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*Symposium: Celebrating Twenty Years of Continuing Legal Education: The Art and Science of Educating Attorneys*

### The History of Mandatory Continuing Legal Education in Indiana

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# Lessons Learned: The History of Continuing Legal Education and Experiences from Mandatory Continuing Legal Education States

## THE HISTORY OF MANDATORY CONTINUING LEGAL EDUCATION IN INDIANA

Robert H. Staton\*

The birth of Mandatory Continuing Legal Education (“MCLE”) in Indiana had serious complications. To begin, Indiana had no organizational means or desire to commence a mandatory educational program. Only seventeen state bar associations had mandatory legal education programs when Indiana became the eighteenth state to mandate continuing legal education in 1986.<sup>1</sup> Organizational reluctance to move ahead and the natural fight against change by the older members of the Indiana Bar were quick to surface. The task of exposing the obvious need for continuing education to the older and more experienced practicing members of the bar was not easy, for several

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\* Judge, Indiana Court of Appeals. Judge Staton was the first editor of *Res Gestae*, the official law journal of the Indiana State Bar Association. During his tenure at *Res Gestae*, he contributed articles such as: *Common Errors on Appeal*, *Indiana’s Underpaid Judges*, and *Lawyer Specialization* (a five part series). Additionally, as the Life Honorary Editor of the Indiana Law Review, he published: *Trial Advocate Competency*, 13 IND. L. REV. 725 (1980); *Lawyer Specialization*, 53 IND. L. J. 247 (1977-1978); and *The History of the Court of Appeals of Indiana*, 30 IND. L. REV. 203 (1997).

Judge Staton was also the editor and contributing author of the *Indiana Appellate Practice Manual* that was published by the Indiana Continuing Legal Education Forum in 1985. This manual was chosen by the United States Supreme Court as one of the most outstanding in the United States. At a special ceremony attended by Judge Staton in Washington, D.C., a copy of the manual was deposited in the library of the United States Supreme Court at the personal request of Chief Justice Burger.

<sup>1</sup> There are now forty states that have mandatory continuing legal education programs. They are as follows: Alabama, Arizona, Arkansas, California, Colorado, Delaware, Florida, Georgia, Idaho, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Minnesota, Mississippi, Missouri, Montana, Nevada, New Hampshire, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, and Wyoming. See ABA Center for Continuing Legal Education, Summary of MCLE State Requirements, <http://www.abanet.org/cle/mcleview.html> (last visited Jan. 2, 2006).

reasons. One of these reasons was the fear that older members of the practicing bar would be called upon to donate their time to teaching at the seminars. An attorney's time and advice are very valuable commodities. They are the commodities he serves to the general public for a fee. Embarking upon a mandatory continuing legal education program led to a strong perception that older members of the practicing bar would have to donate tons of their valuable time. However, these attorneys were not the first members of the bar to debate the merits of an MCLE requirement. The history of Mandatory Continuing Legal Education in Indiana began thirty years before its delivery.

Fifty years ago, continuing legal education after law school was done on the job. You joined a law firm where you became an apprentice and learned at the elbow of an experienced partner. You did grunt work and hit the books often to avoid sharp, hazardous twists and turns that were not mentioned in law school. You also had the security of a member of the firm to give you a nodding head of approval or a frown with a shaking head to do it over. For those brave souls who were on their own without a law firm backup, there existed a practicing bar that generally gave a helping hand. Additionally, the sitting judges usually did not have heavy calendars, allowing them the indulgence of helping a young, struggling lawyer who lacked the necessary experience. For the most part, it can be said that there was a friendly and benevolent acceptance of new members of the bar by the older practicing bar. More often than not, when the books did not provide a clear practical answer, a new member of the bar received a helping hand offered by an older, more experienced member of the bar or by a sitting judge. These older attorneys were usually delighted to display their experience and knowledge of the law. But later, the landscape started to change. The need to obtain information became more immediate and urgent. Legal problems became more involved with each passing legislative session and the addition of new administrative bodies. The practice of law was changing.

