>>> "Harold G. Speer, Jr." <Budspeer@aol.com> 11/21/2013 11:05 AM >>>
Submitted on Thursday, November 21, 2013 - 11:05am
Submitted by anonymous user: [74.239.110.100]
Submitted values are:

RECEIVED
NOV 21 2013
Clerk of the Courts
Rec'd By

Your Name: Harold G. Speer, Jr.
Your Address: 629 Lynah Ln, Beech Grove, TN 37018
Your email address: Budspeer@aol.com
Your Position or Organization: Harold G. Speer, Jr., Attorney-at-Law
Rule Change: Supreme Court Rule 21
Docket number: ADM2013-02417
Your public comments:

Dear Sir or Madam:

I strongly disagree with the recommendation to require five (5) hours of "live" CLE in Tennessee. My review of the ABA.org website shows that 31 states require no live CLE. An an additional fourteen (14) states do not require live CLE, but do set some limits on the number of hours that can be satisfied by recorded on-line courses (i.e., Tennessee's current limitation of 8 hrs). Thus, a great majority of the states forty-five (45) do not require any "live" CLE hours. My research on this website shows the following states required annual live hours: CA (4), IN (10), MS (6), PA (12), and TX (3). This website does not show that NJ requires 1/2 of its hours to be live.

While it may be true that the requirement of live CLE hours "might" help attorneys' interaction and professionalism, there are already rules in place to sanction attorneys who do not interact professionally. Other professions in Tennessee are allowed to satisfy their continuing education requirements without any live hours (i.e., Dentistry) without concern for lack of professionalism. In this day and age of smart phones, video conferencing, webinars, work-from-home jobs, etc., it seems that a requirement for live CLE is a quaint, but unnecessary, desire to return to the "good old days."

Thank-you for considering my comments to the proposed amendment to Rule 21.

Sincerely,

Harold G. Speer, Jr., BPR 013424

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE, TN

RECEIVED
NOV 25 2013
Clerk of the Courts
Rec'd by

IN RE:	**PETITION TO AMEND TENNESSEE SUPREME COURT RULE 21**	* * * * * * * * **No.: ADM2013-02417**

COMMENT IN SUPPORT OF PETITION BY D. BRUCE SHINE

Comes D. Bruce Shine, a licensed attorney (BPR No. 000815) in the State of Tennessee since March 31, 1964, joins in support of the Petition to Amend Tennessee Supreme Court Rule 21 governing requirements of continuing legal education as proposed by the Tennessee Commission of Continuing Legal Education and Specialization ("Commission").

The undersigned would state to the Court as follows:

1. I am over the age of 65, having been born on August 11, 1938, and have **NOT** previously requested a waiver of the CLE requirements pursuant to Rule 21, Section 2.04(a), Rules of the Tennessee Supreme Court.

2. For approximately two years, I have had a "draft" Petition to Amend Tennessee Supreme Court Rule 21 Section 2.04(a) seeking removal of the exemption for attorneys over the age of 65 from engaging in annual mandatory continuing legal education but was hesitant to file such a petition.

3. The undersigned would note to the Court the Alternative Dispute Resolution Commission of the Tennessee Supreme Court of which the undersigned has been a member since 1996 and is currently chair, does not and never has

recognized an age exemption for attorneys listed as "Rule 31 Mediators" in terms of their continuing mediation education requirements.

4. The ADRC adopted on April 26, 2004 a requirement pursuant to Tennessee Supreme Court Rule 31, Section 18(a) that all "listed" Rule 31 Mediators have six hours of continuing mediation education every two years. This policy became effective with the renewal process for listed Rule 31 Mediators on January 1, 2005.

5. Some years ago, a Rule 31 Listed Mediator also licensed as an attorney and over the age 65 requested an exemption from the continuing mediation education required by Rule 31, Section 18(a). In moving for such a waiver, the attorney cited Rule 21, Section 2.04(a) of the Supreme Court Rules of Tennessee. The ADR Commission at that time determined Rule 21 applied to licensed attorneys and their "qualifications to practice law" and did not apply to the Alternative Dispute Resolution Commission listing of Rule 31 Mediators. All Rule 31 Listed Mediators in the State of Tennessee since 2005 irrespective of age and whether licensed lawyers or not have been required to take six hours every two years of continuing mediation education cited above.

