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## President's Column

**Una Doyle**

*President of ACLEA*



I'm writing this message from a part of the world many of you will not have heard much about. I'm in Papua New Guinea in the Pacific region, a country that is still finding its feet in the world since gaining independence in 1975. It is located in Melanesia, in the Pacific Ocean, north of Australia.

It's a beautiful place, one of the most culturally diverse countries in the world with more than 800 languages and one of the world's least explored, culturally and geographically.

Papua New Guinea is classified as a developing economy and that is what brings me here – on an aid project funded by Australia to assist and grow the local justice sector. I'm in the country's capital Port Moresby, a city plagued by crime yet steadfast in its focus on upholding the rule of law. My role is to deliver a week-long orientation program to recently appointed judges to assist them with their new responsibilities.

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# President's Column

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There is a certain synergy between the ACLEA program for Montréal and my work up here – for example, the topics of: Cultural Competency (of particular significance here given the diversity I've just mentioned); the Art & Science of Changing Minds (persuasive skills are at the forefront for the senior members of the country's judiciary as they navigate the complexities of aid funding); and Leading and Managing Professionals in Times of Change (the justice sector in many jurisdictions worldwide is undergoing change and strong leadership is an essential skill).

ACLEA's role in contributing to a raising of standards in continuing legal education resonates strongly with me here in Papua New Guinea. I first came here 14 years ago to deliver a CLE program to local lawyers and was captivated by the thirst for knowledge and the obvious difference our program made. Interestingly, this coincided with my introduction to ACLEA that year and from then on I have drawn on the resources and wisdom made available to me through my membership.

But I digress – the purpose of this message is to touch base with you all as I come to the end of my Presidency. It's been enormously rewarding – and hard work (with some fun mixed in!) but what an incredible privilege to lead an organisation so committed to improving continuing legal education on a global level. Many of you will be in Montréal next month for our 53rd Annual Meeting but some may not, so I will take this opportunity to thank you for your support and loyalty to the great ACLEA family before I pass the gavel (both metaphorically and physically!).

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# Meet Your SIG/Committee Chairs

**Dennis P. Cuevas**

*Director, CLE, D.C. Bar CLE Program*

## **1. Which SIG or Committee do you currently co-chair?**

Membership Committee

## **2. How long have you been involved with this SIG or Committee?**

I have been involved with this committee since I joined ACLEA over two years ago.

## **3. Why did you choose to join this SIG or Committee?**

The Membership Committee is important because without members, ACLEA would not exist!

## **4. What do you see as the main objectives of your SIG or Committee?**

The main objective of the committee is to expand and retain ACLEA membership. The committee also aims to educate existing members on ACLEA's value.

## **5. What has the SIG or Committee been working on recently?**

The committee is working to increase its visibility and role at the ACLEA meetings. We are planning new member activities to be held at the ACLEA meetings.

## **6. What is your SIG or Committee's biggest challenge right now?**

The biggest challenge for the committee is a lack of resources. Luckily, many committee members are familiar with the concept of doing more with less!

## **7. What resources would be helpful to your SIG or Committee right now?**

Having financial resources to implement new initiatives would be helpful; however, we would gladly accept "human" resources, such as creative thinkers and dedicated workers!

## **8. What is the major reason why one should join this SIG or Committee?**

ACLEA is a wonderful organization for knowledge and information exchange. ACLEA helps us do our jobs better. Without members willing to share their time and expertise, ACLEA would not be as relevant as it is today. The membership committee works to foster and nurture membership.

## **9. What do you enjoy most in working with this SIG or Committee?**

I enjoy the committee's collegiality. The membership committee started the dine-arounds at the ACLEA Conferences. It does not get any better than sharing a meal with interesting and friendly people!



# Member Moment

**Matt Sommerfeldt**

*Director of Education, Legal Education Society of Alberta (LESA)*

## PROFESSIONALLY

**Current Job:** Director of Education.

**A Recent Professional Victory:** Becoming the Director of Education at LESA (July 2016).

**Your Latest Challenge:** My first go-round of program planning for the upcoming 2017/2018 educational year.

**In My Pre-CLE Life, I Was:** A lawyer – most recently as Legal Counsel to the Court of Queen’s Bench of Alberta and before that in private practice. Before studying law I was a high school teacher – I taught Spanish and English as a Second Language (ESL).

**What Brought Me to CLE:** I think CLE found me. This has been a wonderful opportunity to blend the two professions I’ve practiced: education and law.

## TECHNOLOGICALLY SPEAKING

**I Never Leave Home Without:** My iPhone.

**My Favorite Software:** I can’t think of one that is my “favorite” – I enjoy fooling around with software like GarageBand and iMovie, though I’m not a musician or moviemaker. Mostly they are fun activities to do with/for my kids.

**On My Wish List:** A new iMac.

**Must-See Website(s):** [www.allaboutbirds.org](http://www.allaboutbirds.org), [www.familysearch.org](http://www.familysearch.org)

## PERSONALLY

**Recent Good Read:** *A Leader’s Legacy* (by Barry Posner and James M. Kouzes).

**Favorite Pastimes:** Going on bike rides with my wife and kids; bird-watching; doing family history research.

**Date(s) I Never Miss:** My wedding anniversary – celebrating 18 years of marriage this summer; my kids’ birthdays – I have an 8-year-old daughter and 4-year-old twins (a son and a daughter).