This creeping change in the practice of law could not be ignored for long. In 1955, the Indiana State Bar Association conducted a search for an executive secretary. It hired a capable former newspaper reporter of the Indianapolis Star, Newton Goudy.<sup>2</sup> He was not only a good newspaper reporter, but he had developed a good relationship with many members of the practicing bar. His newspaper responsibilities

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<sup>2</sup> Newton M. Goudy served as Executive Secretary of the Indiana State Bar Association for thirteen years.

included covering the Indiana Legislature, which permitted him to become familiar with the legislators and the legislation before the house and the senate. It should be noted that this was a time when many of the legislators in both houses were lawyers. Sadly, this is not the case today. Without full time legislative bodies that pay adequate salaries to their members, few lawyers can afford to participate in the legislative process as elected representatives and senators.

Newton Goudy's communication skills as a newspaperman surfaced to the point of revolt when he was presented with the "Bulletin," the monthly newsletter of the Indiana Bar Association. The Bulletin was a mimeographed, legal-size sheet of paper listing notices and activities of bar association members. It was devoid of any articles that could qualify as continuing legal education by today's standards. As the new Executive Secretary of the Indiana State Bar Association, Newton Goudy demanded a change. At its last state meeting, the Association had elected a new president, Thomas M. Scanlon. Scanlon felt the growing size of the practice of law and the need for continuing legal education.<sup>3</sup> He also recognized that the economy was growing in size and new technology. Regulatory bodies were growing at an unheard of rate and the less demanding days of the legal practice were slowly melting away. Scanlon gave Newton Goudy his wish. He chose a young, inexperienced lawyer to head a group of practicing lawyers who were assigned the task of designing and naming a new "slick paper" and multi-colored magazine.<sup>4</sup> The general plan for the publication was to create a "slick" multi-colored magazine which would not only serve the Indiana State Bar Association and its members, but would also serve as a platform to publish educational articles for the practicing bar. The hardworking group of lawyers who organized and put the magazine together called it *Res Gestae*. The first issue of the journal was published in November of

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<sup>3</sup> In 1960, it was estimated that over 3,000 attorneys would be admitted to the practice of law in Indiana. This would amount to a thirty-three percent increase from the number of attorneys admitted to practice law in 1948. Each year seemed to require more room to admit the graduating class of lawyers. In 1955, the swearing-in took place in the Indiana Supreme Court. This would be impossible in 2005. Today, the Convention Center in Indianapolis is used to swear-in new members to the practicing bar. See generally Jack Lyle, *Indiana State Bar Association: A Century of Service to the Public and Profession*, RES GESTAE, Sept. 1996, at 8 (presenting a 100-year history of the Indiana State Bar Association).

<sup>4</sup> The young, inexperienced lawyer is the author of this Article, Judge Robert H. Staton. Although he had little experience as a practicing lawyer in 1955, he had published a number of articles and had been an editor of a small newspaper. He became the first editor of *Res Gestae*, the official law journal of the Indiana State Bar Association. He also contributed articles such as: *Common Errors on Appeal*, *Indiana's Underpaid Judges*, and *Lawyer Specialization* (a series of five articles).

1956. *Res Gestae* is still published today, and it continues to serve the interests of the Indiana State Bar Association and its members.

The 1956 creation of *Res Gestae* was a beginning. The educational articles that appeared in the magazine underscored the need for more of their kind. At least a dozen seminars were organized and performed all over Indiana. They were varied in subject matter, and they were usually held at the local level. However, the idea of continuing legal education had caught fire and was spreading to all parts of Indiana. The most popular of these new seminars was the "Up-Date" seminar. It later developed into a two-day seminar and covered at least twelve fields of law. The Up-Date seminar owed its success in large part to the faculty members of Indiana University School of Law-Indianapolis, Valparaiso University School of Law, and Notre Dame School of Law.<sup>5</sup> Over half of the seminar faculty came from members of the practicing bar. In 2004, over 500 lawyers attended the two-day Up-Date seminar held at the Convention Center in Indianapolis.