6. On October 31, 2011, the Commission provided undersigned figures then applicable showing that of the then 17,133 licensed lawyers in Tennessee that those over the age of 75 who had paid their annual license fee and sought an exemption under Rule 21, Section 2.04(a) numbered 949 or .06 percent of the then licensed lawyers in the state. The number of lawyers over the age 75 on October 31, 2011 who had paid their annual license fee and who had **NOT** sought an exemption under Rule 21, Section 2.04(a) numbered 16 or .001 percent of the lawyers then licensed in Tennessee.

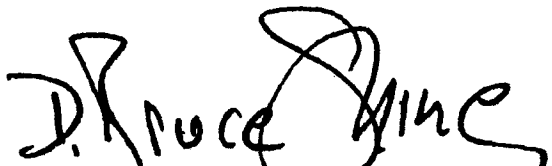
7. There is no rational reason nor does an objective academic study exist to support the proposition that attorneys over 65 would not benefit from the continuing legal education requirements inherent in the intent behind the adoption of Rule 21 in 1986.

8. Citizens of the State of Tennessee should be able to rely upon the continued competence of attorneys irrespective of age who hold themselves out to the general public as competent to practice law.

9. While the age of 65 and over exemptions served at one time as a useful means of achieving support among the legal profession for the adoption of Rule 21, the exemption no longer serves the best interest of the citizens of Tennessee as consumers of legal services.

10. Exhibit C to the subject Petition as well as its Exhibit E, amply demonstrate the need and the necessity for the removal of the age 65 exemption as it currently exist under Rule 21, Section 2.04(a) of the Supreme Court Rules of Tennessee.

WHEREFORE, the undersigned moves the Court to adopt the Petition to Amend the Tennessee Supreme Court Rule 21.04(a).

By: 

D. BRUCE SHINE, ESQ.
TN BPR No. 000815
LAW OFFICE OF D. BRUCE SHINE
433 East Center Street, Suite 201
Kingsport, TN 37660-4858
423 246-8433
423 246-7464 (facsimile)

NEAL & HARWELL, PLC
LAW OFFICES
150 FOURTH AVENUE, NORTH
SUITE 2000
NASHVILLE, TENNESSEE 37219-2498

TELEPHONE
(615) 244-1713

FACSIMILE
(615) 726-0573

WWW.NEALHARWELL.COM

JAMES F. NEAL (1929-2010)

AUBREY B. HARWELL, JR.
JON D. ROSS
JAMES F. SANDERS
THOMAS H. DUNDON
RONALD G. HARRIS
ALBERT F. MOORE
PHILIP N. ELBERT
JAMES G. THOMAS
WILLIAM T. RAMSEY
JAMES R. KELLEY
MARC T. McNAMEE
GEORGE H. CATE, III
PHILIP D. IRWIN
A. SCOTT ROSS
GERALD D. NEENAN
AUBREY B. HARWELL, III
W. DAVID BRIDGERS
KENDRA E. SAMSON
DAVID G. THOMPSON
LISA PAIGE BINDER
ELIZABETH S. TIPPING

CHANDRA N.T. FLINT
STEPHEN M. MONTGOMERY
JEFF H. GIBSON
ROBERT A. PEAL
J. ISAAC SANDERS
JOHN E. HAUBENREICH
BLIND AKRAWI
CHANELLE A. JOHNSON
ANDREW A. WARTH

OF COUNSEL
LARRY W. LINDEEN

November 25, 2013

Mike Catalano, Clerk
Appellate Court Clerk's Office
100 Supreme Court Building
401 7th Avenue North
Nashville, TN 37219-1407

Re: Tenn. Sup. Ct. R. 21
Supreme Court No. ADM2013-02417

Dear Mr. Catalano:

I was surprised and disappointed to learn that the Commission on Continuing Legal Education and Specialization has petitioned the Supreme Court to remove the CLE credit exemption in Rule 21, §2.04(a), for those of us who are 65 and over. As a confessed member of the affected class, I am opposed to the change in the Rule.

