

Specialist Recertification Application and Attachments

General Information

- Standards and Policies.** Before completing this Recertification Application, please read the Standards and Requirements for Certification and Recertification of Lawyers (“Standards”) that govern the Certified Civil Trial Law Specialist Program. View Standards at <http://www.mnbar.org/docs/default-source/certification/cert-civ-100-standards.pdf>.
- Professionalism and Ethics.** The Standards include consideration of character, ethics, and reputation for professionalism. The application requires disclosure of disciplinary history. If there are any changes in the information you provided on your recertification application after you submit it, advise our office in writing.
- Application Processing and Review.** Processing applications can take several months, depending on receipt of information from third parties. Complete and return your application, including attachments A-C, by January 1, 2019.
- Fees.** The application fee must accompany the Recertification Application and Attachments. Check made payable to MSBA.

MSBA Member Attorney
\$265

Not a MSBA member Attorney
\$295

Applicant Lawyer Full Name

YES NO

Name as it should appear on Specialist Certificate

I would like a certificate mailed to me.

Firm Name

Business Address, City, State, Zip

Business Phone

Website

eMail

My information has changed since submitting my last Annual Audit.

Recertification Applications received after January 1, 2019 will be subject to a \$15 late fee.

(Office Use Only)	Application No.	Payment	Date Filed	Date Notified
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Mail this Application and Attachments A-C to the following address no later than January 1, 2019:

Minnesota State Bar Association
Certified ▲ Specialist

600 Nicollet Mall, Suite 380
Minneapolis, MN 55402-1039
612-278-6318 | www.mnbar.org

If you have any questions, please contact Susan Koplin, Certified Legal Specialists Director, (612) 278-6318 or skoplin@mnbar.org.

Minnesota State Bar Association
Certified ▲ Specialist

Civil Trial Law

Every six (6) years MSBA Certified Legal Specialists must complete a Recertification Application to maintain the specialist credential. The purpose of this is to assure the public that the expertise of a certified specialist is current and the credential is not merely historical.

- I agree to abide by all Rules and Regulations of the Minnesota State Board of Legal Certification (MBLC) and the Certification Board and to furnish the MBLC and the Certification Board with the information required to determine my entitlement to specialist certification.

License Information.

- I am admitted to practice law in the following state(s):

State	Date Admitted	License No.	Status (Active/Inactive)
MN			

Former or Pending Application(s).

- I have former/pending applications for certification:

State or Agency	National	Date certified	Pending	Specialty area
	<input type="checkbox"/>		<input type="checkbox"/>	
	<input type="checkbox"/>		<input type="checkbox"/>	
	<input type="checkbox"/>		<input type="checkbox"/>	
	<input type="checkbox"/>		<input type="checkbox"/>	

Substantial Involvement—Practice Requirement.

I have been engaged in the practice of law continuously during the past five (5) YES NO years and, in each of those years, actively practiced civil trial law for at least fifty (50)% of a full-time practice of law (or its equivalent).

If you check NO, you must explain your response below.

Disclosure of Conduct.

Since your admission to practice in Minnesota:

Since your last application, annual audit or recertification application, have you YES NO been convicted of a serious crime whether or not the conviction resulted from a plea agreement, *nolo contendere*, or a guilty verdict? (Serious crimes include felonies or any lesser offense involving dishonesty or improper attorney conduct.)

Since your last application, annual audit or recertification application, have you YES NO been formally admonished by any court?

Since your last application, annual audit or recertification application, have you YES NO been the subject of any proceedings to suspend, reprimand, sanction, or discipline you in Minnesota or in any other state or jurisdiction in which you are licensed?

Since your last application, annual audit or recertification application, has any YES NO sanction, admonition or other discipline of any kind, private or public, been imposed on you by any court, attorney licensing or disciplinary authority in Minnesota or any other jurisdiction?

If you answer YES to any of the questions above, you must complete and attach the Disclosure of Conduct. (<http://www.mnbar.org/docs/default-source/certification/cert-civ-107-disclosure-of-conducte280e4182f7c4a6ab3cf9766155fbeb1.pdf>) A record of discipline or failure to disclose any of the information requested above may constitute grounds for denial of your application or subsequent decertification.