**My Dream Vacation:** Exploring Guatemala.

**Words I Live By:** “You have not failed until you have quit trying.” (Gordon B. Hinckley)



# The ABA's MCLE Model Rule Is Finally Here!

*By Gina Roers-Liemandt*

This past February, the ABA House of Delegates adopted the new ABA Model Rule for Minimum Continuing Legal Education, which replaces the 1988 version of the rule. This new MCLE Model Rule represents the culmination of more than two years of work by the ABA's Standing Committee on Continuing Legal Education (SCOCLE) in conjunction with more than 50 volunteers, including individual lawyers, ABA leaders, CLE regulators, CLE providers, judges, academics, law firm professional development coordinators, and state/local/specialty bar association leaders. Many ACLEA leaders and members were involved in each step of the process.

Like its predecessor, the new MCLE Model Rule recognizes the vital role MCLE plays in the legal profession. The Model Rule emphasizes several key goals in its Purpose statement, which provides: "To maintain public confidence in the legal profession and the rule of law, and to promote the fair administration of justice, it is essential that lawyers be competent regarding the law, legal and practice-oriented skills, the standards and ethical obligations of the legal profession, and the management of their practices."

The Rule looks significantly different than its predecessor, employing a new structure and eliminating many specific provisions related to the administration of MCLE programs, such as the size and composition of a jurisdiction's MCLE governing entity, methods of reporting MCLE credits, deadlines, fees, sanctions, appeals, and methods of financing MCLE administration. However, some key provisions have remained the same.

## **Both the new MCLE Model Rule and its predecessor:**

- Recommend 15 hours per year of MCLE (while recognizing that some jurisdictions prefer 12 hours).
- Take no position on whether lawyers should report MCLE credits every 1, 2, or 3 years.
- Recommend that jurisdictions have a system by which frequent MCLE sponsors can be designated "approved providers."
- Recommend that all lawyers be required to take diversity and inclusion programming (although, as noted below, the new MCLE Model Rule has a more specific requirement than its predecessor).
- Recommend that speakers at MCLE programs have the necessary skills to teach the course, but do not require speakers to be lawyers.

## **Summary of some key components of the new MCLE Model Rule:**

- Requires lawyers to take the following specialty credits, which also count towards the general MCLE requirement: (1) Ethics and Professionalism (average one credit per year); (2) Diversity and Inclusion (one credit every three years); and (3) Mental Health and Substance Use Disorders (one credit every three years).
  - » The Diversity and Inclusion credit requirement builds on existing ABA policy that encourages jurisdictions with MCLE to "include as a separate credit programs regarding diversity and inclusion in the legal profession of all persons regardless of race, ethnicity, gender, sexual orientation, gender identity, or disabilities, and programs regarding elimination of bias."
  - » The Mental Health and Substance Use Disorder Credit recognizes that requiring all lawyers to receive education about these disorders can benefit both individual lawyers and the profession. This requirement is, in part, a response to the 2016 landmark study conducted by the Hazelden Betty

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# The ABA's MCLE Model Rule is Finally Here!

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Ford Foundation and the American Bar Association Commission on Lawyer Assistance Programs, entitled, “The Prevalence of Substance Use and Other Mental Health Concerns Among American Attorneys.”

- Accredits CLE program formats that include the use of distance learning, and does not limit the number of credits that can be earned using a particular delivery format.
- Accredits CLE programs that address law practice and technology.
- Allows lawyers to choose the MCLE programs that best meet their educational needs by not limiting the number of credits that can be earned in any subject area (e.g., substantive law, law practice, technology, ethics and professionalism, diversity and inclusion, and mental health and substance use disorders).
- Treats in-house sponsors of CLE programs the same as other sponsors and allows for full accreditation of programs when all other accreditation standards have been met. Also, the new MCLE Model Rule no longer places limits on the number of credits a lawyer can earn through in-house programming.
- Encourages jurisdictions to adopt a special exemption for lawyers licensed in multiple jurisdictions, pursuant to which a lawyer is exempt from satisfying MCLE requirements if he or she satisfies the MCLE requirements of the jurisdiction where the lawyer's principal office is located.
- Recognizes that jurisdictions may choose to authorize additional exemptions from MCLE requirements for certain groups, such as retired lawyers. The new MCLE Model Rule does not contain the Comment from its predecessor that stated: “Exemptions are inconsistent with the purpose of MCLE and are not recommended.”
- Creates a more narrow definition for “self-study” activities that are not approved for MCLE credit, including programming without interactivity, informal learning, and reading. Activities such as viewing programs online or on video are now defined elsewhere in the new MCLE Model Rule and are approved for MCLE credit.

A discussion of each of these provisions can be found in the Report that was submitted to the ABA House of Delegates with the new MCLE Model Rule.

SCOCLE has created an MCLE Model Rule Implementation Committee that will gather information on the Rule's implementation and serve as a resource for jurisdictions. SCOCLE maintains a website, located at <http://ambar.org/mclemodelrule>, which contains links to the new MCLE Model Rule, its accompanying Report, and other materials. It is the ABA's hope that jurisdictions will undertake a review of the MCLE Model Rule and consider integrating some or all of its provisions into their MCLE rules.

# Join Us in Montréal for the 2017 Annual Meeting!

July 29 – August 1, 2017

Fairmont The Queen Elizabeth | Montréal, Québec – Canada

Vive la CLE!



## PLENARY SESSIONS INCLUDE:

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- Is Learning Different for Lawyers?
- Influence: The Art & Science of Changing Minds
- Team Millennial: A New Legal Services Paradigm

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