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Legal Professional Boards

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AT A GLANCE

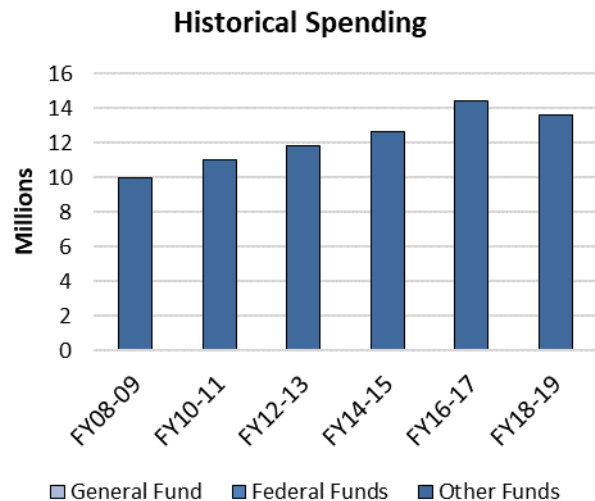
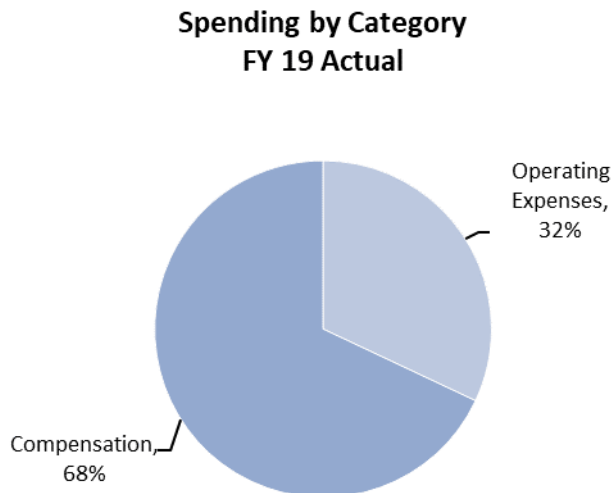
- The Boards regulate approximately 33,000 licensed Minnesota lawyers and assist the public of the state that use legal services.
- The Office of Lawyers Professional Responsibility (OLPR) processed 1,003 complaints against Minnesota attorneys in calendar 2019.
- 35 Minnesota lawyers were publicly disciplined in 2019; 5 lawyers were disbarred.
- The Client Security Board (CSB) authorized payment of \$6,577 to 7 victims of lawyer dishonesty in FY 2019.
- The Board of Law Examiners (BLE) received 1,168 applications for admission to the Minnesota bar in 2019.
- The Board of Continuing Legal Education (CLE) approved 16,307 courses in 2019.
- The Lawyer Registration Office (LRO) processed 32,664 annual registration statements.
- The Board of Legal Certification (BLC) oversaw 6 agencies that certified 819 Minnesota-licensed lawyers as specialists in 12 specialty fields.

PURPOSE

The Minnesota Supreme Court has the inherent constitutional as well as statutory authority to regulate the practice of law in Minnesota. The Supreme Court has established several regulatory boards to assist in the regulation of lawyers licensed to practice law in Minnesota. Key issues addressed by these agencies include:

- The Board of Law Examiners conducts a background investigation of each bar applicant and administers the bar exam to assess lawyer competence.
- The Board of Continuing Legal Education accredits qualifying courses as continuing legal education (CLE) and ensures that lawyers fulfill their licensure obligation to continue their professional education.
- The Board of Legal Certification reviews and accredits qualifying agencies that have the authority to certify lawyers as specialists in certain fields of law.
- The Office of Lawyers Professional Responsibility, working in conjunction with district ethics committees throughout the state, investigates complaints of unprofessional conduct against lawyers, and recommends and prosecutes discipline, public and private, where appropriate. The Court is assisted in its oversight of the OLPR by the Lawyers Professional Responsibility Board (LPRB).
- The Client Security Board reviews claims from clients who have experienced monetary loss because of attorney dishonesty (in the form of theft or embezzlement) and, where the claim meets criteria established by the Board, reimburses the client for the loss up to \$150,000 per claim.
- The Lawyer Registration Office collects attorneys' annual registration statements and fees, and demographic and other data from Minnesota lawyers, and administratively suspends lawyers who fail to comply with the Rules.