Several years after *Res Gestae* generated interest in continuing legal education, the Indiana Bar Foundation recognized and endorsed the principle of continuing education. Approximately a year later, on April 16, 1964, the Indiana Continuing Legal Education Forum ("ICLEF") was incorporated as an independent Indiana not-for-profit corporation.<sup>6</sup> Its co-sponsors were the Indiana Bar Foundation, the Indiana State Bar Association, Indiana University School of Law-Indianapolis, Notre Dame Law School, and Valparaiso University School of Law. From its makeshift headquarters in the Banker's Trust Building in Indianapolis, it assisted the Indiana State Bar Association in preparing for the annual spring and fall meetings. Several education programs were usually presented at these meetings, and the participation of ICLEF in the

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<sup>5</sup> It would be impossible to list all of the faculty members who contributed so much. However, a few that come immediately to my mind are: Professor Rosalie B. Levinson and Professor Bruce G. Berner of Valparaiso University School of Law; Dean William F. Harvey, Professor Lawrence A. Jegen, III, and Professor Henry C. Karison of Indiana University School of Law; Kristin G. Fruehwald of Barnes & Thornburg, Indianapolis, IN; James A. Buck, of Buck, Berry, Landau & Breunig, Indianapolis, IN; and Donald R. Lundberg, Professional Responsibility, State House, Indiana Supreme Court. Over a period of twenty-five years while I was Chairman, the full list of dedicated fellow lawyers would consume too many pages of this Article, but they are all owed a great deal of gratitude and sincere thanks for their contributions.

<sup>6</sup> ICLEF was incorporated in accordance with and in pursuant to all Acts of the Indiana General Assembly and operates exempt from Federal Income Tax under § 501(c)(3) of the Internal Revenue Code. *See generally* Indiana Continuing Legal Education Forum, <http://www.iclef.org/index.htm> (last visited Jan. 2, 2006).

preparation of these programs assured a greater degree of quality and organization.<sup>7</sup>

The office and production facilities of ICLEF today are a far cry from its humble beginnings.<sup>8</sup> Its first home was the Bankers Trust Building in Indianapolis, Indiana. Professor Edward W. Gass of Indiana University School of Law was its first Director. Because of limited funds and

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<sup>7</sup> A list of these programs given from 1977 to 1987 at the several meetings of the Indiana State Bar Association are as follows:

1977	Warren McGill	Indiana Land Trust
1978	Fred Eichhorn, Jr.	Crimes & Fines for Businesses
1978	Thomas W. Yoder	Settlements
1979	Professor Lawrence Jegen	Estate Planning & Administration in Indiana
1980	Thomas Singer	Legal Malpractice
1980	Theodore Lockyear	Proving & Disproving Fault in Auto Accidents
1981	Donald Buttrey	Taxation & Dissolution of Marriage
1981	Robert Reynolds	Counseling Indiana Businesses
1982	John Houghton	Drafting Wills & Trust Agreements
1982	R. Stanley Lawton	Trial Preparation & Discovery Controlling Times & Cost
1983	William F. McNagny	Damages— Their Nurture & Prevention
1983	Professor Lawrence Jegen	Wills & Trusts, Threats to Security Interest, Professional Corporation & Professional Responsibility
1984	Louis Buddy Yosha	Indiana Comparative Fault Act
1984	Thomas G. Jones	Strategies for Representing the Routine Negligence
1985	Hon. Robert H. Staton	Indiana Law Update
1985	Leonard Eilbacher	Indiana Workmen's Compensation
1985	Richard Kammen	O.V.W.I.— Two Years Later
1986	Robert F. Parker	Auto Accident Non-Driver Liability
1986	John L. Carey	Mergers & Acquisitions
1986	Constance J. Goodwin & Michael McCrory	New Indiana Business Corporation Law
1986	Gerald Cowan	Basic Probating of an Estate
1986	Professor Henry Karlson & Marvin Mitchell	Indiana Trial Notebook
1987	Miles Gerberding & David Haist	Estate & Business Planning for Business Owners
1987	Robin Stickney	Medicine for Lawyers
1987	William Wood	Civil Trial Techniques
1987	Professor Lawrence Jegen	Indiana Sales & Use Tax
1987	J. Brian Niederhauser	Litigating Economic Issues in Dissolutions

This list is limited to the period before MCLE was adopted by Supreme Court Rule in 1986. The list demonstrates the steady increase of seminars from 1977.

