide that a lawyer may claim one hour of standard CLE credit for every six hours of legal representation that the lawyer provides to a “*pro bono* client” per the definitions of Rule 2. An attorney may claim up to six of these “pro bono for CLE credits” per three-year CLE reporting cycle.

Volunteer Lawyers Network qualifies as an “approved legal services provider” per the definition of Rule 2. This means that you may claim one CLE credit for every six hours of pro bono you do through VLN.

If you wish to claim CLE credits for pro bono work through VLN, please:

- In full representation cases, make sure VLN referred or approved the *pro bono* client prior to your undertaking the representation.
- Submit your VLN representation agreements and closing forms or (if claiming hours at a clinic) clinic data sheets to us. These forms can be found on our web-site at [www.volunteerlawyersnetwork.org](http://www.volunteerlawyersnetwork.org).

- If you would like to claim hours prior to a case's completion, please email your Case Placement Coordinator reporting the hours you have worked on the case (s) so far.

Complete the Minnesota State Board of Continuing Legal Education form "Affidavit of Pro Bono Representation to the Board" and submit this to the CLE Board. You may list on the reporting affidavit as your contact any VLN staff person with whom you have been working.

Note: If you volunteer at a VLN clinic in partnership with your law firm, please list your firm and pro bono coordinator as the "legal services provider".

Please see the attached copy of the Order Promulgating Amendments to the Rules and the Affidavit of Pro Bono Representation Form. This form will also be available on our web-site.

STATE OF MINNESOTA

IN SUPREME COURT

C2-84-2163 and C1-84-2140

OFFICE OF  
APPELLATE COURTS

JUN 30 2008

FILED

ORDER PROMULGATING AMENDMENTS  
TO THE RULES OF THE MINNESOTA STATE  
BOARD OF CONTINUING LEGAL EDUCATION  
AND THE RULES OF THE LAWYER TRUST  
ACCOUNT BOARD

On January 31, 2008, we filed an order promulgating amendments to the Rules of the Minnesota State Board of Continuing Legal Education to include limited continuing legal education credit for pro bono legal services. After being advised that the amendments excluded several pro bono programs, by order filed April 15, 2008, we invited comments on an amended rule expanding the scope of pro bono work for which continuing legal education credit would be available.

The Court has reviewed the comments and the proposed amendments and is fully advised in the premises.

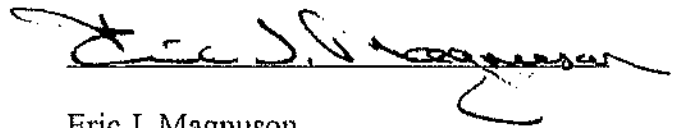
IT IS HEREBY ORDERED that the attached amendments to the current Rules of the Minnesota State Board of Continuing Legal Education, including Appendix III, Affidavit of Pro Bono Representation, be, and the same are, prescribed and promulgated to be effective July 1, 2008. These amendments supersede the amendments adopted in

our January 31, 2008, order and shall apply to pro bono services provided on or after July 1, 2008.

IT IS FURTHER ORDERED that the attached amendments to the Rules of the Lawyer Trust Account Board be, and the same are, prescribed and promulgated to be effective July 1, 2008.

Dated: June 30, 2008

BY THE COURT:

A handwritten signature in black ink, appearing to read "Eric J. Magnuson", written over a horizontal line.

Eric J. Magnuson  
Chief Justice

**AMENDMENTS TO THE RULES OF THE  
MINNESOTA STATE BOARD OF CONTINUING LEGAL EDUCATION**

[Note: new material is indicated by underscoring, except Appendix III, which is all new; deleted material is indicated by strikethrough.]

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**RULES OF THE MINNESOTA STATE BOARD  
OF CONTINUING LEGAL EDUCATION**

**Rule 2. Definitions**

In these Rules,

\* \* \*

R. "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.

S. "Pro bono client" means an individual, not a corporation or other organizational entity, who has been referred to the lawyer by an approved legal services provider or by a Minnesota Judicial Branch program.

T. "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 the Minnesota Lawyer Trust Account Board; or

(2) Designated by the Minnesota Lawyer Trust Account Board as an approved legal services provider. Eligibility for designation is limited to:

(a) 501(c)(3) nonprofit organizations that have as their primary purpose the furnishing of legal services to persons with limited means.