BUDGET



Dedicated revenue, not General Fund monies, fully fund the operations of these boards. The Supreme Court assesses each Minnesota-licensed lawyer an annual registration fee that funds these activities. The registration fee is authorized by statute and court rule, and is held in trust for the regulation of the bar. The registration fee revenue is divided among each of the boards (with the exception of the Legal Certification Board, which is funded entirely by user fees) as determined by the Court and notes in Rule 10 of the Rules of the Supreme Court on Lawyer Registration. The Board of Law Examiners assesses a bar application fee to each applicant for admission to the bar. The Board of Continuing Legal Education assesses course application fees and various administrative fees. Disciplined attorneys are also assessed costs for public discipline. The fees for those boards are included in the Department Earnings Report.

STRATEGIES

The Boards have extensive written rules, policies, and procedures that ensure fair and accurate processing of applications, course approval applications, the prompt investigation and disposition of lawyers' alleged disability or unprofessional conduct, as well as a well-trained and carefully managed staff who conscientiously carry out their obligations. In addition, volunteer Board members comprised of lawyers and non-lawyer members of the public volunteer their time to oversee the policies and procedures through which each of the Boards carry out its responsibilities, and in some cases assist in the work of the Boards.

The Boards contribute to the statewide outcomes by ensuring that only those who are competent and have good character are licensed to practice law; that only those who continue their legal education are able to continue to hold a law license; that ethics complaints against Minnesota lawyers warranting professional discipline are investigated and prosecuted; and that clients who suffer loss of money or other property from the dishonest conduct of their attorney are reimbursed. These activities contribute to the administration of justice and ensure that members of the Minnesota Bar provide legal service to those in need of legal counsel and to communities in need of civic members who will uphold the rule of law.

Key partners in the work of the Boards are the Minnesota State Bar Association and its committees and sections, Lawyers Concerned for Lawyers, deans and associate deans of law schools, particularly the deans of the three law schools located in Minnesota; bar regulation administrators in other states, district ethics committees (DEC), colleagues in the Judicial Branch, and the public who are consumers of legal services.

RESULTS

The Board of Law Examiners, Board of Continuing Legal Education, and Board of Legal Certification know their strategies are working when the following results are manifest:

- The Board recommends for admission only those applicants who meet their burden of proving the requisite character and fitness.
- New certifying agencies continue to apply for accreditation to certify lawyers as specialists.
- In response to routine surveys, the Boards' customers' responses affirm that services are provided in a timely and professional manner.
- Attorneys who fail to comply with their continuing legal education requirements or attorney registration obligations are promptly removed from the attorney rolls.
- The Minnesota Bar is well-educated and prepared to carry out the obligations of licensure.
- As a result of the accreditation of reputable agencies, only those members of the bar who have met high standards of demonstrated expertise, may hold themselves out as specialists in a field of law.

The factors contributing to performance of duties include the development and implementation of computer technology that permits timely and accurate completion of investigations and valid administration of professional examinations. While the performance trend is stable, the Boards look for and find new ways to improve performance and increase efficiencies in operation.

The OLPR knows its strategies are working when attorneys are disciplined for misconduct. The OLPR also responded to almost 2,000 calls from lawyers asking for assistance on how to meet their ethical obligations in 2019. The OLPR proactively speaks on issues of ethics education.

The legal profession is also the only profession that has a dedicated fund created by members of the profession to make restitution to individuals who have been victims of lawyer dishonesty. The Client Security Fund, administered by the CSB, goes a long way to maintain the integrity of the profession and to protect the public from the few attorneys who grievously misuse their position of trust.