<sup>8</sup> Today Thomas H. von Kamecke is the Executive Director of ICLEF and has done a splendid job of keeping high quality seminars available. Jeff Lawson is the lubrication that keeps the entire organization moving smoothly. I personally owe Tom and Jeff a debt of gratitude for all their help and assistance over the years. Without their help and dedication, Mandatory Continuing Legal Education could not have succeeded.

facilities, he worked only part-time with a part-time staff of one, his regular secretary. ICLEF participation in bar activities was necessarily limited and brief. Later, Frederick R. Franklin took the helm of ICLEF from 1965 to 1969. Carlyn E. Johnson filled the Director's chair until the appointment of Robert F. Lehman in 1970. This appointment and this point in time were very important in the development of ICLEF as a moving force toward the adoption of Mandatory Continuing Legal Education. Three years after Robert F. Lehman's appointment, several important changes took place. The first and most substantial change was the moving of all ICLEF operations to Indiana University School of Law in Indianapolis.<sup>9</sup> The second unexpected and fortuitous change was the close liaison with the law school faculty. These changes gave impetus to the ICLEF program to produce more seminars. It did.

In 1973, the increase in the number of seminars produced by ICLEF gave rise to another welcome change: the appointment of a new full-time Director, William P. Glynn III, five full-time employees, and two part-time employees. A year later, ICLEF purchased audio/visual equipment and began providing video taped replays of live seminars given in various locations around the state. With this substantial growth in the number of seminars available to the practicing bar and the enhanced production capacity of ICLEF, it was only a matter of time before a mandatory continuing legal education rule would become a reality.

Later, with the appointment of Donald R. Canaday as the new ICLEF Director, the production of legal seminars had expanded from two live programs a year to twenty-five live programs a year plus eighty-four video replays. Donald Canaday's administrative excellence was acknowledged by many of the law firms in Indianapolis. In 1983, Donald Canaday left ICLEF and became the administrator for Jim Harrison's law firm in Indianapolis. James F. McCarthy subsequently entered as his replacement.

James F. McCarthy had a propensity to purchase more equipment to enhance the versatility of ICLEF. The purchase of a new offset printing press was the first of a long line of supplementary equipment. Video replays now covered virtually every seminar given in the state. The Up-Date seminar enjoyed a heavy attendance along with the other seminars

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<sup>9</sup> In 1970, the Indiana University School of Law in Indianapolis was located at 735 West New York Street. Today the law school is located across the street in a new building. The former location of the law school is now occupied by the Herron School of Art and Design.

shown live or by video. Mr. McCarthy did not need any encouragement to cooperate in promoting an MCLE program for Indiana. Such a program would guarantee the continued success of ICLEF. It appeared that now was a good time to unwrap the MCLE package. It was like letting a genie out of the bottle. The dimensions of the program would probably be similar to those other mandatory legal education states, but they were all different in one way or another. Whatever configuration the program would take in the first phase of its presentation to the practicing bar was anyone's guess. The final approval by the Indiana Supreme Court would be even more problematic. It was time to find out

Almost thirty years had passed since the first publication of *Res Gestae* in 1956. The idea of voluntary continuing legal education through attending seminars had been accepted by many, but not all, members of the practicing bar. In an attempt to assess the overall competency of the practicing bar, a consortium of legal competency was proposed by the President of the Indiana State Bar Association.<sup>10</sup> Prior to this recognition of a need to "test the waters" by assessing the overall level of competency, the Indiana Supreme Court, led by Chief Justice Richard M. Givan, had traveled over the entire State of Indiana and held district meetings. All of the judges of the courts in the districts attended and voiced their views on the merits of a mandatory continuing legal education program. There was not complete agreement between members of the supreme court during or after all of the district meetings. There was considerable discussion regarding the expense of such a program and what kind of a financial burden such a program would place on average practicing attorneys. The court was well aware that a lawyer's time is money and taking time away from the office is an added expense. In addition, it considered the potential travel to and from seminars all over the state. If hundreds of miles were involved, would overnight arrangements be necessary, and if so, would another day from the office be required? How would lawyers ask questions of a video presentation at a seminar? These practical considerations could not be dismissed lightly. Attorney specialization was also looming on the horizon. How would the mandatory legal education serve this segment of the practicing bar? The supreme court decided to let the practicing bar make a proposal for its consideration and approval.

