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Legal Professions Boards

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AT A GLANCE

- The Office of Lawyers Professional Responsibility (OLPR) serves approximately 26,000 active Minnesota lawyers and the public of the state.
- The OLPR processed over 1,210 complaints against Minnesota attorneys in 2015.
- 65 Minnesota lawyers were publicly disciplined in 2015, 6 lawyers were disbarred.
- The Client Security Board (CSB) paid over \$137,000 to 12 victims of lawyer dishonesty in FY 2015.
- The Office of the Board of Law Examiners (BLE) received 1,245 applications from law graduates and out-of-state lawyers seeking admission to the Minnesota bar in 2015.
- The Minnesota Board of Continuing Legal Education (CLE) approved 14,157 courses for the 25,051 active Minnesota lawyers in 2015. 99.4% of all Minnesota lawyers complied with continuing legal education (CLE) requirements.
- The Minnesota Board of Legal Certification (BLC) approved 5 agencies that certified 941 lawyers as specialists in 2015.

PURPOSE

The Minnesota Supreme Court exercising its inherent constitutional authority regulates the practice of law in Minnesota.

The Supreme Court has established regulatory boards to assist in key areas of the regulation of lawyers licensed to practice law in Minnesota. Key issues addressed by these agencies include:

- The Board of Law Examiners (BLE) conducts a background investigation of each Bar applicant and twice a year administers the Bar Exam to assess lawyer competence.
- The Board of Continuing Legal Education (CLE) accredits qualifying courses as continuing legal education (CLE) and ensures that lawyers, as a condition of continued licensure, fulfill their obligation to continue their professional education.
- The Board of Legal Certification (BLC) reviews and accredits qualifying agencies that have the authority to certify lawyers as specialists.
- The Office of Lawyers Professional Responsibility (OLPR), working in conjunction with district ethics

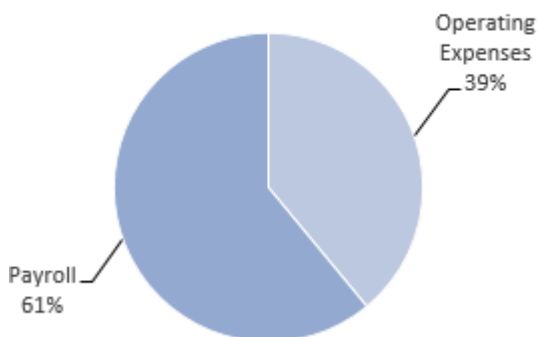
complaints of unprofessional conduct against lawyers, and recommends discipline where appropriate.

- The Client Security Board (CSB) reviews claims from clients who have experienced monetary loss because of attorney dishonesty and, where the claim meets criteria established by the board, reimburses the client for the loss up to \$150,000.
- The Lawyer Registration Office (LRO) collects attorneys' annual registration fees, demographic and other data from Minnesota lawyers. Those who do not pay or qualify are removed from active rolls.

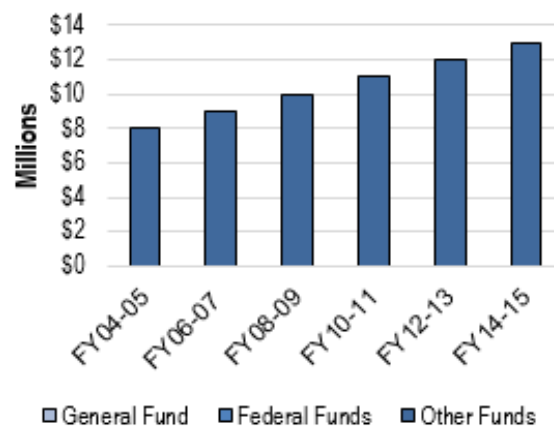
The Supreme Court Boards support the following statewide outcomes: Strong and stable families and communities; People in Minnesota are safe; and Efficient and accountable government services.

BUDGET

**Spending by Category
FY 15 Actual**



Historical Spending



Dedicated revenue, not General Fund monies, fully funds the operations of these boards. The Supreme Court assesses each Minnesota-licensed lawyer an annual registration fee that funds these activities. The registration fee is authorized by statute and held in trust for the regulation of the bar. The registration fee revenue is divided among each of the boards (with the exception of the Legal Certification Board, which is funded entirely by user fees) as determined after public hearing by Court's Rules for Registration of Lawyers. The Board of Law Examiners assesses a bar application fee to each applicant for admission to the bar. The Board of Continuing Legal Education assesses course application fees and various administrative fees. The fees for those boards are included in the Department Earnings Report.

The OLPR has a projected annual budget of approximately \$3.8 million for FY 2017. Over 70% of OLPR's budget is for employee salary and benefits; the other major expenditure is for rent on the agency's offices in St. Paul. The overwhelming majority of the CSB's annual budget goes to paying claims, which is difficult to predict in advance.

STRATEGIES

The Boards have extensive written rules, policies, and procedures that ensure fair and accurate processing of applications, course approval applications, the prompt investigation and disposition of lawyers' alleged disability or unprofessional conduct, as well as a well-trained and carefully managed staff who conscientiously carry out their obligations. In addition, volunteer Board members comprised of lawyers and non-lawyer members of the public volunteer their time to oversee the policies and procedures through which each of the Boards carry out its responsibilities.