I have been a consistent supporter of continuing legal education for our profession and a supporter and participant in the formal program in our state. As you know, however, it is not a perfect solution to the problem of disparate quality across the bar; and while the goal of continuing legal education is necessary and laudable, (and helps to promote the profession's image among our citizens) it certainly does not insure that practicing lawyers will keep abreast of the changes in the statutory and case law. Given that there are no absolutes here, I respectfully suggest that the proposed change imposes more unnecessary burdens than positive benefits.

The stated justifications for the change are particularly unpersuasive. Merely because economic and demographic changes have resulted in more practicing "veterans of the bar" does not prove a need to remove the age exemption. And the reliance on the increase in the number of complaints lodged against the age group is tenuous at best and unfair at worst. At the very least, one would expect some nexus be drawn between those complaints that are legitimate and whether 15 hours of continuing legal education a year would have conceivably prevented the

offense(s). In other words, and respectfully, more study and analysis are necessary before the age exemption is removed.

Having talked to a number of "veterans," I hope and expect that you will hear from them, so I shall not belabor the point, nor expand on it; but I would be pleased to discuss the matter further or answer any questions or concerns.

Please register my "vote" as an emphatic, "Don't do it."

Respectfully submitted,

James F. Sanders

JFS/mlk

Liberty Tower
605 Chestnut Street, Suite 1700
Chattanooga, TN 37450
(423) 756-3000
chamblisslaw.com

CHAMBLISS

CHAMBLISS, BAHNER & STOPHEL, P.C.

T. MAXFIELD BAHNER
DIRECT DIAL (423) 757-0202
DIRECT FAX (423) 508-1202
mbahner@chamblisslaw.com
ALSO LICENSED IN VA AND NY

November 25, 2013

RECEIVED
NOV 26 2013
By

Mr. Michael W. Catalano, Clerk
Tennessee Supreme Court
100 Supreme Court Bldg
401 7th Avenue North
Nashville, TN 37219-1407

Re: Comments on Amendments to Supreme Court Rule 21

Dear Mr. Catalano:

As a Tennessee lawyer now 80 years of age, I strongly support the proposed amendment. For years I have in conversation with lawyers said that I saw no basis for relieving lawyers the requirement of continuing legal education who continue to practice. A part of the joy of practicing law is that we continue to learn and to grow. There is no good reason to excuse lawyers over 65 of the CLE requirement. In fact, I believe that just the opposite is the case, the older we get the more we need to continue learning.

Respectfully,

T. Maxfield Bahner

TMB/mms

NEAL & HARWELL, PLC
LAW OFFICES
150 FOURTH AVENUE, NORTH
SUITE 2000
NASHVILLE, TENNESSEE 37219-2498

TELEPHONE
(615) 244-1713

FACSIMILE
(615) 726-0573

WWW.NEALHARWELL.COM

JAMES F. NEAL (1929-2010)

AUBREY B. HARWELL, JR.
JON D. ROSS
JAMES F. SANDERS
THOMAS H. DUNDON
RONALD G. HARRIS
ALBERT F. MOORE
PHILIP N. ELBERT
JAMES G. THOMAS
WILLIAM T. RAMSEY
JAMES R. KELLEY
MARC T. McNAMEE
GEORGE H. CATE, III
PHILIP D. IRWIN
A. SCOTT ROSS
GERALD D. NEENAN
AUBREY B. HARWELL, III
W. DAVID BRIDGERS
KENDRA E. SAMSON
DAVID G. THOMPSON
LISA PAIGE BINDER
ELIZABETH S. TIPPING

CHANDRA N.T. FLINT
STEPHEN M. MONTGOMERY
JEFF H. GIBSON
ROBERT A. PEAL
J. ISAAC SANDERS
JOHN E. HAUBENREICH
BLIND AKRAWI
CHANELLE A. JOHNSON
ANDREW A. WARTH

