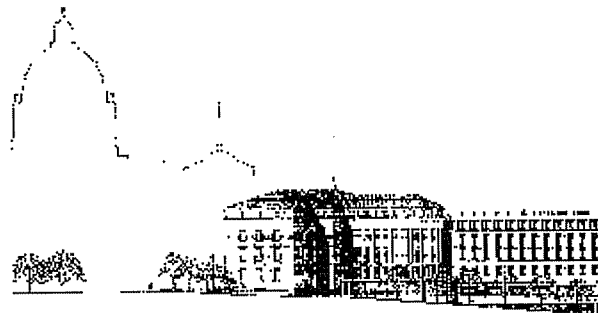


State of Minnesota

Board
of
Legal Certification



**ANNUAL REPORT
CALENDAR YEAR 2006**

MINNESOTA BOARD OF LEGAL CERTIFICATION ANNUAL REPORT: 2006

The Minnesota Board of Legal Certification ("Board") accredits legal organizations that certify lawyers in Minnesota as specialists in certain fields of law. The certification process gives the public certain information about the lawyers who have earned a right to call themselves certified specialists in specific areas of law. Certification in Minnesota is a voluntary process that requires a commitment by the lawyer to excellence. It requires: 1) substantial involvement by the lawyer in the specialty area and references from judges and lawyers; 2) a passing score on an examination of substantive and procedural law in the specialty field; 3) completion of at least 36 hours of courses in the specialty field in the three (3) years preceding the application; 4) admission to the bar in good standing; and 5) re-certification of the lawyer by the certifying agency at least once every six (6) years.

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 (NBTA); the Minnesota State Bar Association (MBSA); the American Board of Certification (ABC); and the National Elder Law Foundation (NELF). As of December 2006, these organizations certified 872 Minnesota lawyers 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

The Minnesota Supreme Court appoints 12 members to the Board (9 lawyer members and 3 public members) who:

- Define the fields of law that are subject to specialty designation;
- Accredit agencies so that they can certify lawyers as specialists in a particular field of law;
- Set standards that certifying agencies must meet when certifying lawyers as specialists;
- Review and evaluate the agencies' programs; and
- Deny or revoke an agency's accreditation if it fails to comply with the Board's standards.

I. CERTIFYING ORGANIZATIONS

A. National Board of Trial Advocacy

Minnesota's first accredited agency, the National Board of Trial Advocacy (NBTA) of Wrentham, Massachusetts, certifies Minnesota lawyers as specialists in the areas of Civil Trial Practice, Criminal Law, and Family Law Trial Advocacy. At the end of 2006, 154 lawyers were certified as Civil Trial specialists, 14 were certified as Criminal Law specialists, and six (6) were certified as Family Law Trial Advocacy specialists.

B. Minnesota State Bar Association

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. Lawyers are tested simultaneously for certification by either or both agencies. At the end of 2006, there were 326 lawyers certified as Civil Trial Practice specialists through the Civil Litigation Section of the MSBA.

The Real Property Section of the MSBA has been accredited to certify Minnesota lawyers as Real Property specialists since 1989. The Real Property Section administers a multiple-choice test instrument every other year. At the end of 2006, 356 lawyers were certified as Real Property specialists.

C. American Board of Certification

The American Board of Certification (ABC), of Cedar Falls, Iowa, is accredited to certify Minnesota lawyers in three areas: Consumer Bankruptcy specialists, Business Bankruptcy specialists and Creditors' Rights specialists.

As of December 31, 2006, the ABC's Minnesota specialists included three (3) Creditors' Rights specialists; four (4) Consumer Bankruptcy specialists and seven (7) Business Bankruptcy specialists.

D. 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 and public benefits law, as well as in the social aspects of working with elderly clients. As of December 31, 2006, two (2) Minnesota lawyers were 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	Lawyers Certified in 2006	Total Number of Certified Lawyers as of 12/31/06
NBTA	Civil Trial	2	154
NBTA	Criminal Law	0	14
NBTA	Family Law	1	6
MSBA	Civil Trial	7	326
MSBA	Real Property	22	356
ABC	Consumer Bankruptcy	0	4
ABC	Business Bankruptcy	0	7
ABC	Creditors' Rights	0	3
NELF	Elder Law	0	2
TOTAL	All Specialty Areas	32	872

Table 2 shows the total number of certified specialists in the past eight years and indicates that although there was a slight increase in specialists in 2006, overall the number of specialists has plateaued. 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 (1999-2006)

