

Tracy, Mary

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**From:** OFFICE RECEPTIONIST, CLERK  
**Sent:** Tuesday, January 20, 2015 8:22 AM  
**To:** Tracy, Mary  
**Subject:** FW: Comment on proposed revisions to APR 11

Here is another one for you.

*Kris Triboulet*

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**From:** Matt Conrad [mailto:matt@conradlegalindy.com]  
**Sent:** Monday, January 19, 2015 1:30 PM  
**To:** OFFICE RECEPTIONIST, CLERK  
**Subject:** Comment on proposed revisions to APR 11

Dear Madam Chief Justice and Justices of the Washington Supreme Court:

I am an Active Member of the Washington State Bar Association, and I write to offer my comments on the proposed revisions to APR 11 concerning MCLE requirements. For the most part, I support these changes, especially the elimination of the "live" credit requirement.

However, I do have a concern regarding proposed APR 11(c)(6), which reads:

**The education requirements in Oregon, Idaho and Utah substantially meet Washington's education requirements. These states are designated as comity states. A lawyer may certify compliance with these rules in lieu of meeting the education requirement by paying a comity fee and filing a Comity Certificate of MCLE Compliance from a comity state certifying to the lawyer's subjection to and compliance with that state's MCLE requirements during the lawyer's most recent reporting period.**

While this appears to be substantively identical to the current comity rule, I nonetheless encourage the Court to review other states' MCLE requirements and consider expanding the list of comity states, which is currently quite limited.

For example, my practice is based in Indiana, which requires 36 MCLE hours (including 3 ethics hours) every 3 years, with a minimum of 6 hours per year. *See* Ind. Admission and Discipline Rule 29, *available* at [http://www.in.gov/judiciary/rules/ad\\_dis/](http://www.in.gov/judiciary/rules/ad_dis/). To be sure, involves somewhat fewer hours per cycle than what Washington requires. Yet Indiana's MCLE requirements are actually more rigorous to the extent that I must complete at least 6 hours every year, whereas under the Washington rules, I could do no CLE for two consecutive years before earning all of my credits in the third and final year of the cycle.

If nothing else, perhaps the Court might add a definition to APR 11 that explains what it means for another state's MCLE requirements to "substantially meet" those of Washington. Doing so would facilitate the addition of more comity states.

Thank you for your consideration.

Respectfully,

Matthew W. Conrad  
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