OF COUNSEL
LARRY W. LINDEEN

November 22, 2013

Justice Cornelia A. Clark
Supreme Court Building, Suite 318
401 7th Avenue North
Nashville, Tennessee 37219

ADM2013-02417

FILED
NOV 27 2013
Clerk of the Courts

Justice Janice M. Holder
50 Peabody Place, Suite 209
Memphis, Tennessee 38103

Justice William C. Koch
Supreme Court Building, Suite 321
401 7th Avenue North
Nashville, Tennessee 37219

Justice Sharon G. Lee
505 Main Street, Suite 236
P.O. Box 444
Knoxville, Tennessee 37902

Justice Gary R. Wade
505 Main Street, Suite 200
P.O. Box 444
Knoxville, Tennessee 37902

RE: Petition to Amend Tennessee Supreme Court Rule 21

Dear Supreme Court Justices:

I have often thought that mandatory CLE in Tennessee is probably on balance good, although I was somewhat skeptical about it initially. It was my view that really good lawyers did not need it because they relied on other resources to keep up with changes in the law. On the other hand, I understood that there were a number of lawyers who would probably benefit from some form of continuing education.

I was also somewhat troubled by the fact that an entire industry has been created by virtue of mandatory CLE, and it is often driven by profit considerations. Some of the programs, very frankly, as I'm sure the Court knows, are not really of any significant benefit to the attendees.

Having said that, the purpose of this letter is to comment on the Commission's proposal to eliminate the exemption for lawyers age 65 and over regarding CLE.

It's my strong view that, although 65 may be an arbitrary age, good lawyers who practice for a number of years simply have gained a tremendous knowledge and understanding of the law and mandatory CLE should not be required for them. I've discussed this with a number of other lawyers who, like me, are still actively practicing and are post-65. None of those to whom I've spoken, think that eliminating the exemption is well-advised.

I respectfully urge you to deny the request, and keep the exemption as it is for lawyers 65 and over.

Sincerely,

Aubrey B. Harwell, Jr.

ABHJr/lp

c: Tom Greenholtz, Chairperson
Judy Bond-McKissack, J.D., Executive Director

LAW OFFICES
BURCH, PORTER & JOHNSON
A PROFESSIONAL LIMITED LIABILITY COMPANY
130 NORTH COURT AVENUE
MEMPHIS, TENNESSEE 38103
TELEPHONE 901-524-5000
FAX 901-524-5024

Allen T. Malone
901-524-5157
Email: amalone@bpjlaw.com

RECEIVED
DEC - 2 2013
Clerk of the Courts
Rec'd By

ADM2013-02417

November 26, 2013

Mike Catalano, Clerk
Tennessee Appellate Courts
100 Supreme Court Building
401 7th Avenue North
Nashville, Tennessee 37219-1407

RE: Tennessee Supreme Court Rule 21

Dear Mr. Catalano:

In response to the Supreme Court's request for comments concerning the proposed amendments to Tennessee Supreme Court Rule 21, this is to address that part of the proposed amendments, which would reinstate annual CLE requirements for lawyers who are 65 years old or older.

Several years ago, an organization of senior lawyers known as the "Gray Knights" was formed in Shelby County to support Memphis Area Legal Services ("MALS") with pro bono service for its clients, as well as financial contributions. There are currently sixty-seven lawyers serving as Gray Knights.

The pitch used in recruiting Gray Knights has been that senior lawyers, who are no longer obligated to meet the fifteen hour per year CLE requirement, should commit the fifteen hours to pro bono service for MALS' clients. I believe the pitch has been effective, but of course would be negated by the proposed Rule amendment. It has been my experience that work performed in pro bono service for MALS' clients has been of far more value, in terms of continuing legal education, than attending CLE courses.

Accordingly, what I would propose is that lawyers who (1) are 65 years old or older and (2) have been engaged in the practice of law for not less than 35 years, may satisfy their CLE requirement by performing pro bono services on behalf of clients referred to them by MALS and similar organizations throughout the state totaling at least fifteen hours each year.

