

Supreme Court of Florida

No. SC17-1543

**IN RE: AMENDMENTS TO RULE 4-44 OF THE RULES OF THE
SUPREME COURT RELATING TO ADMISSIONS TO THE FLORIDA
BAR.**

[October 19, 2017]

PER CURIAM.

This matter is before the Court for consideration of proposed amendments to the Rules of the Supreme Court Relating to Admissions to the Bar. We have jurisdiction. See art. V, § 15, Fla. Const.

The Florida Board of Bar Examiners (Board) has filed a petition seeking to amend rule 4-44 (Computer Option) of the Rules of the Supreme Court Relating to Admissions to the Bar. The proposed amendments pertain to the use of laptop computers on the essay portion of the General Bar Examination. Rule 4-44 permits the use of a laptop computer for the essay portion of the General Bar Examination. Under the current rule, an applicant must complete a form available on the Board's website and pay a fee of \$125. At present, the rule itself does not expressly include a deadline for the applicant to notify the Board of his or her

intent to use a laptop and pay the fee. The application to take the examination is available online and states the deadlines for notifying the Board of the applicant's election to use a laptop and to pay the fee, that coincide with the final deadlines for registering for the examination under rule 4-43.2—January 15 for the February examination and June 15 for the July examination. The application itself also gives the applicant an opportunity to elect to use a laptop. If the applicant chooses this option, an onscreen prompt indicates that the laptop fee is due when the application is submitted.

Upon consideration of the Board's petition, we amend rule 4-44, as proposed by the Board, to state that applicants are required to indicate their intention to use a laptop for the examination on the application, or otherwise notify the Board in writing of their intent, and pay the laptop fee at the time they register to take the exam. The rule is also amended to explicitly state the deadlines applicable to laptop use. In addition, language in the rule requiring an applicant to complete a separate form on the Board's website is deleted. As noted, the examination application itself already allows an applicant to make this election.

Accordingly, rule 4-44 of the Rules of the Supreme Court Relating to Admissions to the Bar is 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 immediately upon release

of this opinion. Because the amendments were not published for comment prior to their adoption, interested persons shall have sixty days from the date of this opinion in which to file comments with the Court.¹

It is so ordered.

LABARGA, C.J., and PARIENTE, LEWIS, QUINCE, CANADY, POLSTON, and LAWSON, JJ., concur.

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

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1. All comments must be filed with the Court on or before December 18, 2017, with a certificate of service verifying that a copy has been served on the Executive Director of the Florida Board of Bar Examiners, Michele A. Gavagni, 1891 Eider Court, Tallahassee, FL 32399-1750, gavagnim@flcourts.org, and on the General Counsel Designate, James T. Almon, 1891 Eider Court, Tallahassee, FL 32399-1750, almonjt@flcourts.org, as well as a separate request for oral argument if the person filing the comment wishes to participate in oral argument, which may be scheduled in this case. The Board has until January 8, 2018, to file a response to any comments filed with the Court. If filed by an attorney in good standing with The Florida Bar, the comment must be electronically filed via the Florida Courts E-Filing Portal (Portal) in accordance with In re Electronic Filing in the Supreme Court of Florida via the Florida Courts E-Filing Portal, Fla. Admin. Order No. AOSC13-7 (Feb. 18, 2013). If filed by a nonlawyer or a lawyer not licensed to practice in Florida, the comment may be, but is not required to be, filed via the Portal. Comments filed via the Portal must be submitted in Microsoft Word 97 or higher. See In re Electronic Filing in the Florida Supreme Court, Fla. Admin. Order No. AOSC17-27 (May 9, 2017). Any person unable to submit a comment electronically must mail or hand-deliver the originally signed comment to the Florida Supreme Court, Office of the Clerk, 500 South Duval Street, Tallahassee, Florida 32399-1927; no additional copies are required or will be accepted.

Scott N. Richardson, Chair, Michele A. Gavagni, Executive Director, and James T. Almon, General Counsel Designate, Florida Board of Bar Examiners, Tallahassee, Florida,

for Petitioner

APPENDIX

RULES OF THE SUPREME COURT RELATING TO ADMISSIONS TO

THE BAR

4-44 Computer Option. Applicants are permitted the use of a laptop computer with software designated by the board to complete answers to the essay portion of the General Bar Examination. Applicants seeking to use a laptop computer must complete a form available on the board's website indicate on the examination application or otherwise provide written notice of the intent to participate in the laptop program and pay a fee of \$125 at the time of filing. The written notice and fee must be received by the board not later than January 15 for the February examination or June 15 for the July examination.