

Supreme Court of Florida

No. SC2025-1956

IN RE: AMENDMENTS TO RULES REGULATING THE FLORIDA BAR – 6-32 INSURANCE COVERAGE LAW.

October 8, 2026

PER CURIAM.

The Florida Bar filed a petition proposing amendments to Chapter 6 of the Rules Regulating The Florida Bar.¹ This Court published the proposal for comment and received no comments. We hereby amend the Rules Regulating The Florida Bar, largely as proposed but with minor modifications explained below.

The amendments create a new rule 6-32, titled “Standards for Board Certification in Insurance Coverage Law.” This rule sets forth the standards and procedures by which Florida Bar members can seek certification in the area of Insurance Coverage Law. New rule 6-32.1 (Generally) explains that Bar members can seek

1. We have jurisdiction. See art. V, § 15, Fla. Const.

certification in Insurance Coverage Law, and new rule 6-32.2 (Definitions) defines terms used throughout the new rules. New rule 6-32.3 (Minimum Standards) explains the requirements and standards for certification, and new rule 6-32.4 (Recertification) explains the requirements for members to obtain recertification.

We make three modifications to the Bar's proposal. First, we delete from new rule 6-32.3(a) language addressing consideration of an LL.M. degree in insurance law for purposes of the substantial involvement showing. Second, we add the word "years" to a sentence in rule 6-32.3(b) to better clarify a described timeframe. Finally, we add to rule 6-32.3(c) language about consideration of an LL.M. degree for the showing of practical experience, to align with the same consideration given to applicants for recertification under new rule 6-32.4(b).

The Court hereby amends the Rules Regulating The Florida Bar as reflected in the appendix to this opinion. New language is indicated by underscoring. The amendments become effective January 1, 2027, at 12:01 a.m.

It is so ordered.

COURIEL, C.J., and LABARGA, MUÑIZ, GROSSHANS, FRANCIS,
and BARRIOS, JJ., concur.
TANENBAUM, J., dissents.

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

Original Proceeding – Florida Rules Regulating The Florida Bar

Michael Fox Orr, President, Paige Greenlee, President-elect, Joshua
E. Doyle, Executive Director, Elizabeth Clark Tarbert, Division
Director, Lawyer Regulation, and Kelly N. Smith, Senior Attorney,
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for Petitioner

APPENDIX

RULES REGULATING THE FLORIDA BAR CHAPTER 6. LEGAL SPECIALIZATION AND EDUCATION PROGRAMS

6-32. STANDARDS FOR BOARD CERTIFICATION IN INSURANCE COVERAGE LAW

RULE 6-32.1. GENERALLY

A lawyer who is a member in good standing of The Florida Bar and meets the standards prescribed below may be issued an appropriate certificate identifying the lawyer as “Board Certified in Insurance Coverage Law.” The purpose of the standards is to identify those lawyers who practice insurance coverage law and have the special knowledge, skills, and proficiency, as well as the character, ethics, and reputation for professionalism, to be properly identified to the public as board certified in insurance coverage law.

RULE 6-32.2. DEFINITIONS

(a) “Policyholders” means any insureds, including but not limited to named insureds, omnibus insureds, and additional insureds under any type of insurance policy.

(b) “Insurers” means any type of insurance company including but not limited to primary and excess insurers, reinsurers, and sureties, whether admitted, surplus lines insurers, and/or enterprise.

(c) “Insurance Coverage Law” is the practice of law that involves issues, disputes, and matters among and/or between Insurers, Policyholders, and/or insurance policy beneficiaries concerning the rights and responsibilities that arise out of insurance policies, including extra-contractual claims.

(d) “Insurance Coverage Law Board Certification Committee.” The insurance coverage law board certification committee shall be a total of at least 9 members, must include a minimum of 2 members

who represent Policyholders and 2 members who represent Insurers in the practice of Insurance Coverage Law, and all of whom must be board certified in Insurance Coverage Law.

RULE 6-32.3. MINIMUM STANDARDS

(a) Minimum Period of Practice. The applicant must have been engaged in the practice of law for at least 5 years immediately preceding the date of application.

(b) Substantial involvement. The applicant must demonstrate continuous and substantial involvement in the practice of law, of which at least 40 percent has been spent in active participation in Insurance Coverage Law during the 5 years immediately preceding the date of application.