Sincerely,

Allen T. Malone

cc: Linda Warren Seely
Memphis Area Legal Services

LEW CONNER
2021 RICHARD JONES ROAD, SUITE 340
P.O. BOX 150039
NASHVILLE, TENNESSEE 37215-0039
TELEPHONE: (615) 850-8495
FAX: (615) 850-8650

ADM2013-2417

RECEIVED
DEC 11 2013
Clerk of the Courts

December 9, 2013

Chief Justice Gary R. Wade
Tennessee Supreme Court
505 Main Street, Suite 200
P.O. Box 444
Knoxville, TN 37902-0444

Justice William C. Koch, Jr.
Supreme Court Building, Suite 318
401 7th Ave. N.
Nashville, TN 37219-1407

Justice Cornelia A. (Connie) Clark
Supreme Court Building, Suite 318
401 7th Ave. N.
Nashville, TN 37219-1407

Justice Sharon Gail Lee
505 Main Street, Suite 200
P.O. Box 444
Knoxville, TN 37902-0444

Justice Janice M. Holder
50 Peabody Pl., Suite 209
Memphis, TN 38103-3665

Re: Rule 21

Dear Chief Justice Wade and Members of the Court:

I write in opposition to a change in Rule 21 requiring attorneys over the age of 65 to continue obtaining CLE credits to retain their law licenses. The proposed change will not materially affect me because I am a Rule 31 mediator. As such I will continue with the CLE requirements of that rule. Nevertheless, I oppose the change in the rule because for those of us who have retained a law license to age 65 it is extremely unlikely that CLE will make a significant difference in our competence. Having been involved with CLE from the beginning, I have noticed on many occasions a lack of attention paid to the subject matter of a given course irrespective of age. Moreover, there has been an explosion of a cottage industry in "CLE" and no doubt considerable lobbying of the Commission by that industry to broaden the base to the fullest extent.

No doubt there are those of us, 65 and older, who should not continue to practice law by reason of physical or mental infirmities associated with that age, perhaps including this writer; however, in all likelihood, adding CLE requirements will not in any way identify or cure that issue.

Thanks for considering my thoughts.

Very truly yours,

Lew Conner

Lew Conner

LC: mh
cc: Tom Greenholtz
Judy Bond-McKissack

LAW OFFICES
HULL, RAY, RIEDER, EWELL, LANE & LYNCH, P.C.
(A PROFESSIONAL ASSOCIATION)

THOMAS M. HULL (1930-2010)
DONALD J. RAY
WILLIAM C. RIEDER
GERALD L. EWELL, JR.
JAMES D. LANE, II
STACY L. LYNCH

214 N. ATLANTIC STREET
P. O. BOX 878
TULLAHOMA, TN 37388
TEL (931) 455-5478
FAX (931) 455-6148
Email: billrieder@lighttube.net

December 10, 2013

Mr. Mike Catalano, Clerk
Tenn. Sup. Ct. R. 21
Appellate Court Clerk's Office
100 Supreme Court Building
401 7th Avenue North
Nashville, TN 37219-1407

DEC 12 2013

RE: Amended Rule 21, No. ADM 2013-02417

Dear Sir:

I am writing to comment on the proposed changes to Supreme Court Rule 21, and in particular the exemptions under Section 2. Certainly one cannot argue that the number of attorneys who are still practicing law (at least to some extent) past 65 years of age is increasing. First, there are varying reasons why attorneys continue to maintain a law license past age 65. These reasons could range from many years of well deserved pride and honor that comes from holding a law license. Secondly, there is a huge difference between practicing law and holding a law license. Obviously holding a law license does not mean that individual is necessarily practicing law. To change the rules in the later stage of a long licensed attorney creates an environment that such attorneys are not welcome to the brotherhood.

I would make some alternative recommendations for consideration.