CLE Requirements.

Board Certified Specialists must complete thirty (30) approved CLE credit hours in civil trial law per three (3) year reporting period. Any ethics and bias credits counted toward the Certified Legal Specialists CLE requirements must be specifically intended for civil trial practitioners.

2018 was NOT my CLE reporting year. My next reporting year is: _____
2018 was my CLE reporting year. I have attached my list of courses.

Notification Agreement.

- I agree to notify the Director of the MSBA Certified Civil Trial Law Specialist Program, in writing, in the event of any change in my status that relates to Standards and Requirements for Certification and Recertification of Lawyers prior to my recertification, including:
 - Matters requiring disclosure
 - Change in my employment status

Law School and Legal Organizations.

Upon recertification we issue a press release on your behalf. If you would like us to include your law school and other legal organizations to which you belong, please list them below.

Name of Law School

Legal Organization(s)

Section III of the Standards and Requirements for Specialist Certification and Recertification that govern the Civil Trial Law Certification program require that you provide documentation for substantial involvement in the practice of civil trial law, primary responsibility for and experience for jury or court trials and provide references from lawyers to attest to your competence and involvement in the practice of civil trial law.

View the Standards at <http://www.mnbar.org/docs/default-source/certification/cert-civ-100-standards.pdf>.

This packet consists of three (3) attachments:

- Attachment A—Itemization of Trial Units
- Attachment B—Itemization of Experience Units
- Attachment C—References

For purposes of these attachments:

A completed “jury trial” is defined as a contested civil proceeding in state or federal court, tried from opening statement through submission to jury, involving the presentation of testimony lasting in total two (2) full days or more. A completed jury trial is worth two (2) trial units.

A “court trial” is defined as a contested civil proceeding in state or federal court, tried to a judge from opening statement to closing argument, lasting in three (3) full days or more. A completed court trial is worth one (1) trial unit.

Any combination of jury or court trials may be used to accumulate trial units. The units must have been accumulated since the original date of certification or last date of recertification.

Attachment A—Itemization of Trial Units

Section III(B) of the Standards requires the applicant for recertification shall have had primary responsibility for four (4) jury or court trial units as defined in Section II(A)2(b). If this requirement is not met, the applicant either shall have a total of at least fifteen (15) civil trial days in court as lead counsel over the period of certification; or shall demonstrate to the satisfaction of the Certification Board civil trial experience equivalent to the trial experience described in this paragraph.

NOTE: Any trials that you count toward this requirement in this Attachment A may not be listed on Attachment B—Itemization of Experience Units: Specialist Recertification Application. Trials that you list here may not be used to meet the additional requirement of 50 experience units.

I have had primary responsibility for four (4) “trial units” or an accumulated total of at least fifteen (15) civil trial days as lead counsel over the period of certification or civil trial experience equivalent to (1) or (2) described on a separate sheet attached to this attachment; as follows:

Check one box Jury trial Court trial

<i>Title of Case</i>	<i>Date (Month/Year)</i>	<i>Days in Trial</i>
<i>Judge</i>	<i>Court</i>	<i>Opposing Counsel</i>
<i>Nature of Proceeding</i>		

Check one box Jury trial Court trial

<i>Title of Case</i>	<i>Date (Month/Year)</i>	<i>Days in Trial</i>
<i>Judge</i>	<i>Court</i>	<i>Opposing Counsel</i>
<i>Nature of Proceeding</i>		

Check one box Jury trial Court trial

<i>Title of Case</i>	<i>Date (Month/Year)</i>	<i>Days in Trial</i>
<i>Judge</i>	<i>Court</i>	<i>Opposing Counsel</i>
<i>Nature of Proceeding</i>		

Attachment B—Itemization of Experience Units

I, _____,
certify that I have accumulated at least fifty (50) experience unit credits, since the day of my original certification or last recertification.