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<sup>10</sup> Rabb Emison, who had been elected President of the Indiana Bar Association in 1986, appointed the author, Judge Robert H. Staton, to be the Chairman of the Consortium. The existence of the Consortium gave emphasis to the efforts already underway to establish mandatory continuing legal education. There were still reluctant stragglers whose absence from the seminars could not be ignored.



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In 1984, Ted B. Lewis was elected President of the Indiana State Bar Association. He and the Board of Managers appointed a Task Force to examine approximately seventeen states where mandatory continuing legal education had been adopted and to formulate a proposed rule and guidelines for the Association's consideration. The members of the Task Force were as follows:

Chairman Robert H. Staton, Judge, Indiana Court of Appeals

Kent E. Agness, Esq., Barnes & Thornburg, Indianapolis, IN

Dean Gerald Bepko, Indiana University School of Law, Indianapolis, IN

Philip W. Brown, Esq., Brown, Brown & McQueen, Shelbyville, IN

John L. Carroll, Esq., Johnson, Carroll & Griffith, Evansville, IN

Clyde D. Compton, Esq., Hodges, Davis, Gruenberg, Compton & Sayers, Merrillville, IN

John D. Walda, Esq., Barrett, Barrett & McNagny, Fort Wayne, IN

James F. McCarthy, Sr., ex officio member and Secretary, Indiana Continuing Legal Education Forum

After six meetings and numerous redrafts, a rough draft was submitted at the 1985 Spring Meeting of the Indiana State Bar Association. The rough draft was distributed to the members of the House of Delegates for their comments and approval. Judge Staton advised the members of the House of Delegates that if the rule was approved by the house of delegates, it would be presented to the supreme court for its adoption. After the rule was adopted, the draft of the proposed guidelines would be adopted separately by the Commission on Mandatory Continuing Legal Education.<sup>11</sup>

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<sup>11</sup> For the full text of the MCLE rule, see IND. ADMISSION & DISCIPLINE R. 29.

The House of Delegates approved the rule as submitted to them by the Task Force. Later, the Indiana Supreme Court adopted Rule 29, which provides for Mandatory Continuing Legal Education. Rule 29 was to become effective on October 1, 1986. Members of the Indiana Bar were reminded that the special, one-time mandatory continuing legal education assessment of ten dollars was to be paid to the Clerk of the Indiana Supreme Court by January 2, 1987. The clerk mailed out a billing to collect the ten dollars, which was start-up money to organize the commission. Section four of Rule 29 provides for the creation of the commission:

(a) *Creation of the Commission.* A commission to be known as the Indiana Commission For Continuing Legal Education is hereby created and shall have the powers and duties hereinafter set forth. The commission shall consist of eleven (11) Commissioners.

(b) *Appointment of Commissioners and Executive Director.* All Commissioners and the Executive Director shall be appointed by the Supreme Court.

(c) *Diversity of Commissioners.* It is generally desirable that the Commissioners be selected from various geographic areas and types of practices in order to reflect the diversity of the Bar and consideration should be given to the appointment of one (1) non-lawyer public member. The three (3) geographic divisions used for selecting judges for the Indiana Court of Appeals in the First, Second and Third Districts may be used as a model for achieving geographic diversity.

(d) *Terms of Commissioners.* Commissioners shall be appointed for five (5) year terms. All terms shall commence on January 1 and end on December 31. Any Commissioner who has served for all or part of two consecutive terms shall not be reappointed to the Commission for at least three (3) consecutive years.<sup>12</sup>

The Indiana Supreme Court scheduled the swearing-in ceremonies for the new commissioners for November 25, 1986. The commissioners and their length of terms were as follows:

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<sup>12</sup> IND. ADMISSION & DISCIPLINE R. 29 § 4.

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Paul F. Arnold, Evansville, three years;

Hon. Sarah Evans Barker, U.S. District Court,  
Indianapolis, one year;

C. Harvey Bradley, Jr., Eli Lily, Indianapolis, two years;

James E. Bourne, New Albany, two years;

Angelo A. Buoscio, Merrillville, two years;

Miles C. Gerberding, Fort Wayne, one year;

Hon. Gary K. McCarty, Union Circuit Court, Liberty,  
one year;

David T. Ready, South Bend, three years;

Thomas L. Ryan, Lafayette, two years;

Hon. Robert H. Staton, Indiana Court of Appeals,  
Indianapolis, three years; and

Richard J. Wood, Bedford, three years.