	1999	2000	2001	2002	2003	2004	2005	2006
NBTA Family Law	N/A	N/A	3	4	4	4	6	6
NBTA Civil Trial	169	154	157	157	160	156	159	154
NBTA Criminal Law	18	19	18	18	18	15	13	14
MSBA Civil Trial	338	342	333	336	339	336	326	326
MSBA Real Property	330	342	334	343	339	348	344	356
ABC Consumer Bankruptcy	2	3	3	4	5	6	6	4
ABC Business Bankruptcy	6	7	7	7	7	7	8	7
ABC Creditors' Rights	4	3	3	3	3	3	3	3
NELF Elder Law	1	1	1	1	1	2	2	2
TOTAL	868	871	859	873	876	877	867	872

III. FISCAL SUMMARY

The Minnesota Board of Legal Certification generates revenue from fees paid by certifying agencies and from lawyer certification fees that are collected through the accrediting agencies.

A. Revenue

Agencies applying for accreditation pay an initial 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 also assessed an annual fee of \$45 per certified lawyer. Most of the agencies pass this fee directly on to the lawyer.

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 the expenses for next year.

Table 3 below shows the Board's sources of revenue and compares 2006 receipts with previous years:

Table 3: BLC Receipts for Calendar Years 1999-2006

	1999	2000	2001	2002	2003	2004	2005	2006
Agency Fees								
Application Fee	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Recertification Fee	\$0	\$5,400	\$1,800	\$0	\$6,300	\$1,800	\$0	\$6,300
Annual Fee	\$2,000	\$2,000	\$1,750	\$2,250	\$2,500	\$2,000	\$2,250	\$2,000
Lawyer Fees								
Initial Fee	\$2,400	\$3,300	\$2,200	\$3,400	\$1,300	\$2,600	\$600	\$3,300
Annual Fee	\$24,063	\$66,738	\$33,623	\$44,078	\$41,083	\$12,060	\$38,250	\$37,530
Total	\$28,463	\$77,438	\$39,373	\$49,728	\$51,183	\$18,460	\$41,000	\$49,130

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, 2006, salaries were apportioned to the Certification Board as follows: Director, 5%; Office Administrator, 5%; Office Assistant, 10%; and Staff Attorney, 5%. Approximately 5% of the general expenses of the office are allocated to the Certification Board. The elimination of the CLE/BLC Administrator position resulted in a decreased expenditure for 2005 and 2006. In 2006, a Staff Attorney was hired who will be shared among the three Boards with a portion of that salary being allocated to the Certification Board.

IV. MISCELLANEOUS

A. Lawyer Advertising

The Board's staff continues to monitor lawyer advertisements in Minnesota telephone directories and other publications to identify lawyer advertisements that may violate Rule 7.4(b) of the Minnesota Rules of Professional Conduct. Rule 7.4(b) prohibits all but certified lawyers from advertising as specialists or certified specialists. In 2006, the Board forwarded one questionable advertisement to the Lawyers Professional Responsibility Board for investigation.

B. Highlights of 2006 Board Activities

During 2006, the Board reviewed and approved nine (9) annual reports for the certification specialties for the four (4) accredited agencies and reviewed each specialties examination. The Board reviewed an application for a new area of specialty and conducted a public hearing in March 2006 on the proposed application by NBTA for the specialty area "Social Security Disability Law." As of the end of 2006, the application was still pending. Also, during 2006, the Board reviewed recertification applications for the MSBA Civil Litigation Section and NELF.

C. Certification Task Force and 20 Year Report

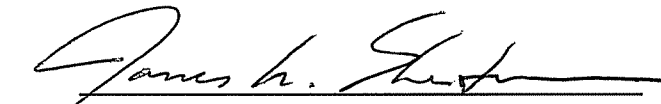
In 2006, the Certification Task Force, a body appointed by the Supreme Court to review certification in Minnesota, issued its report. The report found that members of the public expect the Court or the legal profession to determine the qualifications of specialists and generally agrees with the criteria the Board uses. The report concluded that there is a public benefit from a local independent Board that monitors specialists, the Minnesota model of accrediting agencies provides a beneficial double level of checks and balances on the integrity of specialization, and the MSBA and the Board have a responsibility to explore ways to support legal specialization for the benefit of the public.

V. CONCLUSION

The number of certified lawyers in Minnesota has increased slightly in the past year, but continues to remain about the same as it has been for the past eight years. The Board continues to operate a strong program for accrediting organizations that certify lawyers 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: August 17, 2007