

**Pennsylvania**

**Continuing**

**Legal**

**Education**

**Board**

**2001 Membership**

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Alan C. Kessler, Esq.  
John F. Mizner, Esq.  
Arthur L. Piccone, Esq.  
Paul Michael Pohl, Esq.  
Richard A. Sprague, Esq.  
Sandor Yelen, Esq.

**Staff:**

Daniel Levering, *Administrator*

**Legal Authorization:**

Title 204 - Judicial System General Provisions Part V. Professional  
Ethics and Conduct [204 PA Code C. 82]  
Pennsylvania Rules for Continuing Legal Education; No. 99 Supreme  
Court Rules Doc. No. 1

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## History/Background

With the promulgation by the Pennsylvania Supreme Court of the Pennsylvania Rules for Continuing Legal Education on January 7, 1992, Pennsylvania became the thirty-eighth state in the union to require attorneys to participate in formal continuing legal education (CLE).

It is the responsibility of the Continuing Legal Education Board (PACLE) to administer the rules pertaining to such education for attorneys. This responsibility began with establishing the entire continuing legal education requirements system and continues to include updating the requirements and rules as necessary, monitoring each attorney's compliance with the requirements, notifying attorneys of CLE status, and accrediting and monitoring CLE providers and courses.

The board established the following goals early in its existence:

- create and maintain a credible and respected CLE program in Pennsylvania
- be lawyer friendly
- make compliance easy for lawyers
- minimize paperwork for lawyers
- utilize the most modern, efficient and effective methods of communication
- automate as much as possible through computerization.

The board is comprised of ten active Pennsylvania attorneys appointed by the Supreme Court. Member terms are three years in length, and no member may serve more than two consecutive terms.

## Compliance Requirements and Deadlines

Annual CLE credit-hour requirements are met by completion of accredited courses in the areas of substantive law, practice and procedure, ethics, professionalism or substance abuse.

Lawyers in each compliance year group must complete twelve hours of CLE, including a minimum of one hour of ethics, professionalism or substance abuse before the compliance year deadline.

Compliance deadlines and CLE requirements are based on one of three annual compliance periods to which lawyers have been assigned by random selection of lawyer identification numbers. The annual deadline dates are April 30, August 31 or December 31.

## Board Organization

To best accomplish the requirements set forth by the Pennsylvania Rules for Continuing Legal Education, the Continuing Legal Education Board is organized into four committees, each covering a major area of operations: Accreditation, Administration, Audit and Compliance. A description of each committee follows.

### *Accreditation Committee*

The Accreditation Committee has four members: Carmen P. Belefonte, Esq., chair; Arthur L. Piccone, Esq.; Ruth E. Ganister, Esq.; and Sandor Yelen, Esq. Its duties include certification of providers and courses, CLE program standards, adequacy of course availability, and course and provider accreditation standards.

### *Administration Committee*

The Administration Committee includes Ruth E. Ganister, Esq., chair; Carmen P. Belefonte, Esq.; and Paul Michael Pohl, Esq. It handles matters involving staff, employee relations, benefits, office equipment, office operations, fees and banking, and those enhancements to program administration necessary to ensure quality and efficiency.

### *Audit Committee*

The Audit Committee has three members: Paul Michael Pohl, Esq., chair; Carmen P. Belefonte, Esq.; and Ruth E. Ganister, Esq. It oversees the budget, annual independent audit and audit of board operations. It continues to monitor the board's financial software, operating procedures and reporting. It is also the liaison between the board and the board's accountants, Boyer & Ritter.

### *Compliance Committee*

John F. Mizner, Esq., chair; Rosa Copeland Miller, Esq.; Robert S. Grigsby, Esq.; Alan C. Kessler, Esq.; and Richard A. Sprague, Esq. comprise the Compliance Committee. This committee oversees attorney compliance; reviews requests for waivers, extensions and deferrals from lawyers; reviews determination of lawyer noncompliance; and makes recommendations to the board for action regarding these issues.

