



## Commission on Minimum Continuing Legal Education (MCLE)

### State of Connecticut Judicial Branch

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**CO-CHAIRS:**  
Hon. Elliot N. Solomon  
Frederic S. Ury, Esq.

**MEMBERS:**  
Hon. Elizabeth A. Bozzuto, Hon. William H. Bright  
Hon. Bernadette Conway, Lawrence F. Morizio, Esq.  
Rosemarie Paine, Esq., Louis R. Pepe, Esq.

**COUNSEL TO  
COMMISSION:**  
Michael P. Bowler, Esq.

### Minutes of the Meeting Commission on Minimum Continuing Legal Education February 2, 2017

On February 2, 2017, the Commission on Minimum Continuing Legal Education (“Commission”) met by telephone conference call from 9:18 a.m. until 10:30 a.m. A meeting space for members of the public was provided at 100 Washington Street in Hartford.

#### Members in attendance were:

Hon. Elliot N. Solomon, co-chair  
Attorney Frederic S. Ury, co-chair  
Hon. Elizabeth A. Bozzuto (until IV)  
Hon. William H. Bright  
Hon. Bernadette Conway  
Attorney Lawrence F. Morizio  
Attorney Louis R. Pepe

Also in attendance were Attorneys Michael P. Bowler and Cathy A. Dowd, Counsel to the Commission, Attorney Melissa Farley, Executive Director of External Affairs, and Attorney Martin Libbin, Director of Legal Services.

- I. The Commission reviewed and approved the minutes of the January 5, 2017 meeting. Hon. William Bright and Hon. Bernadette Conway abstained.
- II. The Commission discussed completed and upcoming MCLE seminars.
- III. The Commission reviewed a request for an opinion from Attorney Brian Austin, Jr. whether online state ethics training offered by the Office of State Ethics for state employees qualifies for MCLE credit. The Commission determined that a course entitled “Ethics 101: Part 1 for Public Officials and State Employees” met the delivery and content requirement of the MCLE rule. The Commission further determined that another program entitled “The Top Ten Rules for Public Officials and State Employees” met the delivery requirement but not the content requirement of the MCLE rule. The Commission decided to prepare the opinion anonymously and to publish the opinion online to aid the

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bar in understanding the MCLE rule. Further, the Commission decided that once drafted, the opinion could be approved by the Chairs and issued under Counsel's signature without additional review by the full Commission.

IV. The Commission reviewed a request for an opinion from Attorney Kevin J. Greene on the following issue:

a. Whether conducting a seminar for non-lawyers (such as a trade organization or association) on legal issues facing that trade/industry qualifies as MCLE for the attorney that conducts the program or does it have to be a program for lawyers?

The Commission determined that such activity does not qualify for MCLE credit. The Commission decided to prepare the opinion anonymously and to publish the opinion online to aid the bar in understanding the MCLE rule. Further, the Commission decided that once drafted, the opinion could be approved by the Chairs and issued under Counsel's signature without additional review by the full Commission.

V. The Commission reviewed a request for an opinion from Attorneys Kristen Brandt and John Cizik whether teaching classes on legal subjects to undergraduate college students qualifies for MCLE credit. The Commission further reviewed a memorandum from Attorney Elizabeth Rowe, Counsel to the Commission, regarding responses on the subject received from the National Organization of Bar Counsel Listserv. The Commission decided to table the matter to the March meeting for further consideration.

VI. The Commission reviewed a request for an opinion from Attorney Shari Murphy whether teaching undergraduate students ABA-accredited paralegal and pre-law studies courses qualifies for MCLE credit. The Commission decided to table the matter to the March meeting for further consideration.

VII. The Commission reviewed a request for an opinion from Attorney Michael Soltis whether legal blog writing qualifies for MCLE credit. The Commission determined that legal blog writing does not qualify for MCLE credit. The Commission decided to prepare the opinion anonymously and to publish the opinion online to aid the bar in understanding the MCLE rule. Further, the Commission decided that once drafted, the opinion could be approved by the Chairs and issued under Counsel's signature without additional review by the full Commission.

VIII. The Commission reviewed a request for an opinion from Attorney Marnie Rubin whether programs offered by the Internal Revenue Services and the Department of Labor qualify for MCLE credit, and whether teaching benefits law to certified public accountants qualifies for MCLE credit. The Commission determined that programs offered by the Internal Revenue Services and the Department of Labor can qualify for MCLE credit provided the programs meet the content requirement of the rule, which an attorney should determine on a program by program basis. The Commission further determined that teaching benefits law to certified public accountants does not qualify for MCLE credit.

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The Commission decided to prepare the opinion anonymously and to publish the opinion online to aid the bar in understanding the MCLE rule. Further, the Commission decided that once drafted, the opinion could be approved by the Chairs and issued under Counsel's signature without additional review by the full Commission.

- IX. The Commission reviewed a request for an opinion from Attorney Beverly Hodgson whether attorneys who serve as full time mediators and arbitrators may take the exemption for earning less than \$1000 for the provision of legal services in a given year. The Commission determined that such activity did not qualify for the exemption for earning less than \$1000 for the provision of legal services in a given year. The Commission decided to prepare the opinion anonymously and to publish the opinion online to aid the bar in understanding the MCLE rule. Further, the Commission decided that once drafted, the opinion could be approved by the Chairs and issued under Counsel's signature without additional review by the full Commission.

X-XIII. The Commission tabled the remaining agenda items to the March 2, 2017 meeting due to the time constraints of Commission members.

XIV. The Commission adjourned after confirming that the next Commission meeting will be on March 2, 2017 at 9:15 a.m.