

STATE OF WISCONSIN
SUPREME COURT

11-06

In the matter of:

**The Petition of Attorney Richard J. Opie
and 12 other State Bar members
proposing an amendment to SCR 31.05
concerning teaching as means to satisfy
the requirements of SCR 31.02.**

RECEIVED
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CLERK OF SUPREME COURT
OF WISCONSIN

**MEMORANDUM IN SUPPORT OF THE PETITION TO AMEND
SUPREME COURT RULE 31.05**

Petitioners seek to amend SCR 31.05. Currently SCR 31.05 allows teaching in an American bar association approved law school to be used to satisfy the requirements of SCR 31.02. Petitioners seek to add language to SCR 31.05 that would allow teaching a legal specialty course in a paralegal program approved by the American bar association to also satisfy the requirements of SCR 31.02.

Persons who teach a legal specialty course in a paralegal program approved by the American bar association increase their professional competence as a lawyer consistent with the objectives of SCR 31.07(2) (a). Additionally, a legal specialty course offered by a paralegal program approved by the American bar association is by definition a course that “deals primarily with the practice of law” meeting one of the objectives of SCR 31.07(2) (b).

The American bar association Standing Committee on Paralegals publishes *Guidelines for the Approval of Paralegal Education Programs*. Included in the guidelines is a definition of a legal specialty course as a “course that (1) covers substantive law or legal procedures or process, (2) has been developed for paralegals, and (3) emphasizes practical paralegal skills.” American Bar Association, *Guidelines for the Approval of Paralegal Education Programs*, (2008), G-302 (I).

Limiting the award of teaching hours to only legal specialty courses taught in programs approved by the American bar association ensures that the standards for approval of continuing legal education set forth in SCR 31.07 are met.

The American bar association maintains rigorous standards for approval of paralegal programs. The approval process includes a review of program curriculum with special attention paid to legal specialty classes. Programs seeking to maintain approved status are subject to onsite visits by a site team from the American bar association every seven years and detailed interim reports are due between site visits.

Other states, including North Carolina, Illinois and Oklahoma currently award continuing legal education credits for teaching a course or courses in paralegal programs. 27 NCAC 01D .1605(d)(2), Illinois Sup. Ct. R. 795(d)(6)(2), Oklahoma Sup. Ct. R. 7 (3.3), (3.4).

Copies of the North Carolina State Bar form 8, and Oklahoma Bar Association form 3; applications for CLE credit for teaching at a Law School or Paralegal School are attached.

The fiscal and administrative impacts of this amendment would be minor. There could be some lost revenue to vendors of Continuing Legal Education credits. There would be some administrative adjustments to add teaching at an ABA approved paralegal program as an acceptable form of CLE; there is already a process in place for ABA approved law school credit so the adjustment would be minimal.

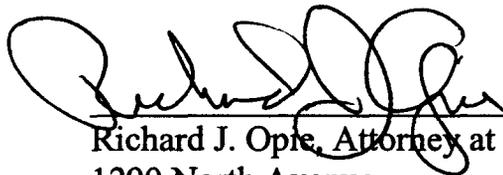
Petitioners are not aware of any other petitions pending before the court that are related to this petition.

Petitioners consulted with attorneys that teach in both ABA approved law schools and ABA approved paralegal programs regarding this petition. The petition and memorandum has also been reviewed by number of these individuals, and has been the subject of discussion at meetings of the ABA approved paralegal programs that are part of the Wisconsin Technical College System. The petition also has the support of the Board of Directors of the American Association for Paralegal Education (AAfPE). AAfPE is dedicated to promoting high standards for paralegal education, and its

membership includes over 450 universities, colleges and institutions of higher learning.

The approval of this petition will assist in promoting high standards for paralegal education by providing additional incentive for attorneys to provide their expertise and practical knowledge in teaching in ABA approved paralegal programs and compliment the objectives of 31.07 ensuring the attorneys that receive CLE credit for teaching legal specialty courses in a paralegal program are increasing their professional competence as a lawyer.