## **2001 Board Actions and Operations Highlights**

The board held two meetings and one telephone meeting in 2001.

Programming of user-friendly enhancements to the web-enabled Automated System for Accredited Providers was completed. By using ASAPNEXUS, Internet technology allowing for the submission of course notifications and course attendance records from accredited providers, providers help achieve the board's goal of using automation to provide high levels of service to lawyers.

A proposal was submitted to the Supreme Court for approval of a distance learning pilot project. If accepted, attorneys will be able to fulfill up to three of their twelve required hours by participating in a pre-approved Internet- or computer-based CLE course.

Pennsylvania continued to play a major role at the executive level of the International Organization of Regulatory Administrators on Continuing Legal Education (ORACLE), and the Pennsylvania CLE administrator will be president elect of ORACLE in 2002.

Other accomplishments of the CLE Board in 2001 include:

- distribution of course evaluation summary reports to over 180 accredited providers electronically for the first time
- installation of new Front End Program. This comprehensive component to the existing computer system allows for tracking of all payments to transactions by lawyer or provider and creates an audit trail for reconciliation.
- implementation of a second late fee for attorneys who remain noncompliant 150 days after their compliance deadlines.

### *Attorney Compliance*

Lawyer compliance with requirements of Pennsylvania CLE Rules remains very high. Chart 3.6.1 on page 56 displays the compliance rate and number of lawyers in each group whose names were submitted to the Disciplinary Board of the Supreme Court for failure to meet CLE requirements.

## **Looking Ahead to 2002**

The board plans to implement a distance learning pilot project as well as the Bridge-the-Gap program that has been mandated by the Supreme Court for new Pennsylvania attorneys. It will also continue to enhance the utilization of technology to provide the highest quality of service to the legal community.

**Contact Person**

Questions about CLE or the Pennsylvania Continuing Legal Education Board may be directed to Daniel Levering, Administrator, at

(800) 497-2253 or (717) 795-2139. Or you may write to the board at 5035 Ritter Road, Suite 500; Mechanicsburg, PA 17055 or e-mail at [pacleb@pacle.org](mailto:pacleb@pacle.org). The board's Web site is located at [www.pacle.org](http://www.pacle.org). **AOPC**

Attorney Compliance				
Compliance Year Ending	# Lawyers Subject to Requirements	# Lawyers Complying	# Lawyers Involuntarily Inactivated	Compliance Rates
<b>Group 1 (April)</b>				
92-93	17,100	16,959	141	9.2%
93-94	17,300	17,179	121	9.3%
94-95	17,619	17,552	67	9.6%
95-96	17,873	17,768	105	9.4%
96-97	17,804	17,639	165	9.1%
97-98	17,665	17,523	142	9.2%
98-99	17,864	17,751	113	9.4%
99-00	18,132	18,018	114	9.4%
00-01	18,426	18,295	131	9.3%
<b>Group 2 (August)</b>				
92-93	17,124	16,868	256	8.5%
93-94	17,289	17,134	155	9.1%
94-95	17,649	17,540	109	9.4%
95-96	17,595	17,507	87	9.5%
96-97	17,410	17,294	116	9.3%
97-98	17,613	17,511	102	9.5%
98-99	17,756	17,666	90	9.5%
99-00	18,087	17,974	113	9.4%
00-01	18,181	18,100	81	99.6%
<b>Group 3 (December)</b>				
92-93	17,269	16,936	333	8.1%
93-94	17,474	17,414	60	9.7%
94-95	17,679	17,574	105	9.4%
95-96	17,542	17,430	112	9.4%
96-97	17,582	17,456	126	9.3%
97-98	17,781	17,647	134	9.2%
98-99	17,968	17,865	103	9.4%
99-00	18,220	18,113	107	99.4%
00-01	18,361	18,227	134	99.3%

Table 3.6.1