

Minutes of the Meeting
Commission on Minimum Continuing Legal Education
December 8, 2016

On December 8, 2016, the Commission on Minimum Continuing Legal Education met by telephone conference call from 9:15 a.m. until 10:06 a.m. A public meeting space was provided at 100 Washington Street, Hartford, Connecticut.

Members in attendance were:

Hon. Elliot N. Solomon, co-chair
Attorney Frederic S. Ury, co-chair
Hon. William H. Bright, Jr.
Hon. Bernadette Conway
Attorney Lawrence F. Morizio
Attorney Rosemarie Paine
Attorney Louis R. Pepe

Also in attendance were Attorneys Michael Bowler, Cathy Dowd and Elizabeth Rowe, Counsel to the Commission, Attorney Melissa Farley, Executive Director of External Affairs, and Attorney Joseph Del Ciampo, Deputy Director of Legal Services.

- I. The Commission reviewed and approved the minutes of the November 3, 2016 meeting.
- II. Attorneys Ury and Bowler updated the Commission members regarding November 7, 2016 seminar held at the Superior Court in Middletown.
- III. Counsel updated the Commission members regarding an email blast to the bar that will be sent in December regarding the new MCLE requirements.
- IV. The Commission reviewed a request for an opinion from Attorney Stephen J. Santoro whether Clerks of the Superior Court are exempt from MCLE. The Commission determined that Attorney Santoro's position, Deputy Chief Clerk for Judicial District Matters, involves the practice of law, and accordingly Attorney Santoro must comply with the MCLE requirements. 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. The Commission determined it would post pre-approved disclaimers on the Commission's website to benefit the public.
- V. The Commission reviewed a request for an opinion from Attorney Charles Howard whether his firm's requirement that all firm lawyers read the Rules of Professional Conduct every three years qualifies for MCLE credit. The Commission determined that this activity did 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.

VI. The Commission reviewed a request for an opinion from Attorney James A. Cresswell whether serving as a judge for an undergraduate mock trial competition qualifies for MCLE credit. The Commission determined that this activity did 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.

VII. The Commission reviewed a request for an opinion from Attorney Annalise Cottone whether being an attorney advisor to a high school mock trial team qualifies for MCLE credit. The Commission determined that this activity did 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 The Honorable Kenneth Shluger whether attorneys who teach law and civics to middle schoolers qualify for MCLE credit, and whether attorneys who participate in the People's Law School qualify for MCLE credit. The Commission determined that this activity did 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.

IX. The Commission reviewed a request for an opinion from Attorney Pat Thompson whether legal training to social work staff at the Department of Children and Families qualifies for MCLE credit when such training is part of Attorney Thompson's job requirements, and if so, the following:

1. What information is needed in order to be credited for doing training?
2. Do you require information about the qualifications of the attorney, or is it sufficient that we are employed by a state agency as an attorney?
3. Can the hours be banked into the future? For example, if we provide in excess of 10 hours (excludes the mandatory 2 hours for ethics) will those excess hours count into the future?
4. What is required in order to be credited with the preparation and/or creation of legal training?

The Commission determined that the legal training activity did not qualify for MCLE credit and thus the additional questions did not need to be addressed. 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. Counsel updated the Commission members regarding answered questions that have been sent to the MCLE email address since the November meeting.

XI-XIII. The Commission members agreed that the next meeting would be Thursday, January 5, 2017 at 9:15 a.m. via conference call then adjourned.