Respectfully submitted,



Richard J. Opie, Attorney at Law #1005384
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Cleveland, WI 53015
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July 28, 2011

State Bar members who join in this petition:

Mark Barker
Joseph DeCecco
Raymond Grieg
C.R. Krieger
Kathleen McDaniel
Lisa K. Meyer
Eric R. Pangburn
Beth R. Pless
Anne W. Schacherl
Jacqueline Sehloff
Michael Sujecki
Thomas Van Horn

**THE NORTH CAROLINA STATE BAR
BOARD OF CONTINUING LEGAL EDUCATION**
208 Fayetteville Street, Post Office Box 26148
Raleigh, NC 27611
(919) 733-0123

**TEACHER'S APPLICATION FOR CLE CREDIT
FOR TEACHING AT A LAW SCHOOL OR PARALEGAL SCHOOL**

NOTE: Please use this form to apply for CLE credit for courses taught at an ABA accredited law school, a law school licensed by the Board of Governors of the University of North Carolina actively seeking ABA accreditation, or a paralegal or substantive law course taught at a paralegal school or program. Do not use this form to request teaching credit for other CLE programs.

A course syllabus that clearly outlines the course content must accompany this teaching form.

1. Name of Teacher: _____ Telephone: (____) _____

2. NC State Bar Membership Number: _____ E-mail: _____

3. Address: _____

4. Name of Educational Institution or Program: _____

5. Address: _____

6. Exact Title of Course: _____

7. Date(s) Course was taught: _____

8. How many credit hours were given to the class by the educational institution:

_____ semester credit hours (for schools on the semester system)

_____ quarter credit hours (for schools on the quarter system)

9. Requested Number of CLE Hours for Teaching

a. Semester Hours

_____ semester hours x 5 = _____ total number of CLE credit hours

b. Quarter Hours

_____ quarter hours x 3.5 = _____ total number of CLE credit hours

10. A course syllabus that clearly outlines the course content must accompany this teaching form.

11. By submitting this form, the attorney understands that a \$3.00 fee per credit hour will be billed to the attorney for the CLE credit hours awarded to the course.

12. Attorneys are also required to complete the mandatory CLE requirements set forth in Rule .1518 (b) of the CLE rules.

The teacher represents that to his or her knowledge this CLE activity (A) complies with the Continuing Legal Education Rules and Regulations including any amendments thereto, and (B) has not been previously disapproved by the Board of Continuing Legal Education.

Date: _____ Teacher's Signature: _____

FOR MORE INFORMATION ON CLE REQUIREMENTS VISIT:

www.nccle.org

**OKLAHOMA BAR ASSOCIATION
MANDATORY CONTINUING LEGAL EDUCATION COMMISSION**

1901 North Lincoln Boulevard
P.O. Box 53056
Oklahoma City, Oklahoma 73152

REQUEST FOR APPROVAL OF A TEACHING ACTIVITY

This form must be prepared and submitted for approval for each program in which teaching occurs. In most cases, the applicant will be advised of the Commission's decision within ten (10) days of the receipt of the application. Use one application per program, please.

1. Name of OBA member requesting credit for teaching: _____
2. Printed Name (if not printed above): _____
3. Address (include city, state & zip): _____
4. Telephone number: _____ 5. OBA Member No.: _____

***If you are requesting credit for seminar teaching please complete items 6-15. If you are requesting credit for law school teaching, please complete items 16-21.**

6. Date of program: _____ 7. Sponsor of program: _____
8. Name of program: _____
9. Location: _____
10. Length of non-ethics presentation in minutes: _____
11. Number of presenters during your non-ethics presentation: _____
12. Length of ethics presentation in minutes: _____
13. Number of presenters during your ethics presentation? _____
14. Number of minutes you attended (exclude your teaching time): _____
15. Send copy of the seminar brochure or other material outlining the program and the time allotted for applicant's presentation.

****For law school or paralegal school teaching, please complete items 16-21. Please use one form per course.**

16. Name of law school or paralegal school: _____
17. Title of subject taught: _____
18. Semester: fall spring summer (circle one) Year: _____ 19. Number of semester hours of academic credit: _____
20. Number of units (not contact hours) for paralegal courses: _____
21. Send a copy of the table of contents from each book used in the course.

*Credits earned through teaching in an approved CLE program will qualify for MCLE credit on the basis of six (6) hours of credit for each hour of presentation.

**Credits earned through teaching a course in an ABA accredited law school or paralegal school will qualify for MCLE credit on the basis of six (6) hours of credit for each semester hour of academic credit awarded by the school for the course.

Please complete and return to:
Beverly S. Petry, Administrator
MCLE Commission
P.O. Box 53036
Oklahoma City, OK 73152
405/416-7009 or toll-free in
OK 1800/522-8065

For Commission Use Only

___ Approved Date _____

___ Denied CLE credit _____