

INFORMATION AND FILING INSTRUCTIONS

2008-2009 CLE FORM 1

ELECTRONIC SIGNATURES HAVE BEEN AUTHORIZED: Effective September 10, 2009, the Supreme Court of Wisconsin has authorized attorneys to sign their CLE reporting form electronically. As a result, you can e-file your CLE Form 1; in addition it will not be necessary to mail a form to the BBE office. You can access the e-filing system at <https://clereporting.wicourts.gov/session/new>.

WHO MUST FILE: Lawyers who were admitted to practice law in Wisconsin in an odd-numbered year, and who are on active status according to the membership records of the State Bar of Wisconsin, are required to file a CLE Form 1 evidencing compliance with the 30-hour Wisconsin mandatory continuing legal education (CLE) requirements for the reporting period beginning January 1, 2008 and ending December 31, 2009. Lawyers admitted in 2009 are not obligated to meet the 2008-2009 requirements.

LAWYERS ADMITTED IN 2007: A lawyer admitted in 2007 may report up to 15 approved CLE hours attended between his or her date of Wisconsin bar admission and the end of 2007 when filing the CLE Form 1. List these courses in the Attendance or Teaching section on your 2008-2009 CLE Form 1. EPR hours will only be accepted if attended after January 1, 2008.

EPR (Ethics and Professional Responsibility) REQUIREMENT: Of the 30 hours that must be reported, 3 hours must comply with the EPR requirement adopted by the Supreme Court. There is a space on the CLE Form 1 that elicits information about the manner in which the lawyer satisfied the EPR requirement; it may not be satisfied by hours carried forward from the previous reporting period. EPR courses must be separately approved by the Board of Bar Examiners. For the lawyer to establish compliance, the records of the Board must indicate that the course sponsor or the lawyer has obtained EPR approval.

ON-DEMAND CREDIT: As of January 29, 2007, SCR 31.05 (a), (b) & (c) allow lawyers to claim no more than 10.0 CLE credit hours for approved repeated on-demand programs to help satisfy the requirement of SCR 31.02. **No legal ethics and professional responsibility credit is allowed for repeat on-demand programs.**

LIST OF APPROVED COURSES: The Board approves thousands of activities each year. Circulation of the list of approved courses to all lawyers is not feasible. However the Board makes available a list of selected Wisconsin courses in mid December to persons who request it. A searchable list of approved courses is found at <http://wicourts.gov/services/attorney/edu.htm>. Contact the Board office if you have questions.

EXEMPTION FROM THE ATTENDANCE REQUIREMENT – SCR 31.04(2): A lawyer who did not engage in the practice of law in Wisconsin at any time between January 1, 2008 and December 31, 2009, may elect an exemption on this basis by checking the appropriate box on the CLE Form 1. (Note that electing the exemption from the CLE attendance requirement does not affect a lawyer's membership status in the State Bar of Wisconsin). This exemption covers both the regular 30 CLE hours and the 3 EPR requirements, and no CLE make-up hours will be required prior to the return to the practice of law in Wisconsin. Any incidence of law practice in Wisconsin during the CLE reporting period, no matter how brief, and no matter whether paid or unpaid, compels the lawyer to comply with the full course attendance requirement.

COMITY EXEMPTION – SCR 31.04(3): A lawyer whose practice is principally in another jurisdiction that has mandatory continuing legal education requirements and who is current in meeting those requirements is exempt from the attendance requirement of SCR 31.02, but shall comply with the reporting requirement of SCR 31.03. Check the appropriate box on the CLE Form 1 and indicate the other jurisdiction and the date you complied with that jurisdiction's requirement.

BENEFITS OF EARLY FILING: Lawyers are encouraged to file the CLE Form 1 as soon as 30 approved hours (including 3 EPR hours) have been attended. Forms filed in late December or anytime in January may not be reviewed in time for Board staff to identify problems and notify lawyers of deficiencies before penalties are assessed.

FILING DEADLINE: Courses must be completed by January 31, 2010, and your 2008-2009 CLE Form 1 must be filed with the Board of Bar Examiners by February 1, 2010. Filing is effective when the form is e-filed on the BBE website, or when a paper form is received at the BBE office. See SCR 31.13(2) for filing details. Forms are not accepted by facsimile transmission.

