

EDITORIAL: Sleepwalking through CLE

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The credibility of Wisconsin's required legal education is fading slowly to the soundtrack of rumbling snores and rustling newspapers.

Continuing legal education is essential for lawyers. Forcing them to do it is a waste of their time. Attorneys shouldn't have to scramble to meet the arbitrary requirement of 30 CLE credits every two years.

So, many do what any checked-out high school seniors would do in the final semester. They follow that path of least resistance to satisfy the letter of the law. They pick pottery over calculus.

That's not how it worked 35 years ago, when the state Supreme Court established the current requirement. The legal community was a different place with fewer options for attorneys to learn from their peers.

Attorneys who wanted the latest in bankruptcy law strategies often had to wait for the class. Now, the information is a click or an email away.

For many of those attorneys, the class is old news, so it only makes sense to nap or read *The Wall Street Journal*. Three hours with the Journal is truly continuing education.

The Board of Bar Examiners, which oversees and evaluates CLE in the state, recognizes the struggle to keep attorneys engaged in the courses. The board also recognizes there are limitations.

Testing CLE class attendees would force them to pay attention. But the board knows it can't afford to develop tests for every class and can't spare the hundreds of hours grading would require.

Adding pro bono work to credit-eligible CLE offerings could encourage engaged participation, but it's just another segment in the same vicious circle. As long as the "required" tag remains, the unmotivated attorneys will keep sleeping through the seminars and collecting the credits.

The BBE correctly found flaws in its CLE offerings and is responsibly searching for solutions. But the board is assuming the foundation is still solid and the sound principles of a different generation are still relevant.

Two principles remain the same. First, it's safe to trust attorneys to make the right decisions to succeed in their practices. Second, the industrious will keep current while the indifferent will keep shirking.

"We rely on attorneys' professionalism," BBE Chairman Dan Blinka said, "and assume good lawyers pay attention to good programs."

But good leaders listen. They understand that genuine trust isn't burdened with requirements, and they recognize that sometimes meaningful change is heralded by a snore.