



Commission
on Continuing
Legal Education

2023
Annual Report

March 2024



Commission on Continuing Legal Education

2023 Annual Report

Sharon L. Kennedy
CHIEF JUSTICE

Patrick F. Fischer
R. Patrick DeWine
Michael P. Donnelly
Melody J. Stewart
Jennifer Brunner
Joseph T. Deters
JUSTICES

Robert W. Horner, III
ADMINISTRATIVE DIRECTOR

James P. Cappelli
DEPUTY ADMINISTRATIVE DIRECTOR,
OPERATIONS

Gina White Palmer
DEPUTY ADMINISTRATIVE DIRECTOR,
LEGAL SERVICES



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

This Court has entrusted the Commission on Continuing Legal Education with the meaningful task of ensuring that Ohio's attorneys and judges maintain a level of competency deserving of the public's trust. Specifically, the Commission is charged with administering and regulating compliance with the Court's rules governing continuing legal education, the stated purpose of which is to maintain and improve the quality of legal and judicial services in Ohio. The Commission is comprised of individual members, mostly of the legal community, and is supported by the Court's Office of Attorney Services.

This 2023 Annual Report of the Commission on Continuing Legal Education includes a detailed review of the Commission's work performed under 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 2023.

Respectfully submitted,



Michel Jendretzky, Esq.

Director, Attorney Services Division

Secretary to the Commission on Continuing Legal Education

Commission

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 Gov. Jud. R. IV.

The Commission includes 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 school 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, except for travel costs allowed to Court appointees.

Chairperson

Kevin Williams was elected to serve as the Commission chairperson in 2023. He is serving his second term on the Commission. Mr. Williams is with the Law Office of William A. Morse in Worthington.

Vice-Chairperson

Robert Mann was elected to serve as vice-chairperson in 2023 and is serving his second term on the Commission. Mr. Mann is with the Columbus firm Mann & Carducci Co., LPA.

Director and Staff

Michel Jendretzky, Director of the Attorney Services Division, serves as Secretary to the Commission. In 2023, then-Director Gina White Palmer served in the role. 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 and maintains CLE records of all attorneys, judges, and magistrates. Further, the Secretary is authorized to review and decide requests for exemption from the CLE requirements. Staff of the Office of Attorney Services, consisting of 10 full-time positions, assist with the Commission's work.

CLE Commission Roster for 2023

Hon. Marisa Cornachio

Willoughby Municipal Court

Judge

Hon. Sherrie Mikhail Miday

Cuyahoga County Court of Common Pleas

Judge

Hon. Sheryl Munson

Franklin County Court of Common Pleas

Judge

Hon. Michael Oster, Jr.

Bulter County Court of Common Pleas

Judge

Vacancy until January 2024

Judge

Barbara Howard

Barbara J. Howard Co., LPA

Attorney: 1st District

Karen Bradley

Bradley & Associates

Attorney: 2nd District

Anthony Will

Schultz Cox & Will

Attorney: 3rd District

James Sillery

Mollica Gall Sloan & Sillery Co. LPA

Attorney: 4th District

Robert Mann, Vice-Chair

Mann & Carducci Co., LPA

Attorney: 5th District

Sharon Harwood

Fisher-Titus Medical Center

Attorney: 6th District

Patricia Wagner

Youngstown State University

Attorney: 7th District

Douglas Bloom

Bloom Law Group, LLC

Attorney: 8th District

Karin Wiest

Wayne County Volunteer GAL Program

Attorney: 9th District

Kevin Williams, Chair

Law Office of William A. Morse

Attorney: 10th District

Vacancy until January 2024

Attorney: 11th District

Bennett A. Manning

Twelfth District Court of Appeals

Attorney: 12th District

Professor Terri Enns

The Ohio State University College of Law

Law School Faculty

Julie Cohara

Ohio University

Non-Attorney Member

Office of Attorney Services Staff

Michel Jendretzky, Esq.

Director, Attorney Services Division

Bradley Martinez, Esq.

Assistant Director, Attorney Services

Phil Wille, Esq.