Date: _____
Signature of Applicant

NOTE: Any trials that you count toward this requirement in this Attachment B, may not be listed on Attachment A—Itemization of Trial Units: Specialist Recertification Application.

Experience units do not need to be itemized.

Jury Trial: Description of proceeding	Experience Unit
Completed “jury trial”: defined as a contested civil proceeding in state or federal court, tried from opening statement to submission to jury, involving the presentation of testimony lasting in total two (2) full days or more.	2
Any other jury trial lasting at least two (2) days, whether or not tried to a verdict, where you conducted one or more of the following: presentation of evidence; arguments to the court; jury selection; opening statement; and/or, closing argument.	1
Each three (3) days of a jury trial in excess of the initial two (2) days of trials, whether or not tried ultimately to a verdict.	1
Handling a jury trial lasting at least one (1) day but less than two (2) days, whether or not tried to a verdict.	3/4
Handling a jury trial lasting less than one (1) day.	1/2

Court Trial: Description of proceeding	Experience Unit
A completed “court trial”: defined as a contested civil proceeding in state or federal court for which you had primary responsibility, tried to a judge from opening statement through closing argument, lasting in total three (3) full days or more.	1
Any other court trial lasting at least three (3) days, whether or not tried to a verdict, where you conducted one or more of the following: presentation of evidence; arguments to the court, opening statement; and/or, closing argument.	1
Each three (3) days of a court trial in excess of the initial three (3) days of trial, whether or not tried ultimately to a verdict.	1
Handling a court trial lasting at least one (1) day but less than three (3) days, whether or not tried to a verdict.	3/4
Handling a court trial lasting less than one (1) day.	1/2

Attachment B—Itemization of Experience Units: Specialist Recertification Application

Advanced Education: Description of program	Experience Unit
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Each program of advanced, intensive, trial skills education and demonstration that you have completed. Organizations that often sponsor such courses are the National Institute of Trial Advocacy (NITA) and the Minnesota Advocacy Institute (MAI).	2
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If you are unsure whether a course you have attended will qualify for this credit, contact the Certified Legal Specialists Manager to discuss it.

Arbitrations and Administrative Hearings: Description of proceeding	Experience Unit
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Each arbitration or administrative hearing for which you have had primary responsibility that lasted at least one (1) full day.	3/4
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Each arbitration or administrative hearing for which you have had primary responsibility that lasted less than one (1) full day.	1/2
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Other Contested Matters: Description of proceeding	Experience Unit
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Each contested matter which you have personally handled defined as: evidentiary hearings; depositions; appeals; and, pre-trial and post-trial motions that are heard by a judge or other judicial officer. Motions that are made solely by written submissions are not eligible for experience unit credits.	1/2
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Attachment C—Reference List

Completed references shall be kept strictly confidential by the certification board. All references, communications, reference forms, and information gathered pertaining to the applicant will be confidential and neither the forms nor any information concerning them will be provided to the applicant. The certification board reserves the right to require the applicant to submit additional names of judges before whom you have appeared in civil trial matters during the two (2) years immediately preceding application. Reference requests may be sent to other lawyers and judges the applicant has not listed or requested.

- Submit the names and addresses of three (3) lawyers substantially involved in the practice of civil trial law.
- They must not be related to you.
- They must not be engaged in legal practice with you.
- These lawyers must be familiar with your competence, involvement in the practice of civil trial law and reputation for ethical conduct.
- At least one (1) of the lawyers listed shall be a judge of a court of general jurisdiction in Minnesota before whom you have appeared as an advocate.
- At least one (1) of the lawyers listed shall be lawyers with whom or against whom you have tried a civil trial matter.

Add a maximum of (five) 5 references.