The Boards contribute to the statewide outcomes by ensuring that only those who are competent and have good character are licensed to practice law; that only those who continue their legal education are able to continue to hold a law license; that ethics complaints against Minnesota lawyers warranting professional discipline are investigated and prosecuted; and that clients who suffer loss of money or other property from the dishonest conduct of their attorney are reimbursed. These activities contribute to the administration of justice and ensure that members of the Minnesota Bar provide legal service to those in need of legal counsel and to communities in need of civic members who will uphold the rule of law.

Key partners in the work of the Boards are the Minnesota State Bar Association and its committees and sections, Lawyers Concerned for Lawyers, deans and associate deans of law schools, particularly the deans of the three law schools located in Minnesota; bar regulation administrators in other states, district ethics committees (DEC), and colleagues in the Judicial Branch.

RESULTS

The Board of Law Examiners, Board of Continuing Legal Education, and Board of Legal Certification know their strategies are working when the following results are manifest:

- Some applicants to the bar are denied admission for failure to comply with Board of Law Examiners' requirements. New certifying agencies continue to apply for accreditation to certify lawyers as specialists. In response to routine surveys, the Boards' customers' responses affirm that services are provided in a timely and professional manner.
- Some attorneys are removed from the roles of active Minnesota lawyers due to failure to continue their legal education or failure to pay fees.
- The Minnesota Bar is well-educated and prepared to carry out the obligations of licensure. As a result of the accreditation of reputable agencies, only those members of the bar who have met high standards of demonstrated expertise, may hold themselves out as specialists in a field of law.

The factors driving their stable or improving performance trend include the development and implementation of computer technology that permits timely and accurate completion of investigations and valid administration of professional examinations. While the performance trend is stable, the Boards look for and find new ways to improve performance and increase efficiencies in operation.

For the Office of Lawyer Professional Responsibility when the number of complaint files closed each year is equal to or exceeds the number of new complaints received, case backlog is prevented and unnecessary delays and/or frustration for complainants and respondent attorneys is reduced. In the current year, the OLPR maintained the number of complaint files closed at a rate that slightly exceeded the number of new complaints received. Proper case management allows the office to fulfill its many

other tasks, principally handling major public discipline matters but also speaking at CLE courses, writing articles, and overseeing attorneys on probation.

<i>Type of Measure</i>	<i>Name of Measure</i>	<i>Previous</i>	<i>Current</i>	<i>Dates</i>
Quantity	Number of applicants for admission to the Bar	1,326	1,245	2014 and 2015
Quantity	Number of approved Continuing Legal Education courses	12,619	14,157	2014 and 2015
Quantity	Number of lawyers certified as specialists	958	941	2014 and 2015
Quantity	Number of complaints received by Office of Lawyers Professional Responsibility	1,293	1,210	2014 and 2015
Quantity	Number of complaint files closed by Office of Lawyers Professional Responsibility	1,248	1,332	2014 and 2015

M.S. 481.01 (<https://www.revisor.mn.gov/statutes/?id=481.01>) provides the legal authority for the Boards

(Dollars in Thousands)

Expenditures By Fund

	Actual FY14	Actual FY15	Actual FY16	Estimate FY17	Forecasted Base	
					FY18	FY19
2000 - Restrict Misc Special Revenue	6,017	6,598	6,285	8,428	7,375	7,368
Total	6,017	6,598	6,285	8,428	7,375	7,368
Biennial Change				2,098		30
Biennial % Change				17		0

Expenditures by Program

Program: Lawyers Board	6,017	6,598	6,285	8,428	7,375	7,368
Total	6,017	6,598	6,285	8,428	7,375	7,368

Expenditures by Category

Compensation	3,427	4,016	4,203	4,563	4,563	4,563
Operating Expenses	2,163	2,100	1,613	2,933	2,144	2,137
Other Financial Transactions	44	54	15	49	49	49
Grants, Aids and Subsidies	381	397	434	884	620	620
Capital Outlay-Real Property	3	31	20			
Total	6,017	6,598	6,285	8,428	7,375	7,368

Full-Time Equivalents

39.7	42.5	43.9	43.9	43.9	43.9
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2000 - Restrict Misc Special Revenue

	Actual		Actual	Estimate	Forecast Base	
	FY14	FY 15	FY 16	FY17	FY18	FY19
Balance Forward In	10,955	11,535	11,604	11,597	8,971	7,423
Receipts	6,409	6,277	6,278	5,827	5,827	5,827
Net Transfers	(24)	0	0	(24)	0	0
Expenditures	6,017	6,598	6,285	8,428	7,375	7,368
Balance Forward Out	11,322	11,215	11,597	8,971	7,423	5,882
<i>Biennial Change in Expenditures</i>				2,098		30
<i>Biennial % Change in Expenditures</i>				17		0
Full-Time Equivalents	39.7	42.5	43.9	43.9	43.9	43.9