Attorney Services Counsel

Tammy White

Attorney Services Manager

Kirstyn Moyers

Attorney Services Coordinator

Jennifer Smith

Administrative Assistant

Denise Spencer

CLE Specialist

Penny Marchal

CLE Specialist

Joshua Martin

CLE and Accommodations Specialist

Supreme Court Staff Recognized for their Contributions During 2023

Gina White Palmer

Deputy Administrative Director

(formerly Director, Attorney Services Division)

Tarik Jackson

Legal Research Analyst

(formerly CLE Specialist)

Alexis Preskar

Judicial Attorney, Justice Stewart

(formerly Attorney Services Counsel)

Shannon Scheid

Administrative Assistant, Administrative Director's Office

(formerly Administrative Assistant)



In 2023, the Commission met quarterly to review and act on matters brought before it, including proposed rule amendments, appeals of decisions denying accreditation, and enforcement of continuing legal education requirements.

Rule Amendments to Gov. Bar R. X and Gov. Jud. R. IV

During 2023, the Supreme Court adopted proposed amendments to the continuing legal education rules governing the Bar and Judiciary pursuant to Gov. Bar R. X and Gov. Jud. R. IV. The amendments included:

- Effective January 1, 2023, the CLE self-study caps for attorneys were permanently removed from the rule. The amendment allows attorneys to fully comply with the 24-hour CLE requirements through approved self-study activities.
- Effective January 1, 2023, the self-study caps for judges and magistrates were increased to 20 hours per biennial compliance period. Beginning with the 2023-2024 compliance period, the separate self-study cap for live webinars is eliminated.

Applications for Accreditation for CLE Activities

Pursuant to Gov. Bar R. X, Section 2 (B) (3), the Commission accredits continuing legal education programs and establishes procedures for accreditation. In 2023, the Commission received 26,382 applications for accreditation for continuing legal education activities. Of this, 25,876 activities (98%) were granted CLE accreditation; 240 activities were canceled, or the applications

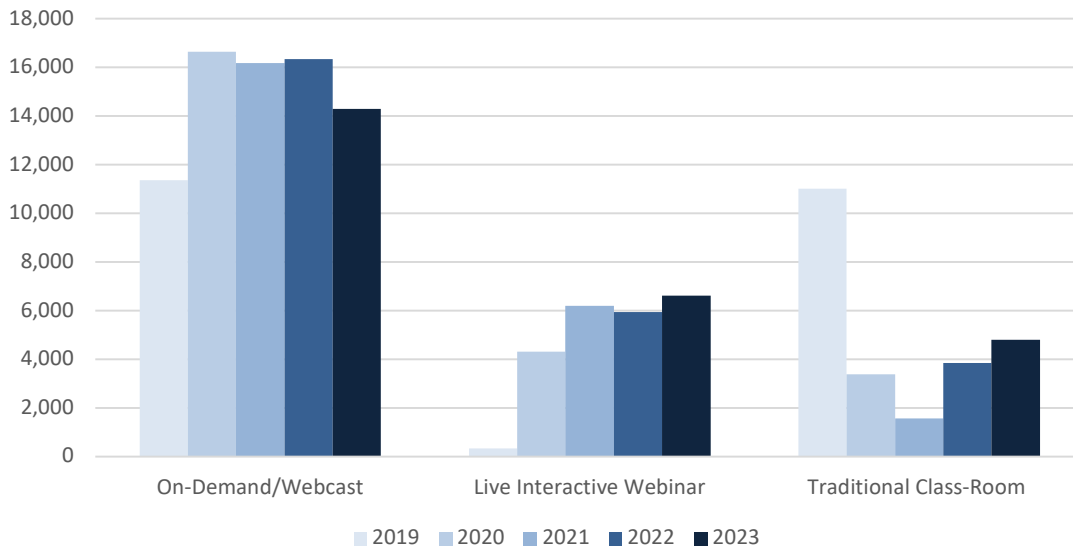
were withdrawn; 169 applications were rejected as incomplete; and 97 applications were denied accreditation.

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 seven appeals of the Secretary's decision to deny accreditation. The Commission upheld the Secretary's decision on all.

A review of the activity formats for 2023 indicate the vast majority of CLE were offered through self-study activities. The Commission received 21,251 applications for self-study activities. Of this, 14,531 applications (68%) were for on-demand and webcast activities and 6,720 (32%) were for live interactive webinars.

The remaining 5,131 applications included 4,999 applications for traditional in-person CLE activities, 32 applications for pro bono CLE activities 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, and 100 applications from attorneys applying for CLE credit for publishing a book or article related to the practice of law. Since the pandemic, the Commission has seen a shift from the traditional live in-person with faculty, to self-study activities being offered by live webcast, on-demand, or as live interactive webinars.