Judge Robert H. Staton of the Indiana Court of Appeals served as the first Chairman of the commission and remained as Chairman for six years. He insisted that a written record of the commission's proceedings be recorded by a court reporter so that the record might serve as a guide for future commissions.

Although many important elements of the proposal on Mandatory Continuing Legal Education are set forth in Rule 29, the rule does not address all of the issues that have been considered by the Task Force on Mandatory Continuing Legal Education. The Task Force assumed that some issues should be the subject of continuing study by the commission. The commission needed to have the flexibility to resolve some of these issues after it gained experience in administering the rule.

Based on this reasoning, the Task Force divided its work into two stages. The first stage focused on drafting a proposed rule containing some essential elements of any proposed MCLE requirement. The second stage focused on drafting guidelines that could be adopted by the commission pursuant to section 6(g) of Rule 29. These guidelines

address matters that the Task Force thought appropriate for continuing study and review by the commission.

The judgment of the Task Force on what should be included in the rule was largely influenced by the views of the members of the bar. To facilitate a discussion of these questions and to make clear that the proposed division between rule and guidelines was tentative, the guidelines were drafted so that portions could be transplanted to the proposed rule if necessary.

Section 1 of the guidelines provides:

**Authority and Publication of Guidelines.**

These Guidelines have been adopted by the Commission under Section 6(g) of the Rule in furtherance of the efficient discharge of the Commission's duties.

The Commission shall:

- (a) file a copy of these guidelines with the Clerk;
- (b) cause these guidelines to be published from time to time as revised in a pamphlet or brochure along with the full text of the Rule and any other materials deemed useful by the Commission in assisting Attorneys, Judges and Sponsors understand and comply with the Rule;
- (c) cause these guidelines and the full text of the Rule to be sent to the West Publishing Company of St. Paul, Minnesota, with a request that they be published in the *Northeast Reporter*; and
- (d) cause these guidelines and the full text of the Rule to be sent to the Editors of *Res Gestae* with a request that they be published.<sup>13</sup>

The Task Force did an excellent job preparing the commission for the number of sponsors requesting accreditation.<sup>14</sup> Accreditation by the

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<sup>13</sup> IND. ADMISSION & DISCIPLINE R. 29, Mandatory Continuing Legal Education Guidelines.

<sup>14</sup> The following is a list of the ninety-five sponsors requesting accreditation by the Commission in the early months of its existence:

Air Force Judge Advocate General's School

Alabama Institute for Continuing Legal Education  
ALI ABA  
Allen County Bar Association  
American Bar Association  
American College of Probate Counsel  
American College of Trial Lawyers  
American Corporate Counsel Association  
American Judicial Academy  
Arkansas ICLE  
Association of Trial Lawyers of America  
California Continuing Legal Education of the Car  
CLE in Colorado, Inc.  
Defense Research Institute  
Eastern States Mineral Law Foundation  
Federal Bar Association  
(The) Florida Bar, Continuing Legal Education Programs  
Georgetown University School of Law  
Harvard School of Law  
Hawaii Institute of Continuing Legal Education  
Idaho State Bar  
Indiana Association of Criminal Defense Lawyers  
Indiana Chapter, American College of Probate Counsel  
Indiana Continuing Legal Education Forum  
Indiana Defense Lawyers Association  
Indiana Judicial Institute  
Indiana Society of Certified Public Accountants  
Indiana Trial Lawyers Association Indiana University School of Law, Bloomington  
Indiana University School of Law, Indianapolis  
Indianapolis Bar Association  
Institute of Continuing Judicial Education  
Institute of Continuing Legal Education in Georgia  
Illinois Institute for Continuing Legal Education  
Judge Advocate General School/Army  
Kansas Bar Association, CLE  
Kentucky Bar Association, CLE  
Maine State Bar Association, CLE  
Maryland Institute for Continuing Professional Education of Lawyers, Inc.  
Massachusetts CLE  
(The) Missouri Bar Center  
Minnesota State Bar Association, CLE  
National Association of Criminal Defense Lawyers  
National Association of District Attorneys  
National Bar Association, CLE  
National Defense College  
National Institute for Trial Advocacy National Judicial College  
National Judicial College  
Naval Justice School  
Nebraska CLE Incorporated  
New Hampshire Bar Association, CLE  
New Jersey Institute for CLE  
New York State Bar Association, CLE  
New York University School of Continuing Education in Law & Taxation

commission did not mean that just any seminar program suggested would be approved. Each proposed seminar had to be approved by the commission. This review policy resulted in the refusal of many proposed seminars. The commission had to be convinced that the proposed seminar would be practical, reasonable in length, affordable, and presented live by a qualified panel. An executive committee was appointed by the Chairman to review incoming proposed seminars. If