Type of Measure	Name of Measure	Previous	Current	Dates
Quantity	Number of applicants for admission to the Bar	1,199	1,170	2017/ 2019
Quantity	Number of approved Continuing Legal Education courses	14,009	16,307	2017/ 2019
Quantity	Number of lawyers certified as specialists	883	819	2017/ 2019
Quantity	Number of complaints received by Office of Lawyers Professional Responsibility	1,110	1,003	2017/ 2019
Quantity	Number of complaint files closed by Office of Lawyers Professional Responsibility	1,073	1,029	2017/ 2019

M.S. 481.01 <https://www.revisor.mn.gov/statutes/?id=480.01> and the constitutional authority of the Supreme Court provide the legal authority for the Boards.

Legal Professional Boards

Agency Expenditure Overview

(Dollars in Thousands)

	Actual FY18	Actual FY19	Actual FY20	Estimate FY21	Forecast Base		Governor's Recommendation	
					FY22	FY23	FY22	FY23

Expenditures by Fund

2000 - Restrict Misc Special Revenue	7,615	7,628	7,680	8,717	8,712	8,712	8,712	8,712
Total	7,615	7,628	7,680	8,717	8,712	8,712	8,712	8,712
Biennial Change				1,154		1,027		1,027
Biennial % Change				8		6		6
Governor's Change from Base								0
Governor's % Change from Base								0

Expenditures by Program

Lawyers Board	7,615	7,628	7,680	8,717	8,712	8,712	8,712	8,712
Total	7,615	7,628	7,680	8,717	8,712	8,712	8,712	8,712

Expenditures by Category

Compensation	4,641	4,607	5,102	5,540	5,540	5,540	5,540	5,540
Operating Expenses	2,487	2,505	1,999	2,616	2,611	2,611	2,611	2,611
Grants, Aids and Subsidies	480	466	563	442	442	442	442	442
Capital Outlay-Real Property	1	48						
Other Financial Transaction	6	3	16	119	119	119	119	119
Total	7,615	7,628	7,680	8,717	8,712	8,712	8,712	8,712

Full-Time Equivalents

47.33	46.21	49.19	49.08	49.08	49.08	49.08	49.08
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Legal Professional Boards

Agency Financing by Fund

(Dollars in Thousands)

	Actual	Actual	Actual	Estimate	Forecast Base		Governor's Recommendation	
	FY18	FY19	FY20	FY21	FY22	FY23	FY22	FY23
2000 - Restrict Misc Special Revenue								
Balance Forward In	10,684	10,267	9,948	9,182	7,333	5,499	7,333	5,499
Receipts	6,601	6,844	6,915	6,878	6,878	6,878	6,878	6,878
Transfers In			845					
Transfers Out			845	10				
Balance Forward Out	9,669	9,483	9,182	7,333	5,499	3,665	5,499	3,665
Expenditures	7,615	7,628	7,680	8,717	8,712	8,712	8,712	8,712
Biennial Change in Expenditures				1,154		1,027		1,027
Biennial % Change in Expenditures				8		6		6
Governor's Change from Base								0
Governor's % Change from Base								0
Full-Time Equivalents	47.33	46.21	49.19	49.08	49.08	49.08	49.08	49.08

(Dollars in Thousands)

	FY21	FY22	FY23	Biennium 2022-23
<i>Dedicated</i>				
Fund: 2000 - Restrict Misc Special Revenue				
Planned Spending	8,717	8,712	8,712	17,424
Forecast Base	8,717	8,712	8,712	17,424
Total Governor's Recommendations	8,717	8,712	8,712	17,424
<i>Revenue Change Summary</i>				
<i>Dedicated</i>				
Fund: 2000 - Restrict Misc Special Revenue				
Forecast Revenues	6,878	6,878	6,878	13,756
Total Governor's Recommendations	6,878	6,878	6,878	13,756