CLE Delivery Formats



Exemptions from CLE Requirements

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

In 2023, the Commission received 95 requests for exemptions. Of this total, the Commission granted 25 for illness and/or disability, 49 for full-time military duty, 10 for special circumstances, and one for a federal judge or magistrate appointment. Four exemptions were granted waiving the new lawyers training requirements for attorneys who had previously received full-time military duty exemptions, and six exemption requests were withdrawn, rejected, or denied.

Late Compliance and Sanctions

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

In 2023, the Commission reviewed CLE compliance for 20,186 attorneys and judges (last names beginning with M-Z) who were required to comply with CLE requirements for the 2021-2022 compliance period ending December 31, 2022. More than 94% (18,982) were in compliance.

The Commission issued Notices of Apparent Non-Compliance to the 1,204 attorneys and judges who appeared non-compliant. The notice instructed them that, to avoid sanction and/or suspension from the practice of law, any CLE deficiencies must be cured within 90 days of the reporting deadline and a late fee ranging from \$75 to \$300, depending on the severity of noncompliance, must be paid.

A total of 358 attorneys and judges (30%) provided evidence of having timely completed the CLE requirements during the 2021-2022 compliance period, or changed their attorney registration status so that the CLE requirements did not apply. A total of 675 attorneys and judges (56%) submitted a request for late compliance providing evidence that they cured the deficiencies by the late compliance deadlines. Of those who received a Notice of Apparent Noncompliance, 14% did not cure the CLE deficiencies by the late compliance deadlines and were subject to sanction and suspension from the practice of law.

On October 19, 2023, the Commission imposed monetary sanctions against 171 attorneys for noncompliance with the continuing legal education requirements for the 2021-2022 compliance period. Additionally, the Commission suspended eleven attorneys from the practice of law for repeated noncompliance with the provisions of Gov. Bar R. X and suspended five attorneys from the practice of law for failure to complete the new lawyers training required by Gov. Bar R. X, Sections 9 (A) and 14 (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 the late submission of attorney credits. Sponsors are assessed a \$25 fee for applying for accreditation for CLE activities and a \$100 fee for failure to submit the application timely. Attorneys are assessed a \$25 fee for failure to timely report credits or applying for accreditation more than 60 days after attending an out-of-state CLE activity. Pursuant to Reg. 503, attorneys and judges may be subject to late compliance fees or monetary sanctions for failure to comply with the CLE requirements based upon the number of hours deficient, ranging from \$75 to \$300.

In 2023, the Commission collected a total of \$399,025 for sponsor and attorney fees:

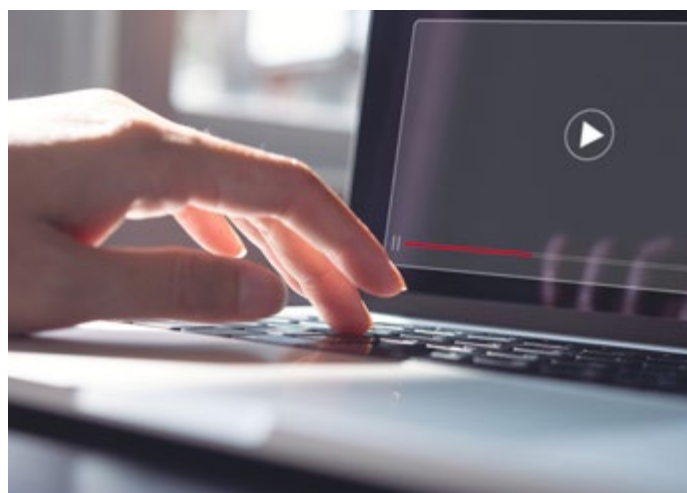
Sponsor Fees	\$167,750
Sponsor Late Fees	\$88,100
Attorney Late Compliance and Sanction Fees	\$128,850
Attorney Late Application and Credit Fees	\$14,325

2023 At-a-Glance

- Effective Jan. 1, 2023, the self-study caps for attorneys were permanently removed from Gov. Bar R. X.
- Effective Jan. 1, 2023, the self-study caps for judges and magistrates were increased to 20 hours per biennial compliance period.
- On Oct. 19, 2023, monetary sanctions were imposed against 171 attorneys and 16 attorneys were suspended from the practice of law for failure to comply with the CLE requirements.
- The Commission collected a total of \$399,025 in sponsor applications fees and attorney late compliance fees and sanctions.

Conclusion

The Commission furthers the Supreme Court’s Constitutional duty to regulate 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 to ensure its policies are fair and efficient.



In 2023 self-study caps for attorneys were removed, and self-study caps for judges and magistrates were increased.



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