



THE SUPREME COURT *of* OHIO



Commission
on Continuing
Legal Education

2021
ANNUAL REPORT

AUGUST 2022



Commission on Continuing Legal Education 2021 ANNUAL REPORT

Maureen O'Connor
CHIEF JUSTICE

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Michael P. Donnelly
Melody J. Stewart
Jennifer Brunner
JUSTICES

Stephanie E. Hess
INTERIM ADMINISTRATIVE DIRECTOR



Dear Chief Justice and Justices of the Supreme Court of Ohio,

On behalf of the commissioners, I present the 2021 Annual Report of the Commission on Continuing Legal Education. The report includes a detailed review of the administration of continuing legal education requirements for attorneys and judges pursuant to Gov.Bar R. X of the Supreme Court Rules for the Government of the Bar of Ohio, and Gov.Jud. R. IV of the Rules for the Government of the Judiciary of Ohio for calendar year 2021.

Under the authority of the Supreme Court, the Commission on Continuing Legal Education administers the continuing legal education rules of Gov.Bar R. X and Jud.R. IV. The purpose of the rules is to maintain and improve the quality of legal and judicial services in Ohio by requiring continuing legal education for Ohio attorneys and regulating the provision of continuing legal education to Ohio judicial officers.

Respectfully submitted,

A handwritten signature in black ink, reading "G.W. Palmer".

Gina White Palmer, Esq.

Director, Attorney Services Division
Secretary to the Commission on Continuing Legal Education

Commission

The Commission is composed of 19 members appointed by the Supreme Court, including 12 attorneys licensed to practice law in Ohio, representing each appellate district; one dean or member of a law faculty engaged in full-time legal education in an Ohio law school; five judges; and one non-attorney. Commission members are appointed by Supreme Court justices to three-year terms and are limited to two consecutive terms. Commissioners serve as volunteers and are not compensated.

Chairperson

Kevin Williams was elected to serve as the Commission chairperson in 2021. He is serving his second term on the Commission. Williams is with the Law Office of William A. Morse in Worthington.

Vice-Chairperson

Robert Mann was elected to serve as vice-chairperson in 2021, and has served on the Commission since 2017. Mann is with the Columbus firm Mann & Carducci Co., LPA.

Director and Staff

Gina White Palmer, Director of the Attorney Services Division, serves as Secretary to the Commission. Pursuant to CLE Reg. 201, the action of the Secretary shall constitute the action of the Commission, unless and until the Commission determines otherwise. The Secretary takes initial action on all applications for accreditation, maintains CLE records of all attorneys, judges, and magistrates. Further, the Secretary has the authority to review and decide requests for exemption from the CLE requirements. The staff of the Office of Attorney Services consist of 10 full-time positions who assist the Commission in executing the administration of continuing legal education requirements.

CLE Commission Roster for 2021

KEVIN WILLIAMS, ESQ., CHAIR
Law Office of William A. Morse
10th District

ROBERT MANN, ESQ., VICE-CHAIR
Mann & Carducci Co., LPA
5th District

DOUGLAS BLOOM, ESQ.
Bloom Law Group, LLC
8th District

HON. LAUREL BEATTY BLUNT
Tenth District Court of Appeals
Judge

KAREN BRADLEY, ESQ.
Bradley & Associates
2nd District

JULIE COHARA
Director of Degree Programs
Ohio University
Non-Attorney Member

HON. MARISA CORNACHIO
Willoughby Municipal Court
Judge

RICHARD DANA, JR., ESQ.
11th District

PROFESSOR TERRI ENNS
The Ohio State University
Moritz College of Law
Law School Faculty

