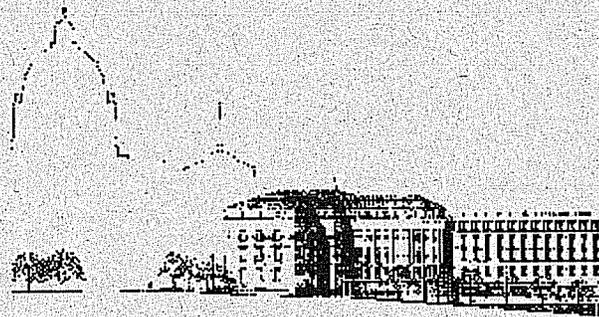


State of Minnesota

Board
of
Legal Certification



**ANNUAL REPORT
CALENDAR YEAR 2005**

MINNESOTA BOARD OF LEGAL CERTIFICATION ANNUAL REPORT: 2005

The Minnesota Board of Legal Certification accredits legal organizations that certify attorneys in Minnesota as specialists in certain fields of law. Four (4) organizations are accredited by the Board to certify specialists in eight (8) fields of law. Those organizations are: the National Board of Trial Advocacy, the Minnesota State Bar Association, the American Board of Certification, and the National Elder Law Foundation. As of December 2005, these organizations certified 865 Minnesota attorneys as specialists in the following fields of law:

- Civil Trial Practice
- Criminal Law
- Real Property
- Business Bankruptcy
- Consumer Bankruptcy
- Creditors' Rights
- Elder Law
- Family Law

I. CERTIFYING ORGANIZATIONS

A. National Board of Trial Advocacy

Minnesota's first accredited agency, the National Board of Trial Advocacy (NBTA), certifies Minnesota lawyers as specialists in the areas of Civil Trial Practice, Criminal Law, and Family Law Trial Advocacy. At the end of 2005, 159 attorneys were certified as Civil Trial specialists, 13 were certified as Criminal Law specialists, and six (6) were certified as Family Law Trial Advocacy specialists.

B. Minnesota State Bar Association - Civil Litigation Section

In addition to the NBTA, the Civil Litigation Section of the Minnesota State Bar Association (MSBA) is also accredited to certify Minnesota lawyers as specialists in the field of Civil Trial Practice. Under the terms of a cooperative agreement with the

NBTA, the MSBA uses the NBTA's Civil Trial Practice examination as its test instrument. Attorneys are tested simultaneously for certification by either or both agencies. At the end of 2005, there were 326 attorneys certified as Civil Trial Practice specialists through the Civil Litigation Section of the MSBA.

C. Minnesota State Bar Association - Real Property Section

The Real Property Section of the MSBA has been accredited to certify Minnesota attorneys as Real Property specialists since 1989. The Real Property Section administers a multiple-choice test instrument every other year. At the end of 2005, 344 attorneys were certified as Real Property specialists.

D. American Board of Certification

The Commercial Law League of America (CLLA) and the American Bankruptcy Board of Certification (ABBC) merged in 1997 to form the American Board of Certification (ABC). The ABC is now accredited to certify Minnesota attorneys as Consumer Bankruptcy specialists, Business Bankruptcy specialists and Creditors' Rights specialists.

As of December 31, 2005, the ABC's Minnesota specialists included three (3) Creditors' Rights specialists, six (6) Consumer Bankruptcy specialists and eight (8) Business Bankruptcy specialists.

E. National Elder Law Foundation

The National Elder Law Foundation (NELF) of Tucson, Arizona, was accredited in 1997 to certify specialists in Minnesota in the field of Elder Law. Elder Law specialists have expertise and experience in the areas of probate law, public benefits law, as well as the social aspects of working with elderly clients. As of December 31, 2005, two (2) Minnesota attorneys are certified as Elder Law specialists.

II. STATISTICAL PROFILE

Table 1 shows the number of certified specialists associated with each of the certifying agencies:

Table 1: Certified Specialists by Certifying Agency and Specialty Type

Certifying Agency	Specialty	Attorneys Certified in 2005	Total Number of Certified Attorneys as of 12/31/05
NBTA	Civil Trial	2	159
NBTA	Criminal Law	1	13
NBTA	Family Law	2	6
MSBA	Civil Trial	2	326
MSBA	Real Property	N/A	344
ABC	Consumer Bankruptcy	0	6
ABC	Business Bankruptcy	0	8
ABC	Creditors' Rights	0	3
NELF	Elder Law	0	2
TOTAL	All Specialty Areas	7	867

Table 2 shows the total number of certified specialists in the past eight years and indicates that there has been a slight decline in the number of certified specialists during that period. It also shows that there have been no recent additions to the list of certifying agencies or the types of specialty fields.

