

Minutes
August 17, 2018

The meeting of the Mandatory Continuing Legal Education Board was called to order by Chair Melissa Skelton at 10:00 am on Friday, August 17, 2018. Board members in attendance were:

Melissa Skelton, Chair
Todd Alberstone
John Bender (via telephone, joined at 11:48 am)
Andrew Lee Benjamin
Scott J. Bergstedt
Rebecca Stewart-LeVon (via telephone)
Asia N. Wright (via telephone)

Liaisons and Staff attending were:

Adelaine Shay	MCLE Manager/MCLE Board Staff Liaison
Nina Cohen	MCLE Analyst
Gabe Moore	MCLE Analyst

Review of Minutes for May 11, 2018

The MCLE Board reviewed and approved the minutes from their May 11, 2018 meeting.

MCLE Hardship Petitions

The Board approved one MCLE manager decision on a petition. The Board also decided on another member's late fee assessment. No listing of these decisions is included in these minutes to protect the confidentiality of the members.

Course Accreditation Reviews

Activity 1055541: The Board reviewed and considered accreditation for activity 1055541 which was denied for MCLE credit by staff because it did not appear to be a book, law review, or scholarly journal article as required under APR 11(e)(5). The Board voted and approved the writing activity as it is a scholarly journal article.

Activity 1065032: The Board reviewed and considered accreditation for activity 1065032 which was approved for Other MCLE credit by staff, as opposed to Ethics MCLE credit as was requested, because it did not appear to qualify under APR 11(f)(2). The Board voted and upheld the staff's decision to approve this activity for Other MCLE credit.

Activity 1072179: The Board reviewed and considered accreditation for activity 1072179 which was denied for MCLE credit by staff because it did not appear to be a writing for the purpose of lawyer,

LLLT, or LPO education as required under APR 11(e)(5). The Board determined the sponsor was not a recognized publisher of legal works and the writing does not appear to be for the purpose of lawyer, LLLT, or LPO education. The Board voted and upheld the staff's decision to deny accreditation.

Late Fee Waiver Decision Matrix Update Discussion

The MCLE Board Chair suggested discussing a revision to the late fee waiver matrix to reflect the rising cost of living in Seattle. The Board did not make any changes to the existing decision matrix, but instead recommended that MCLE staff should continue advising members of their right to appeal MCLE Board and MCLE Manager decisions.

LLLT and LPO APR 11 Interpretation Clarification

The Board discussed the Board decision from the April 7, 2017 meeting regarding LLLT and LPO approved activities. The MCLE Board clarified that MCLE activities are to be accredited the same for LLLTs, LPOs, and Lawyers. All license types may receive credit for activities accredited under the Washington Supreme Court Admission and Practice Rule 11. Activities do not need to be accredited differently based on license type.

An activity intended for lawyers can be taken for credit by LLLTs and LPOs; likewise, an activity intended for LPOs and LLLTs can be taken for credit by lawyers.

Course Audit Report

The Board heard a report from Asia N. Wright on her audit of Lawline.com's course, "Ethics for Environmental Lawyers".

Vice Chair Nomination

The Board tabled nomination and official vote of the Vice Chair position for the 2018-2019 term until the next meeting to allow new Board membership to vote.

2018-2019 Meeting Schedule

The Board moved to adopt dates for the 2018-2019 meeting schedule: October 5, 2018; January 11, 2019; April 12, 2019; May 3, 2019; and August 16, 2019.

Coordinated Discipline and Regulatory Proceedings System Report

The Board heard a report on the progress of the development of the Coordinated Discipline and Regulatory Proceedings System from WSBA Executive Director Paula Littlewood, WSBA Interim General Counsel Julie Shankland, and WSBA Chief Disciplinary Counsel Doug Ende.

Adjournment

There being no further business at hand, the Board meeting was adjourned at 1:20 p.m. The next regularly scheduled Board meeting will be at 10:00 a.m. on Friday, October 5, 2018.

Respectfully submitted,



Adelaine Shay
MCLE Board Staff Liaison