

MINUTES

WASHINGTON STATE BOARD OF MANDATORY CONTINUING LEGAL EDUCATION

January 20, 2012

The meeting of the Washington State Board of Mandatory Continuing Legal Education was called to order by Chair John Tappan Menard at 10:10 a.m. on Friday, January 20, 2012, at the WSBA Conference Center in Seattle, Washington. Board members in attendance were:

John Tappan Menard, Chair
Stacy Bjordahl (by teleconference)
John W. Chessell
Efrem Krisher
Aaron Scott Okrent
Karen L. Sayre (by teleconference)
Kay L. Verelius

The full Board also met on January 30, 2012 by teleconference to consider the Supplemental agenda items. The Seattle snow storm, and consequent closure of the WSBA office January 17-20, prevented the Supplemental from being sent to Board members prior to the January 20 meeting.

Absent was Carla C Lee, BOG liaison (from both sessions of the meeting).

Liaisons and Staff attending were:

Kathleen Todd	MCLE Board Executive Secretary
Adriana Castano-Agudelo	MCLE Analyst

JANUARY 20, 2012

APPROVAL OF THE MINUTES

The minutes of the October 14, 2011, meeting were approved by motion.

AUDIT OF CLE COURSE

The Board heard a presentation regarding a CLE course that was audited by a Board member. The presenter determined that the course matched the advertised content, the content was highly useful, and it was definitely creditable under APR 11. He had two recommendations: (1) Two of the sessions could have been combined because there was some redundancy between them, and (2) the sponsor

should have had copies available at the course of the written material updates made by speakers after the booklet of course materials was published.

EVALUATION PROGRAM FOR IN-STATE COURSES

The Board considered a request from a member to allow lawyers to participate in the Evaluation Program who take a course within Washington for which the sponsor did not provide all attendees with an evaluation form as required by APR 11 Regulation 102(e). Up to this time only courses taken outside of Washington were eligible. The Board also reviewed the Executive Secretary's proposed web site and document updates to support this Evaluation Program change. By motion the Board approved the request as well as the updated program web site and documents.

AMENDMENT OF APR 11 REGULATION 107(b)

The Board considered and tabled a request to amend APR 11 Regulation 107(b) to make the requirements parallel the current Bylaws.

WSBA CLE DESKBOOK WRITING ACCREDITATION REQUEST

The Board considered a request to allow writing credit for WSBA CLE Deskbooks once a lawyer's writing or editing assignment is complete. The criteria for determining and communicating completion were specifically defined. By motion the Board approved the request.

SENIOR SECTION REQUESTS FOR APR 11 AMENDMENTS

The Board considered a request from the WSBA Senior Section for amendments to APR 11 Regulation 103(l)(1) to allow accreditation for courses pertaining to closing a law office, legal and ethical obligations to clients upon termination of practice, and retirement issues. The Board approved by motion the core requests with some changes to the specific language and location of each in the amended regulations.

MEMBER REQUEST

The Board considered a request from a member for accreditation of a text-based LLM program with a proctored exam. The Board granted the request by motion.

MEMBER REQUEST

The Board considered a request from a member for increased preparation time for a course the member taught. The Board denied the request by motion.

MEMBER REQUEST

The Board considered a request from a member for waiving half a credit of pro bono training in order to earn pro bono service hours. Due to the particular circumstances of this request, the Board granted the request by motion.

MEMBER REQUEST

The Board considered a request from a member for credit for two online interactive courses. The Board resolved by motion to grant credit for one of the courses; credit for the second course was denied because the content was not directed to lawyers and there was no legal content.

APPEAL

The Board considered an appeal from a member for half an ethics credit for a course taken in 2011 because ethics credit was granted in previous years that the course was offered. The Board determined that the 2011 course content was not accreditable as ethics under APR 11 Regulation 101(g) and denied the request by motion.

LAWYER PETITIONS

The Board reviewed and approved by motion 27 petition decisions made by the Executive Secretary. The Board also considered 15 lawyer petitions. Each of these petitions was considered and resolved by motion. No listing of these motions is attached to these minutes to protect the confidentiality of the members.

ADJOURNMENT

There being no further business at hand, the MCLE Board meeting was adjourned at 2:46 p.m. The next Board meeting will be by teleconference on January 30, 2012.

JANUARY 30, 2012

The teleconference meeting of the Washington State Board of Mandatory Continuing Legal Education was called to order by Chair John Tappan Menard at 12:03 p.m. on Monday, January 30, 2012.

APPEAL

The Board considered an appeal from a sponsor for ethics credits for several courses. The sponsor had been granted ethics credits in previous years for these courses. However, when the sponsor applied for another year of accreditation the course written materials were requested. The Board determined that, though reference was made throughout the written materials to specific RPCs, the focus was on communication skill development and not on the requirements of APR 11 Regulation 101(g). The Board resolved by motion to deny the sponsor's request.

AMENDMENT OF APR 11 REGULATION 107(b)

The Board considered and approved by motion a request to amend APR 11 Regulation 107(b) to make the requirements parallel the current Bylaws for the membership classes addressed in the Bylaws.

LAWYER PETITIONS

The Board reviewed and approved by motion three petition decisions made by the Executive Secretary. The Board also considered three lawyer petitions. Each of

these petitions was considered and resolved by motion. No listing of these motions is attached to these minutes to protect the confidentiality of the members.

ADJOURNMENT

There being no further business at hand, the MCLE Board meeting was adjourned at 12:58 p.m. The next Board meeting will be at 10:00 a.m. on Friday, March 9, 2012.

Respectfully submitted,

Kathleen Todd

MCLE Board Executive Secretary