Table 2: Total Number of Certified Specialists (1998-2005)

	1998	1999	2000	2001	2002	2003	2004	2005
NBTA Family Law	N/A	N/A	N/A	3	4	4	4	6
NBTA Civil Trial	163	169	154	157	157	160	156	159
NBTA Criminal Law	17	18	19	18	18	18	15	13
MSBA Civil Trial	337	338	342	333	336	339	336	326
MSBA Real Property	341	330	342	334	343	339	348	344
ABC Consumer Bankruptcy	2	2	3	3	4	5	6	6
ABC Business Bankruptcy	6	6	7	7	7	7	7	8
ABC Creditors' Rights	4	4	3	3	3	3	3	3
NELF Elder Law	0	1	1	1	1	1	2	2
TOTAL	870	868	871	859	873	876	877	867

III. FISCAL SUMMARY

The Minnesota Board of Legal Certification generates revenue from fees paid by certifying agencies as well as from fees paid by individual certified attorneys.

A. Revenue

Agencies applying for accreditation pay an application fee of \$1,000. Thereafter, accredited agencies are required to pay an annual fee of \$250. In addition, every three years each agency is assessed a re-certification fee in the amount of \$900. Agencies are assessed an annual fee of \$45 per certified attorney.

Because the number of certified specialists in Minnesota has remained relatively stable in the past year, revenue has not changed significantly. The current fee structure is expected to generate sufficient revenue to meet next year's expenses. In 2006, expenses will be reduced due to staff changes and expense reallocation, permitting the Board to remain solvent. A new certification application from the National Board of Trial Advocacy for a Social Security Disability Law specialty is expected in 2006 and will add to revenue.

Table 3 below shows the Board's sources of revenue and compares 2005 receipts with previous years:

Table 3: BLC Receipts for Calendar Years 1998-2005

	1998	1999	2000	2001	2002	2003	2004	2005
Agency Fees								
Application Fee	\$1,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Recertification Fee	\$900	\$0	\$5,400	\$1,800	\$0	\$6,300	\$1,800	\$0
Annual Fee	\$2,000	\$2,000	\$2,000	\$1,750	\$2,250	\$2,500	\$2,000	\$2,250
Attorney Fees								
Initial Fee	\$5,250	\$2,400	\$3,300	\$2,200	\$3,400	\$1,300	\$2,600	\$600
Annual Fee	\$29,545	\$24,063	\$66,738	\$33,623	\$44,078	\$41,083	\$12,060	\$38,250
Total	\$38,695	\$28,463	\$77,438	\$39,373	\$49,728	\$51,183	\$18,460	\$41,000

B. Expenses

The Board shares personnel and office space with the Board of Law Examiners and the Board of Continuing Legal Education. In the previous year, 2004, salaries were apportioned to the Certification Board as follows: Director, 5%; Office Administrator, 5%; Office Assistant, 10%; CLE/BLC Administrator, 25%; and Receptionist, 5%.

Approximately 5% of the general expenses of the office are allocated to the Certification Board. A reapportionment of Board expenses occurred in July 2005 when certain salary allocations were adjusted downward to more accurately reflect the actual number of hours of each staff member in support of the Certification function. The allocation for CLE/BLC Administrator was decreased to 15% and the Office Assistant was decreased to 5%. These reductions have been significant in balancing the annual budget.

IV. MISCELLANEOUS

A. Lawyer Advertising

The Board's staff continues to monitor attorney advertisements in Minnesota telephone directories and other publications to identify attorney advertisements which may violate Rule 7.4(b) of the Minnesota Rules of Professional Conduct. Rule 7.4(b) prohibits all but certified attorneys from advertising as specialists or certified specialists. In 2005, the Board did not identify and forward any questionable advertisements to the Lawyers Professional Responsibility Board for investigation.

B. Certification Task Force and 20 Year Report

At the request of the Court, the Certification Board produced a 20 Year Report describing the growth and progress of certification in Minnesota over the past 20 years of its existence. The Court also appointed a 12-member Certification Task Force in 2005 and directed the Task Force to review the policy options in the area of legal specialist certification. In particular, the Court requested study regarding the following:

- 1) the continuing value to the public of specialty certification;
- 2) the continuing professional demand for certification on the number of certified legal specialists and certifying inquiries;
- 3) the appropriateness of Board-initiated expansion of areas of certification and the methods of accomplishing expansion, if necessary;
- 4) consideration of effectiveness of the Minnesota model of certification in comparison to models ranging from direct certification to delegation to some other body as used in other states.

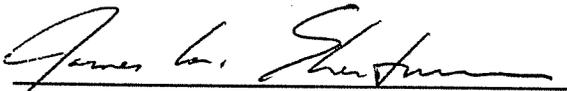
The Task Force's report and recommendations with regard to the future of Certification in Minnesota are expected to be issued in 2006.

V. CONCLUSION

While the number of certified attorneys in Minnesota has decreased slightly in the past year, the Board continues to operate a strong program for accrediting organizations that certify attorneys as specialists. The Board is committed to enforcing high standards among accredited agencies thus assuring a high level of legal expertise for all those who are qualified to use the designation "specialist" or "certified specialist" in Minnesota.

Respectfully submitted,

MINNESOTA BOARD OF LEGAL CERTIFICATION



James M. Sherburne
Chair



Margaret Fuller Corneille
Director

Dated: 1/29/07