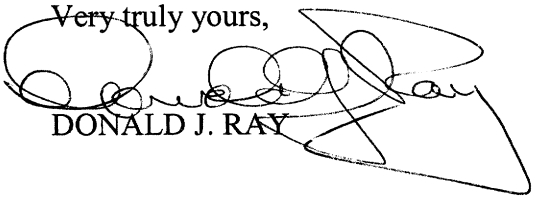
1. Perform some research on incremental license similar to the process young people go through to get a driver's license. For example, a limited license could be issued for an attorney who does not want any privileges of representing any client in Court. Although it's apparently not been studied, there is a likelihood that the research would show this would curtail disciplinary complaints if there is not Court advocacy involved.

2. The research cited in the Petition to Amend ceases its consideration once the attorney passes age 65. Could the same conclusions be made for attorneys who are 70 or older? 75? It seems massively over broad that this rule change provides a life sentence for a lawyer who has earned and wants to maintain the Honorable license perhaps until death. The Honorable Commission has made some valid points, but did not look far enough at alternatives to avoid this

life sentence. Again, would those points be valid for lawyers over 70? 75? If this wasn't studied, then we don't know if there is an alternative that might work.

Like all age groups, there are a few who can contaminate the entire group. In no age group do we "shoot" the rest of the group because of the sins of a few. I just don't think this rule change has been thoroughly researched to find suitable alternatives. Many thanks to the members of the Commission for their service.

Very truly yours,



DONALD J. RAY

DJR/jt

JOHN BUMPUS

ATTORNEY AT LAW*
POST OFFICE BOX 1987
SHELBYVILLE, TENNESSEE 37162-1987

TELEPHONE
931-680-9510

TELEFACSIMILE
931-680-9515

OFFICE ADDRESS:
207 NORTH SPRING STREET
SHELBYVILLE, TENNESSEE

*ALSO LICENSED BY
DISTRICT OF COLUMBIA

ADM2013-02417

RECEIVED
DEC 26 2013
By

December 24, 2013

Mr. Mike Catalano, Clerk
Re: Tennessee Supreme Court Rule 21
Appellate Court Clerk's Office
100 Supreme Court Building
401 7th Avenue North
Nashville, Tennessee 37219-1407

Dear Mr. Catalano and Ladies and Gentlemen of the Supreme Court:

This letter is to briefly comment on the proposed revision of existing Supreme Court Rule 21 *re* removing the age 65 limitation for mandatory CLE. I oppose this TCCLE revision proposal.

I seriously doubt that very few lawyers practice law full-time after age 65. And the extent to which any of these lawyers may continue to practice law after arriving at this milestone will decrease for each one with every succeeding year. Yet TCCLE's proposal would have these senior, increasingly part-time, lawyers treated the same as though they were 35 instead of 65+.

I suspect that many senior attorneys in Tennessee reside and practice in small communities, not in prosperous city law firm practices, and what law they do practice is a limited practice (e.g., probate, deed preparation, and the like) for which the requirements, and the expense therefor, of full-scale mandatory CLE would increasingly be both unequally burdensome and unnecessary for them. All that these lawyers likely want to do is to perform such minor legal tasks as will enable them to supplement such other retirement income as they have.

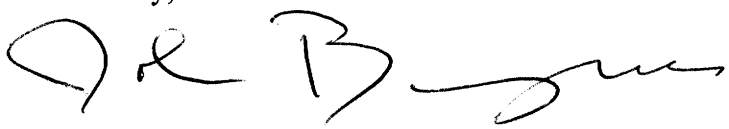
TCCLE's formal proposal in its Exhibit E cites the percentage of attorneys age 65 and older as of 8-22-2013—13.37%. But TCCLE's proposal document does not indicate what the percentage of attorneys age 65 and older has been each year throughout the history of mandatory CLE in Tennessee since its beginning in 1987. I suspect that the percentage in 2013 does not differ much, if at all, from what the percentage of attorneys age 65 and older has been throughout the history of mandatory CLE in Tennessee. And if this is true, then why change now?