<input type="checkbox"/> Lawyer				
<input type="checkbox"/> Opposing Counsel				
<input type="checkbox"/> Judge				
<i>Type</i>	<i>Full Name</i>	<i>Name of Firm or Court</i>	<i>Complete Mailing Address</i>	<i>eMail Address</i>
<input type="checkbox"/> Lawyer				
<input type="checkbox"/> Opposing Counsel				
<input type="checkbox"/> Judge				
<i>Type</i>	<i>Full Name</i>	<i>Name of Firm or Court</i>	<i>Complete Mailing Address</i>	<i>eMail Address</i>
<input type="checkbox"/> Lawyer				
<input type="checkbox"/> Opposing Counsel				
<input type="checkbox"/> Judge				
<i>Type</i>	<i>Full Name</i>	<i>Name of Firm or Court</i>	<i>Complete Mailing Address</i>	<i>eMail Address</i>
<input type="checkbox"/> Lawyer				
<input type="checkbox"/> Opposing Counsel				
<input type="checkbox"/> Judge				
<i>Type</i>	<i>Full Name</i>	<i>Name of Firm or Court</i>	<i>Complete Mailing Address</i>	<i>eMail Address</i>
<input type="checkbox"/> Lawyer				
<input type="checkbox"/> Opposing Counsel				
<input type="checkbox"/> Judge				
<i>Type</i>	<i>Full Name</i>	<i>Name of Firm or Court</i>	<i>Complete Mailing Address</i>	<i>eMail Address</i>

VERIFICATION

I, _____, being duly sworn, certify that I have carefully read the foregoing application and that all information contained therein is true. I fully understand that failure to make a truthful disclosure of any required fact or item of information may result in the denial of my application, or revocation of my Specialist Certificate if granted.

Date: _____
Signature of Applicant Lawyer

State of Minnesota, County of _____

Signed and sworn to before me on _____, by _____
(month/day/year)

(insert name of Applicant Lawyer)

(Stamp)

(signature of notarial officer)

Title (and Rank): _____

My commission expires: _____
(month/day/year)

RELEASE

I agree to abide by all rules and regulations adopted by the Civil Trial Certification Board (the "Certification Board") as amended from time to time and to pay all fees required by the Certification Board as due.

In making and filing this application for certification, I authorize all persons, firms, officers, corporations, associations, organizations, educational institutions, governmental agencies and instrumentalities (including bar associations, bar examiners, and boards of professional responsibility), employers, references, business and professional associates (past and present), to release to the Certification Board and assigned Minnesota State Bar Association (MSBA) staff, and to the Minnesota State Board of Legal Certification (MBLC), all relevant documents, records or other information that may be requested in the investigation of this application or in the investigation of my continuing satisfaction of the standards for certification.

I agree that all information received by the Certification Board may be treated confidentially by the Certification Board. I hereby waive that confidentiality with regard to any State agency with jurisdiction over legal specialization and also with regard to any organization or entity approved by the State to certify legal specialists to which I have applied or which I am certified.

I specifically waive any right to review any statements of Independent Reference and Peer Review or other evaluations and references made to the Certification Board, whether solicited by me or by the Certification Board. In addition, I agree not to seek discovery of such references and evaluations, formally or informally, in any legal proceeding or otherwise.

I release, discharge and exonerate the Certification Board, the Civil Litigation Section of the MSBA, the MSBA and its officers, staff, agents, employees and representatives, and any person furnishing information or evaluations to the Certification Board, from any and all liability of every nature and kind arising from the investigation and evaluation of my application or my continuing satisfaction of the standards for certification.

I agree that in the event my certification is suspended or revoked or I am not recertified, I shall cease to hold myself out in any way as certified by the Civil Litigation Section of the MSBA, and will remove my certificate from public display.

I agree to defend or pay the costs of defense, at the discretion of the Certification Board, for any suit or claim initiated, and to indemnify the Certification Board, the Civil Litigation Section of the MSBA, and the MSBA for any judgment or settlement ordered or paid as a result of any legal action arising from my application or from my certification by the Civil Litigation Section.

I hereby certify that I have reviewed each part of my Application and Attachments carefully and made each statement and representation therein, and answered each question therein, fully and frankly and without concealment or reservation. Such questions and answers are, within my personal knowledge, true and complete.

Date: _____

Signature of Applicant Lawyer

Printed Name of Applicant Lawyer