

**Pennsylvania
Continuing
Legal
Education
Board**

1997 Membership

James C. Schwartzman, Esq., *Chairman*
Charles P. Gelso, Esq., *Vice Chairman*
John A. Carpenter, Esq.
Thomas L. Cooper, Esq.
Vincent J. Grogan, Esq.
Phoebe A. Haddon, Esq.
Harold E. Kohn, Esq.
Marvin S. Lieber, Esq.
Diane W. Perer, Esq.
Arthur L. Piccone, Esq.

Staff:

Karen K. Spicer, *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 re-spected 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. As of September 1, 1995,

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 the annual compliance period to which lawyers have been assigned by random selection of lawyer identification numbers. CLE requirements and group deadlines can be found in Chart 3.5.1 below.

Board Organization

In order 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.

Compliance Deadlines/Requirements	
<u>Compliance Period Ending</u>	<u>Education Requirements</u>
Group One	
4-30-96	9 hours total, minimum 1 hour ethics
4-30-97	12 hours total, minimum 1 hour ethics
4-30-98	12 hours total, minimum 1 hour ethics
Group Two	
8-31-96	12 hours total, minimum 1 hour ethics
8-31-97	12 hours total, minimum 1 hour ethics
8-31-98	12 hours total, minimum 1 hour ethics
Group Three	
12-31-96	12 hours total, minimum 1 hour ethics
12-31-97	12 hours total, minimum 1 hour ethics
12-31-98	12 hours total, minimum 1 hour ethics

Chart 3.5.1

Accreditation Committee

The Accreditation Committee has three members: Thomas L. Cooper, Esq., chairman; Charles P. Gelso, Esq.; and Harold E. Kohn, 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 Charles P. Gelso, Esq., chairman; Vincent J. Grogan, Esq.; and Marvin S. Lieber, 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: Marvin S. Lieber, Esq., chairman; Thomas L. Cooper, Esq.; and James C. Schwartzman, 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, KPMG Peat Marwick.

Compliance Committee

James C. Schwartzman, Esq., chairman; John A. Carpenter, Esq.; Diane W. Perer, Esq.; and Phoebe A. Haddon, 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.

1997 Board Actions and Operations Highlights

The board met three times in 1997. As the rules and regulations stabilized, the administrative focus was on the completion of several major administrative initiatives that were started in the previous year.

The PACLE Internet site was enhanced to provide lawyers with a searchable course offering database. This program is an easy-to-use method of finding upcoming courses approved for CLE. The site also includes the Pennsylvania CLE Rules and Regulations, frequently asked questions and answers, forms, board member information, and links to CLE-related sites.

The provider training program was launched in early 1997. PACLE staff trained 54 providers seeking accreditation as well as several experienced providers with new staff.

In the fall of 1997, the PACLE Automated System for Accredited Providers (ASAP) was developed and tested by five accredited providers. ASAP is a software which automates course registration at the provider's site and enables course notices, evaluations and rosters to be electronically submitted to the PACLE office. The programs were developed for the mid- to small-size providers. With development completed the board plans to make ASAP available to other accredited providers in 1998.

Paperless processing of data from other high volume providers was also successfully implemented in 1997. PACLE can accept data electronically, according to specifications established, from providers with their own computer systems.

Attorney Compliance

Attorney compliance with CLE requirements remains exceptionally high, averaging

over 99%. Chart 3.5.2 below displays the compliance rate and the number of non-compliant lawyers whose names were reported to the Disciplinary Board of the Supreme Court for failure to meet CLE requirements.

scheduled for the main compliance tracking system. A conference for accredited providers is planned for mid-year.

Looking Ahead to 1998

Plans for 1998 include upgrades to the telephone system and the information feature called Conversant. Lawyers can call in to listen, to request a fax on upcoming courses, or to obtain their current compliance year status. Some hardware and software upgrades are also

Contact Person

Questions about CLE or the Pennsylvania Continuing Legal Education Board may be directed to Karen K. Spicer, 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. The board's Web site is located at www.pacle.org.



Attorney Compliance				
Compliance Year Ending	# Lawyers Subject to Requirements	# Lawyers Complying	# Lawyers Involuntarily Inactivated	Compliance Rates
Group 1				
92-93 - April 93	17,100	16,959	141	99.2%
93-94 - April 94	17,300	17,179	121	99.3%
94-95 - April 95	17,619	17,552	67	99.6%
95-96 - April 96	17,873	17,768	105	99.4%
96-97 - April 97	17,804	17,639	165	99.1%
Group 2				
92-93 - August 93	17,124	16,868	256	98.5%
93-94 - August 94	17,289	17,134	155	99.1%
94-95 - August 95	17,649	17,540	109	99.4%
95-96 - August 96	17,595	17,507	87	99.5%
96-97 - August 97	17,410	17,294	116	99.3%
Group 3				
92-93 - December 93	17,269	16,936	333	98.1%
93-94 - December 94	17,474	17,414	60	99.7%
94-95 - December 95	17,679	17,574	105	99.4%
95-96 - December 96	17,542	17,430	112	99.4%
96-97 - December 97	17,582	*	*	*

*Information for this compliance period will be available after August 20, 1998.

Table 3.5.2