AMENDMENT TO THE CLE FORM 1: If the lawyer subsequently attends additional approved credit hours after he/she has filed their CLE Form 1 may send in a written request to amend their 2008-2009 CLE Form 1. The amendment will serve as increasing your carryover to the next reporting period. Requests to amend are not accepted by facsimile transmission, must be signed by the lawyer, and must be received in accordance with the filing deadline. (Note that it is now too late to amend a 2006-2007 CLE Form 1).

TEACHING CREDIT: Lawyers who teach approved CLE courses are entitled to double the number of hours taught when the courses are reported on the CLE Form 1. Teaching an entire law school course yields one hour for each hour taught.

PUBLISHED LEGAL WRITINGS: Lawyers who authored a legal writing that was published in 2008 or 2009 may submit it for a CLE approval determination on a CLE Form 4, which is available on our website at <http://wicourts.gov/services/attorney/edu.htm>. Legal writing credits **must** be approved before the Board staff can establish your compliance.

LATE PENALTIES: Lawyers who do not establish compliance on a timely basis will be assessed a late fee of \$100.00 in accordance with Supreme Court Rule. **Make checks payable to: Board of Bar Examiners.** Late fees are routinely assessed if:

1. A course used to satisfy the regular CLE or the EPR requirement is attended after January 31, 2010;
2. The CLE Form 1 is received at the Board office after February 1, 2010.
3. The CLE Form 1 (or a subsequent and timely amendment thereto) does not establish 30 approved hours, including 3 approved EPR hours, or the election of an appropriate exemption, or the declaration of a previously authorized waiver.

NOTE: The grace period, within which forms that otherwise comply are accepted without a late fee, ends at **4:30 p.m. on Monday, February 1, 2010.**

LAWYERS AGE 70: Lawyers who attain the age of 70 years by December 31, 2009, may be eligible for emeritus membership status in the State Bar of Wisconsin. Emeritus members are under no obligation to comply with the Wisconsin mandatory CLE requirements. The State Bar of Wisconsin must authorize such a classification change for it to be effective.

CARRYOVER HOURS: Up to 15 hours of CLE credit reported on CLE Form 1 and/or amendments may be carried forward to the next reporting period if: The hours that are to be carried forward reflect attendance during the reporting period covered by the CLE Form 1 and/or amendments. Those hours reflect attendance at courses that are approved by the Board either before or after the reporting period. EPR hours may not be carried forward from one reporting period to the next for the purpose of satisfying a subsequent EPR requirement; however, excess EPR hours may be carried forward toward the regular 30-hour requirement.

COURSE APPROVALS: If a course has not previously been submitted, the lawyer or the course sponsor may apply for approval using a CLE Form 2, which is available on our website or from the Board. Approximately 40 sponsors hold general program approval, which means that virtually all of their programming qualifies for approval on an annual basis; however, general program approval does not extend to the EPR requirements. An approval decision is usually made within two weeks; it will take longer if the request is not complete, or if the CLE Form 2 is submitted during the CLE seasonal peak time (November-January). Please note that CLE Form 2s arriving at the Board office with CLE Form 1s will be separated and processed independently.

COMMON FILING ERRORS: Lawyers can expedite the processing of their forms by avoiding the following filing errors:

1. Submitting a CLE Form 1 or amendment that does not bear the attorney's **personal** signature.
2. Reporting a course that has not been approved by the Board without an accompanying request for approval.
3. Reporting a 2008 or 2009 course(s) that was previously used to belatedly satisfy the 2006-2007 reporting requirement.
4. Reporting a course prior to actual attendance.
5. Reporting a course(s) for more hours than approved by the Board of Bar Examiners.
6. Misidentifying courses by sponsor, title, date (month/day/year), city and state. (While the Board staff attempts to match courses as misreported by lawyers to courses that are approved, some courses as reported are unrecognizable).
7. Mailing a CLE form without proper postage. Filing is not complete unless the form actually reaches the Board.

NEEDING ASSISTANCE: Please contact **Tammy McMillen, CLE Records Manager 608-261-2350.**