BARBARA HOWARD, ESQ.
Barbara J. Howard Co., LPA
1st District

JOHN HUFFMAN, ESQ.
Huffman, Kelley Brock & Gottschalk LLC
3rd District

MICHAEL KIRBY, ESQ.
Kirby & Kirby Ltd.
6th District

HON. MICHAEL KRUMHOLTZ
Montgomery County Common Pleas Court
Judge

HON. SHERRIE MIKHAIL MIDAY
Cuyahoga County Common Pleas Court
Judge

HON. MICHAEL OSTER, JR.
Butler County Common Pleas Court
Judge

JAMES SILLERY, ESQ.
Mollica Gall Sloan & Sillery Co., LPA
4th District

STEPHEN PRONAI, ESQ.
Madison County Prosecuting Attorney
12th District

PATRICIA WAGNER, ESQ.
Youngstown State University
7th District

KARIN WIEST, ESQ.
Wayne County CASA/GAL Program
9th District

Office of Attorney Services Staff

GINA WHITE PALMER, ESQ.
Director, Attorney Services Division

MINERVA ELIZAGA, ESQ.
Assistant Director, Attorney Services

BRADLEY MARTINEZ, ESQ.
Attorney Services Counsel

TAMMY WHITE
Attorney Services Manager

SHANNON SCHEID
Administrative Assistant

DENISE SPENCER
CLE Specialist

TARIK JACKSON
CLE Specialist

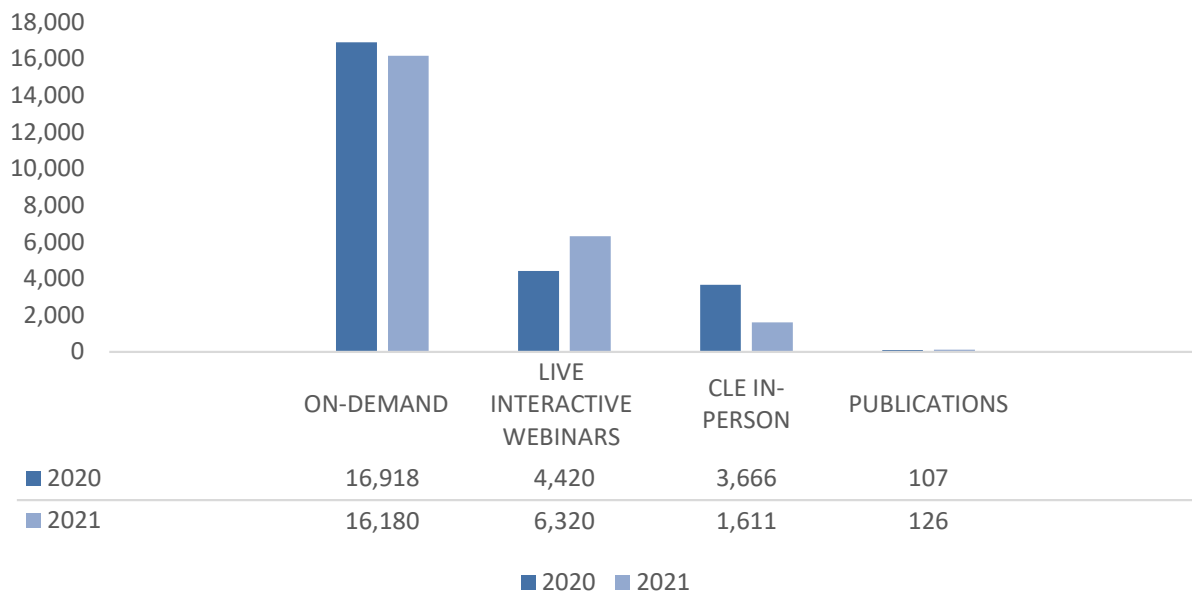
LORI GILBERT
Attorney Services Specialist

PENNY MARCHAL
Attorney Services Specialist

KIRSTYN PODOJAK
Attorney Services Specialist

NIKO JACKSON
Attorney Services Specialist

CLE Activity Type Comparison



Administrative Orders Affecting Attorneys and Judges

The Supreme Court issued the following orders affecting continuing legal education for attorneys and judges in 2021.

- March 17, 2021: Approval to allow attorneys to earn up to four hours of general CLE for training and service as a poll worker in Ohio on Primary Election Day, Tuesday, May 4, 2021.
- Aug. 30, 2021: Approval to allow attorneys to earn up to four hours of general CLE for training and service as a poll worker in Ohio on General Election Day, Tuesday, Nov. 2, 2021.
- Sept. 22, 2021: Waiver of self-study caps to allow attorneys and judges to earn their hours by approved self-study courses for the 2021/2022 compliance period.

Applications for Accreditation for CLE Activities

Pursuant to Gov.Bar R. X (2) (B) (3), the Commission accredits continuing legal education programs and establishes procedures for accreditation. The availability of live in-person CLE events since the onset of the pandemic remains low; however, the Commission saw an increase in the number of applications submitted for CLE accreditation.

In 2021, a total of 24,518 applications for accreditation for continuing legal education activities were received by the Commission. Of this total, 24,115 activities (98%) were granted CLE accreditation. Of the total applications submitted, 199 activities were canceled or the applications were withdrawn, and 97 applications were rejected for being incomplete.

The Secretary of the Commission denied a total of 107 applications that did not meet the requirements for accreditation. Pursuant to Reg. 201.3, an applicant may appeal the Secretary's decision to deny accreditation within 30 days of the decision. The Commission received 6 appeals of the Secretary's decision to deny accreditation. The Commission granted one appeal on conditions and denied 5 appeals upholding the Secretary's decision to deny accreditation for those activities.