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New York University School of Law  
 Notre Dame University School of Law  
 Northwestern University School of Law  
 Ohio Legal Center Institute  
 Oklahoma Bar Association, CLE  
 Oregon State Bar Association, CLE  
 Pennsylvania Bar Institution  
 Practicing Law Institute  
 Professional Education Group, Inc.  
 Professional Education Systems, Inc.  
 Rhode Island Law Institute  
 Rocky Mountain Mineral Law Foundation  
 Saint Joseph County Bar Association  
 South Carolina Bar Association  
 Southern Methodist University School of Law  
 State Bar of Arizona, CLE  
 State Bar of Mississippi, CLE  
 State Bar of Montana, CLE  
 State Bar of New Hampshire, CLE  
 State Bar of New Mexico, CLE  
 State Bar of Nebraska, CLE  
 State Bar of Nevada, CLE  
 State Bar Association of North Dakota, CLE  
 State Bar Association of South Dakota, CLE  
 State Bar Of Texas, CLE  
 State Bar of Wisconsin, CLE  
 Tennessee Bar Association, CLE  
 United States Department of Justice, Office of Legal Education  
 University of Colorado, Boulder School of Law  
 University of Connecticut School of Law/ Connecticut Bar Association, CLE  
 University of Kentucky College of Law  
 University of Louisville School of Law  
 University of Miami School of Law  
 University of Michigan Institute of Continuing Legal Education  
 University of Virginia School of Law  
 Utah State Bar and CLE  
 Valparaiso University School of Law  
 Vanderberg County Bar Association CLE  
 Vermont Bar Association, CLE  
 Washington State Bar Association, CLE  
 West Virginia State Bar/West Virginia Continuing Legal Education  
*See Official Mandatory Continuing Legal Education Records (on file with the Commission on Mandatory Continuing Legal Education).*

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the executive committee rejected a proposed seminar, the certified sponsor could appeal to the full commission. This procedure took a considerable amount of time, but it was necessary to keep high standards and make Mandatory Continuing Legal Education in Indiana a success.

This Article is a mere thumbnail sketch of the “birth” and development of MCLE in Indiana. From the beginning of the very first meeting of the commission, a very careful record was made. Judge Staton insisted on having a court reporter present so that future commissioners could review the action taken by the commission on situations requiring commission action. Indiana can be proud of its MCLE program. In the September, 1996, issue of *Res Gestae* celebrating the centennial of service by the Indiana Bar to the public, the former presidents of the Indiana State Bar Association recognized the Mandatory Continuing Legal Education Rule as an important advancement for the practice of law.<sup>15</sup> Robb Emison, 1986-87 Indiana State Bar Association President, noted: “During my term, mandatory continuing legal education was begun. Judge Staton, among others, deserve credit for that.”<sup>16</sup>

As we celebrate the twentieth anniversary of Mandatory Continuing Legal Education, new technology offers even further refinement in the delivery and convenience of educational programs. Travel time to meetings and the compliance with pre-scheduled programs are becoming less of an inconvenience. Continuing legal education is on any lawyer’s office computer, which provides accessibility to many subjects.<sup>17</sup>

Continuing legal education for the practicing bar started to appear fifty years ago in 1955. In 1986, it came of age and was made mandatory. Specialization and advancing technology require further changes. The practice of law and the general public will be better served by the changes ahead.

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<sup>15</sup> See generally *RES GESTAE*, Sept. 1996.

<sup>16</sup> Thomas M. Scanlon, et al., *Past Presidents Reflect on Their Years of Service*, *RES GESTAE*, Sept. 1996, at 42, 51.

<sup>17</sup> The following website should be added to your address book: [westlegaledcenter.com](http://westlegaledcenter.com).