And likewise, concerning the cited percentage of filed complaints in 2013 for attorneys age 65 and older, I suspect that the same reasoning, and similar percentages, also apply.

Certainly the Supreme Court should know the foregoing additional information before it would vote to revise its existing Rule 21, and should require such information beforehand from TCCLE.

Thank you for your consideration of my concern.

Sincerely,



John Bumpus
Tennessee BPR no. 002797

ROBERTSON COUNTY GENERAL SESSIONS COURT

531 SOUTH BROWN STREET, SPRINGFIELD, TENNESSEE 37172

PHONE: (615)384-4684 FAX: (615)382-3125

BURTON D. GLOVER, JUDGE

January 9, 2014

Mr. Mike Catalano, Clerk
Re: Tenn. Sup. Ct. R. 21
Appellate Court Clerk's Office
100 Supreme Court Building
401 7th Avenue North
Nashville, Tennessee 37219-1407

RECEIVED
JAN 13 2014
Clerk of the Courts
Rec'd By

Re: Docket Number ADM2013-02417

Dear Mr. Catalano:

I was elected Robertson County General Sessions Judge in 2006. My date of birth is January 3, 1939. Because of my age I have not been required to submit proof of CLE when attending the fall and winter General Sessions Judges Conferences. During each session there are at least 12 hours of CLE offered. If I had been reporting CLE, at this time I would have had in excess of 24 hours to carry forward to 2014. I would respectively request this be considered during the course of revising Supreme Court Rule 21 eliminating the exemption for lawyers age 65 and over.

Sincerely,

Burton D. Glover, Judge
BDG/ad

LAW OFFICE

HAL HARDIN

211 UNION STREET, SUITE 200
NASHVILLE, TENNESSEE 37201

(615) 369-3377
FAX: (615) 369-3344

ADM2013-02417

January 10, 2014

FILED
JAN 14 2014
Clerk of the Courts
Rec'd By _____

Justice Janice M. Holder
50 Peabody Place, Suite 209
Memphis, TN 38103

Justice Cornelia A. Clark, Suite 318
Justice William C. Koch, Suite 321
Supreme Court Building
401 7th Avenue North
Nashville, TN 37219

Justice Sharon G. Lee, Suite 236
Justice Gary R. Wade, Suite 200
505 Main Street
P.O. Box 444
Knoxville, TN 37902

RE: Petition to Amend Tennessee Supreme Court Rule 21

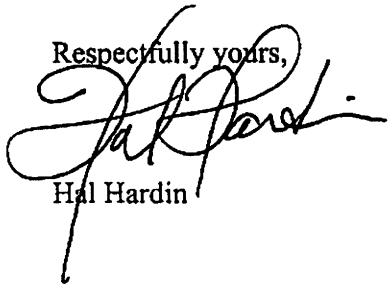
Dear Supreme Court Justices:

When CLE became mandatory, many of us welcomed it but also viewed it with some skepticism. I felt that the good lawyers probably did not need it. Good lawyers always devoted the time and resources to keep current on legal matters. I felt those lawyers who truly needed CLE would pay their fees and doze through the classes (or now stay on their lap tops). I also was concerned about the emergence of another powerful, cottage industry in the legal business. Even though some CLE has been most fulfilling, I still have some of those original concerns. In my humble opinion, it is not the one fix all that its most ardent supporters claim.

I oppose the commissions proposal to eliminate the age 65 CLE credit exemption currently set forth in Rule 21, Section 2.04(A). Most lawyers who have reached this age should have enough knowledge and understanding of the law that mandatory, expensive CLE is no longer necessary. Lawyers, because of the internet and growing number of legal societies, etc., probably read more law now than ever before.

I know several lawyers that have elected to retire from the active practice of law but continue doing pro bono work. Some...most I fear, will quit if they have to pay for CLE. These lawyers should not be required to support this expanding cottage industry of CLE. Finally, I was disappointed in the commissions' arguments in support of the rule change. The BPR statistical proof used by the commission falls short of supporting the stated position. I urge the Court to deny the request.

Respectfully yours,



Hal Hardin

HH/ts