In 2021, the vast majority of CLE was offered through self-study activities. The Commission received 24,518 applications for self-study activities. Of this total, 16,429 applications were for on-demand and live webcast activities, and 6,320 were live, interactive webinars.

The remaining 1,769 applications sought credit for: pro bono CLE activities (32), in which attorneys provided pro bono services and received one hour of CLE credit for every six hours of pro bono services provided in Ohio; publication of a book or article related to the practice of law (126); and in-person CLE activities (1,611).

Exemptions from CLE Requirements

Pursuant to Gov.Bar R. (12), attorneys and judges who are unable to comply with the CLE requirements due to illness or disability, special circumstances, full-time military, or a life-time appointment as a federal judge or magistrate, may apply for an exemption from the CLE requirements.

In 2021, the Commission received 64 requests for exemptions. Of this total the Commission granted exemptions for illness/disability (27), full-time military duty (29), special circumstances (6), and two (2) requests were withdrawn, rejected, or denied.

Late Compliance and Sanctions

Gov.Bar R. X, (18) (A) provides that an attorney or judge who fails to comply timely with the applicable requirements of Gov.Bar R. X or Gov. Jud. R. IV, but does so within 90 days of the Dec. 31 deadline, shall be assessed a late fee in accordance with CLE Regulation 503.

- In 2021, 20,269 attorneys and judges with the last names beginning with M-Z were required to comply with CLE requirements for the 2019-2020 compliance period ending Dec. 31, 2020. More than 93% of the attorneys and judges (19,035) complied with CLE requirements for the compliance period.
- On Feb. 10, 2021, the Commission issued 1,234 Notices of Apparent Non-Compliance to attorneys and judges who failed to comply with the CLE requirements for the compliance period ending Dec. 31, 2020.
- A total of 584 attorneys and judges submitted a request for late compliance and paid a late compliance fee for the 2019-2020 compliance period by the late compliance deadlines.
- A total of 504 attorneys and judges provided evidence of timely completing the CLE requirements or changed their attorney registration status that removed the CLE requirements.
- On Oct. 12, 2021, the Commission imposed monetary sanctions against 146 attorneys for noncompliance with the continuing legal education requirements for the 2019-2020 compliance period.

- Of the 146 attorneys, in addition to the monetary sanction, the Commission issued orders suspending 9 attorneys for repeated noncompliance with the provisions of Gov. Bar R. X.

The Commission also suspended two attorneys from the practice of law for failure to complete the new-lawyers-training requirement as required by Gov.Bar R. X (9) (A) and 14 (A), and not filing evidence of compliance or coming into compliance as required by Gov.Bar R. X (18) (A).

CLE Funds Collected

Pursuant to Reg. 901 Schedule of Fees for Sponsors and Attorneys, the Commission collects application fees for sponsors applying for CLE accreditation and late fees for attorneys who did not comply with the CLE deadlines for accreditation or CLE compliance. Sponsors are assessed a \$25 application fee for applying for accreditation for CLE activities, and assessed a \$100 late fee for failure to submit the application timely. Attorneys are assessed a \$25 late fee for failure to timely report credits, or applying for accreditation more than 60 days after attending an out-of-state CLE activity. Attorneys also are assessed late compliance fees and monetary sanctions for failure to comply with the CLE requirements based upon the number of hours deficient, ranging from \$75 to \$300.

In 2021, the Commission collected a total of \$314,770 for sponsor and attorney fees.

Sponsor Fees	\$152,175
Sponsor Late Fees	\$37,675
Attorney Late Compliance and Sanction Fees	\$114,945
Attorney Late Application and Credit Fees	\$9,975



2021 At-a-Glance

In 2021, the Commission made several recommendations to the Supreme Court to ensure attorneys and judges were able to comply with the CLE requirements to maintain and improve the quality of legal and judicial services in Ohio.

- Waiver of self-study caps for judges, magistrates and attorneys for the 2021-2022 and the compliance period;
- Approved up to four hours of CLE for training and working as a precinct election officer on Primary Election Day, May 4, 2021, and General Election Day, Nov. 2, 2021;
- Imposed monetary sanctions against 146 attorneys, and suspended 9 attorneys for failure to comply with the CLE requirements;
- Collected a total of \$314,770 in sponsor applications fees and attorney late compliance fees and sanctions.

Conclusion

The Commission furthers the Supreme Court's responsibility of regulating the practice of law in Ohio by ensuring the bench and bar take the required CLE programs to remain educated and up to date on matters pertaining to the practice of law.

The Commission continues to conduct a review of the rules and regulations in order ensure its policies are fair, consistently applied, and as efficient as possible.

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