

BY TIMOTHY M. BURKE

## OLPR Resources on the Web

Readers familiar with the Lawyers Professional Responsibility Board/Office of Lawyers Professional Responsibility (LPRB/OLPR) website ([www.mncourts.gov/lprb/index.asp](http://www.mncourts.gov/lprb/index.asp)) will recognize that the site contains a wealth of information helpful to Minnesota lawyers. You may also recognize that the current design of the website is not a model of efficiency, organization or viewing ease. Lawyers and non-lawyers alike can find it difficult to take full advantage of all the site has to offer. Outdated features and technological aspects of the site, which make it difficult to update and maintain, compound the problem.

To address these concerns and thereby make the website more user-friendly, the OLPR has undertaken to, in essence, rebuild it. We expect to launch the new website this month, perhaps before but certainly soon after the publication of this article. Designed in a new format, the new site will be easier to view and, we hope, easier to use.

The LPRB/OLPR website contains basic information for all Minnesota lawyers, including:

- searchable full-text versions of the Minnesota Rules of Professional Conduct (the rules which govern lawyer conduct);

- opinions of the Lawyers Professional Responsibility Board (which clarify or interpret various rules of professional conduct);
- the Minnesota Rules on Lawyers Professional Responsibility (the rules which govern the lawyer discipline system).



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is senior assistant director of the Office of Lawyers Professional Responsibility, where he has served for 17 years. He received his JD from the University of Minnesota Law School and was admitted to practice in 1988.

Many articles on topics of professional responsibility can also be found on the site. There are the numerous profes-

sional responsibility articles that have been published in *Bench & Bar* over the past nearly 40 years. Most of these articles were written by the director of the OLPR.<sup>1</sup> Some were written by assistant directors or by other practicing lawyers on topics related to professional responsibility. The website also contains all of the ethics articles written by OLPR staff attorneys and published in *Minnesota Lawyer* (and its companion publication, the formerly independent *Finance and Commerce*) since October 1997. All of the articles are full-text and searchable.

Although never written to be exhaustive, authoritative treatises, the articles offer substantial information about many professional responsibility topics. Often, these articles can provide the specific answer to a particular professional responsibility issue facing a lawyer. At other times, the articles may be at least a guide toward understanding and for future research.

### Particularized Materials

In addition to these general resources, the OLPR website contains more particularized materials. Common inquiries to the OLPR relate to establishing, maintaining, and using trust accounts. The OLPR website thus contains several resources regarding trust accounts, including a list of the required books and records, a list of frequently asked questions (with answers), the OLPR brochure on how to maintain trust accounts with *Quicken*®, the list of financial institutions approved for holding Minnesota lawyers' trust accounts, and information about the trust-account-overdraft notification program. This information can answer most questions about establishing, maintaining, and operating a trust account. It also provides guidance on the overdraft notification program, under which—in the event a lawyer attempts to make a disbursement from a trust account without sufficient funds in the account to cover the disbursement—the OLPR reviews trust account overdrafts reported by financial institutions.

The website also contains postings on items of current interest, such as when comment is requested on a proposed change to the Minnesota Rules

of Professional Conduct or an LPRB Opinion. Current and past annual reports are available. Of vital interest to consumers is the lawyer-search feature that allows searchers to determine whether a particular lawyer's license is active and in good standing and whether she has been publicly disciplined. If the lawyer has been publicly disciplined, links to full copies of the pertinent supreme court opinions or orders are included on the site. The website also contains links to information regarding cross-border practice rules and the requirements to establish and maintain a professional firm.

Minnesota will join a small number of jurisdictions in allowing electronic filing of complaints.

### Requests & Complaints

Lawyers can also request advisory opinions through the website. For many years, any Minnesota lawyer has been able to telephone the OLPR and request an advisory opinion regarding a prospective professional responsibility dilemma he faces. The OLPR continues to offer that service. In addition, however, a lawyer may submit an inquiry through the OLPR website,<sup>2</sup> providing the facts and question to the OLPR as confidential electronic text. A staff attorney will review the issue, call the lawyer, and discuss the problem.

Of potential interest to both lawyers and nonlawyers, the website provides information, directions, and a printable form on which to file a complaint with the OLPR against a lawyer. The new website expands on this feature and for the first time will allow a complaint to be submitted electronically. Previously, while a complaint form could be completed on the website, it had to be printed and then mailed or faxed to the OLPR. No more, as Minnesota will join a small number of jurisdictions in

allowing electronic filing of complaints. Most documents will still need to be mailed separately.

Simultaneously with these changes, the Minnesota Client Security Board (CSB) is also updating its website to be more user-friendly. The CSB website includes information about the board, its rules and policies, and the payment of claims by the board to compensate clients who have suffered a loss because of the dishonest conduct of a lawyer (i.e., clients who are victims of theft by their lawyers). The new CSB website will continue to have a list of lawyers against whom claims have been paid. Like the OLPR site, the CSB site offers articles related to the CSB and its annual reports.

The OLPR website has always offered good and reliable information for lawyers dealing with professional responsibility topics.<sup>3</sup> That information will remain. Changes in appearance and organization will, we hope, make that information easier to access and use. ▲

**Notes**

<sup>1</sup> The LPRB and OLPR came into existence in 1971. Almost immediately, the MSBA offered the first director, Richey Reavill, the opportunity to write a monthly column, which he did commencing with the September 1971 issue of *Bench & Bar of Minnesota*. That tradition has continued to the present day.

<sup>2</sup> In 2009, the OLPR received 2,282 requests for advisory opinions; of these, 262 were received via the website.

<sup>3</sup> The OLPR is improving its technology in other ways as well. For example, the OLPR has begun a pilot program to allow district ethics committee members to communicate electronically with each other using SharePoint. The goal of this project is to allow members of each district ethics committee to share information, questions, and reports of investigations. We hope this will allow the district ethics committees to continue their good work and do it in a more efficient manner.

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