(b) Law firms that conduct programs that have as their primary purpose the furnishing of legal services to persons 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.

**Rule 6. Special Categories of Credit**

\* \* \*

**D. Pro Bono Legal Representation.** A lawyer may claim one (1) hour of standard CLE credit for every six (6) hours of pro bono legal representation that the lawyer provides to a pro bono client in a legal matter that has been referred to the lawyer by an approved legal services provider or by a Minnesota Judicial Branch program. No more than six (6) hours of credit may be claimed per reporting period by a lawyer for pro bono legal representation. In order to receive CLE credit the lawyer must submit an Affidavit of Pro Bono Representation to the Board (see Appendix III).

Appendix III  
MINNESOTA STATE BOARD OF CONTINUING LEGAL EDUCATION  
180 East 5th Street, Suite 950  
St. Paul, MN 55101  
AFFIDAVIT OF PRO BONO REPRESENTATION

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

CLE Category:<sup>1</sup> \_\_\_\_\_ Firm Name: \_\_\_\_\_

1 \_\_\_\_\_ Street Address:<sup>2</sup> \_\_\_\_\_

2 \_\_\_\_\_ Street Address: \_\_\_\_\_

3 \_\_\_\_\_ City, State, and Zip: \_\_\_\_\_

Other \_\_\_\_\_ Email:<sup>3</sup> \_\_\_\_\_

Name and address of referring legal services provider: \_\_\_\_\_  
\_\_\_\_\_

Name and phone number of contact person at legal services provider: \_\_\_\_\_  
\_\_\_\_\_

Type(s) of Representation Provided:

- |                                     |  |   |  |  |
|-------------------------------------|--|---|--|--|
| <input type="checkbox"/> Consumer   | <input type="checkbox"/> Economic Assistance | <input type="checkbox"/> Education        | <input type="checkbox"/> Employment          |  |
| <input type="checkbox"/> Family Law | <input type="checkbox"/> Health              | <input type="checkbox"/> Housing          | <input type="checkbox"/> Immigration/Refugee | <input type="checkbox"/> Individual Rights |
| <input type="checkbox"/> Juvenile   | <input type="checkbox"/> Seniors             | <input type="checkbox"/> Wills or Probate | <input type="checkbox"/> Other: _____        |  |

Date range of representation:<sup>4</sup> \_\_\_\_\_

# of hours of pro bono legal representation: \_\_\_\_\_ # of CLE credit hours claimed: \_\_\_\_\_

By signing this affidavit I swear (affirm) that:

- I give permission to the Minnesota Board of Continuing Legal Education to contact the referring legal services provider to verify that the information I have provided is true and accurate;
- I understand that the Board may use this information that I have provided six (6) hours of pro bono legal representation for each one (1) hour of CLE credit claimed and that the pro bono legal representation provided qualifies in all respects under Rules 2(R), 2(S), 2(T), and 6(D).

Lawyer Signature: \_\_\_\_\_ Date: \_\_\_\_\_

<sup>1</sup> Your CLE reporting category is found on the Attorney License card issued by the Lawyer Registration Office and online at <http://www.mncourts.gov/mars/>.

<sup>2</sup> If the address listed here is different from the address on file in the CLE office, this document will be accepted as a request for change of address. If you do not want to change your address, please state that on this form.

<sup>3</sup> An email confirmation will be sent after credits are approved or denied.

<sup>4</sup> If representation covers more than one reporting period, please submit a separate Affidavit of Pro Bono Representation for each reporting period. If representation is ongoing, please write "ongoing" as the date representation ended.

# AMENDMENTS TO THE RULES OF THE LAWYER TRUST ACCOUNT BOARD

[Note: new material is indicated by underscoring; deleted material is indicated by strikethrough.]

## RULE 2. POWERS AND DUTIES

\* \* \*

(e) Designation of unfunded approved legal services providers. The Board shall have authority to designate organizations that do not receive funding from the Board as “approved legal services providers” for purposes of continuing legal education credit for pro bono services in accordance with the criteria stated in Rule 2.T(2) of the Rules of the Minnesota State Board of Continuing Legal Education.

