

Supreme Court of Florida

No. SC2024-0236

**IN RE: AMENDMENTS TO RULES REGULATING THE FLORIDA
BAR – RULES 11-1.2 AND 11-1.3.**

August 29, 2024

PER CURIAM.

The Florida Bar has filed a petition proposing amendments to the Rules Governing the Law School Practice Program, namely Rules Regulating The Florida Bar 11-1.2 (Activities) and 11-1.3 (Requirements and Limitations).¹

The proposed amendments were approved by The Florida Bar's Board of Governors, and in accordance with rule 1-12.1(g), the Bar published formal notice of its intent to file the petition in *The Florida Bar News*. The notice directed interested parties to file comments directly with the Court. One comment was received from

1. We have jurisdiction. See art. V, § 15, Fla. Const.; see also R. Regulating Fla. Bar 1-12.1.

the Florida Board of Bar Examiners in support of the proposed amendments.

Having considered the Bar's petition and the comment filed, we amend the Rules Regulating The Florida Bar, as proposed by the Bar. Among other things, the amendments to rule 11-1.2 allow a client to orally consent to representation by a certified legal intern on the record at a hearing. Moreover, they allow a supervising lawyer to remotely supervise a certified legal intern in virtual proceedings. The amendments to rule 11-1.3 streamline and abbreviate the process for certifying legal interns. They also reduce the number of completed semesters and credit hours required before a law student can apply for certification as a legal intern. Grammatical changes are also made to improve clarity and promote consistency throughout the rules.

Accordingly, the Rules Regulating The Florida Bar are amended as reflected in the appendix to this opinion. New language is indicated by underscoring; deletions are indicated by struck-through type. The amendments shall become effective October 28, 2024.

It is so ordered.

MUÑIZ, C.J., and CANADY, LABARGA, COURIEL, GROSSHANS, FRANCIS, and SASSO, JJ., concur.

THE FILING OF A MOTION FOR REHEARING SHALL NOT ALTER THE EFFECTIVE DATE OF THESE AMENDMENTS.

Original Proceeding – Florida Rules Regulating The Florida Bar

Roland Sanchez-Medina, Jr., President, Rosalyn Sia Baker-Barnes, President-elect, Joshua E. Doyle, Executive Director, Elizabeth Clark Tarbert, Division Director, Lawyer Regulation, and Kelly Noel Smith, Senior Attorney, The Florida Bar, Tallahassee, Florida,

for Petitioner

Melinda L. McNichols, Chair, Michele A. Gavagni, Executive Director, and William Pafford, General Counsel, Florida Board of Bar Examiners, Tallahassee, Florida,

Responding with comments

APPENDIX

RULE 11-1.2. ACTIVITIES

(a) [No Change]

(b) Appearance in Court or Administrative Proceedings. An eligible law student may appear in any court or before any administrative tribunal in this state on behalf of any indigent person if the person on whose behalf the student is appearing has consented orally on the record or in writing to that appearance and the supervising lawyer has approved that appearance orally on the record or in writing. In those cases in which the indigent person has a right to appointed counsel, the supervising lawyer must be personally present at all critical stages of the proceeding. In all cases, the supervising lawyer must be personally present when required by the court or administrative tribunal, which determines the extent of the eligible law student's participation in the proceeding.

(c)-(e) [No Change]

(f) Personal Appearance for Virtual Proceedings. A supervising lawyer's personal presence in a virtual proceeding includes remote audio-video supervision only if the supervising lawyer and eligible law student maintain a separate, confidential communication channel during the proceeding.

RULE 11-1.3. REQUIREMENTS AND LIMITATIONS

In order to make an appearance under this chapter, the law student must:

(a) ~~register~~ file a Registrant Bar Application or Florida Bar Application with the Florida Board of Bar Examiners ~~as a certified legal intern registrant; pay a \$75 registration fee if the registration is filed within the first 250 days of the registrant's law school education or \$150 if the registration is filed after the 250-day deadline (any fee paid under this subdivision will be deducted from~~

~~the applicable application fee if the certified legal intern registrant later applies for admission to The Florida Bar); and receives a letter of clearance as to character and fitness from the Florida Board of Bar Examiners;~~

(b) pass a criminal fingerprint check conducted by the Florida Board of Bar Examiners or receive a letter of clearance as to character and fitness from the Florida Board of Bar Examiners;

(bc) be enrolled in an American Bar Association approved law school in the United States in, and appear as part of a law school practice program ~~of, a law school approved by the American Bar Association;~~

(ed) have completed legal studies amounting to at least 4~~2~~ semesters or 6~~3~~ quarters for which the student has received not less than 48~~24~~ semester hours or 72~~36~~ quarter hours of academic credit or the equivalent;

(de) be certified by the dean, or the dean's designee, of the student's law school as being of good character and competent legal ability and as being adequately trained to perform as a legal intern in a law school practice program;

(ef) be introduced to the court in which the student is appearing by a lawyer admitted to practice in that court;

(fg) neither ask for nor receive any compensation or remuneration of any kind for the student's services from the person on whose behalf the student renders services; although this does not prevent except that a state attorney, public defender, legal aid organization, state officer, or governmental entity from paying may pay compensation to the eligible law student nor does it prevent them from charging and charge for services as they may require; and

(gh) certify in writing that the law student has read and will abide by the Rules of Professional Conduct as adopted by the Supreme Court of Florida.