(c) Practical Experience. The applicant must demonstrate substantial practical experience in insurance coverage law by providing 30 substantive tasks or services performed on behalf of, or in connection with Insurance Coverage Law, such as:

- (1) drafting and revising insurance provisions in contracts;
- (2) drafting and revising statutory, regulatory, or administrative laws, rules, or provisions concerning Insurance Coverage Law matters and topics;
- (3) drafting or revising insurance policies including but not limited to endorsements and other insurance policy related documents;
- (4) serving as an arbitrator or mediator in cases involving Policyholders, Insurers, and/or insurance policy beneficiaries as adverse parties involving Insurance Coverage Law matters;
- (5) drafting or presenting legal opinions including but not limited to coverage opinion letters and coverage determination letters on Insurance Coverage Law matters;
- (6) representing Policyholders and serving as Policyholders' legal counsel in proceedings (trial, appeal,

administrative or regulatory proceedings, arbitration, or mediation) concerning Insurance Coverage Law matters;

(7) representing Insurers and serving as Insurers' legal counsel in proceedings (trial, appeal, administrative or regulatory proceedings, arbitration, or mediation) concerning Insurance Coverage Law matters;

(8) representing insurance policy beneficiaries and serving as insurance policy beneficiaries' legal counsel in proceedings (trial, appeal, administrative proceedings, arbitration, or mediation) concerning Insurance Coverage Law matters;

(9) preparing for and presenting continued legal education programs and preparing scholarly articles on Insurance Coverage Law topics and matters; or

(10) providing insurance coverage counseling or risk management advice to Policyholders concerning Insurance Coverage Law matters.

The applicant must also describe, through examples or narrative, the applicant's law practice of representing Policyholders or Insurers in matters involving Insurance Coverage Law matters during the 5-year period preceding the date of application. The examples or narrative must include the approximate number and type of clients the applicant has represented during the 5-year period. Consideration will be given to applicants who have served as in-house counsel, who have been employed by governmental agencies, and who have obtained an LL.M. degree in insurance law or other related fields approved by the board of legal specialization and education and the Insurance Coverage Law Certification Committee.

(d) Peer Review. The applicant must submit the names and addresses of 5 lawyers or judges who are neither relatives nor current associates or partners as references to attest to the applicant's substantial involvement, practical experience, and competence in Insurance Coverage Law, as well as the applicant's character, ethics, and reputation for professionalism in the practice of law. At least 3 of the 5 references must be lawyers or judges and

at least 3 of the lawyer references must be members of The Florida Bar. The Insurance Coverage Law Board Certification Committee may, at its option, send reference forms to other lawyers and judges. The board of legal specialization and education or the Insurance Coverage Law Board Certification Committee may authorize references from nonlawyers.

(e) Education. The applicant must demonstrate completion of 50 credit hours of approved continuing legal education in insurance law during the 5-year period immediately preceding the date of application. Accreditation of hours is subject to policies established by the Insurance Coverage Law Board Certification Committee or the board of specialization and education.

(f) Examination. The applicant must pass an examination administered uniformly to all applicants to demonstrate sufficient knowledge, skills, proficiency, and experience in insurance law to justify the representation of special competence to the legal profession and the public.

(g) Exemption. An applicant who has been substantially involved in Insurance Coverage Law (at least 40 percent has been spent in active participation in Insurance Coverage Law) for a minimum of 20 years, and who otherwise fulfills the standards under rule 6-32.3(c), (d), and (e), will be exempt from the examination. This exemption is only applicable to those applicants who apply within the first 2 application filing periods from the effective date of these standards.

RULE 6-32.4. RECERTIFICATION

During the 5-year period immediately preceding the date of application, the applicant must satisfy the following requirements for recertification:

(a) Substantial Involvement. The applicant must demonstrate continuous and substantial involvement in Insurance Coverage Law throughout the period since the last date of certification or recertification. The demonstration of substantial involvement must show that insurance law comprises at least 40 percent of the applicant's practice.

(b) Practical Experience. The applicant must demonstrate substantial practical experience in insurance coverage law by providing 20 substantive tasks or services performed on behalf of, or in connection with Insurance Coverage Law, such as:

(1) drafting and revising insurance provisions in contracts;

(2) drafting and revising statutory, regulatory, or administrative laws, rules, or provisions concerning Insurance Coverage Law matters and topics;

(3) drafting or revising insurance policies including but not limited to endorsements and other insurance policy related documents;

(4) serving as an arbitrator or mediator in cases involving Policyholders, Insurers, and/or insurance policy beneficiaries as adverse parties involving Insurance Coverage Law matters;

(5) drafting or presenting legal opinions including but not limited to coverage opinion letters and coverage determination letters on Insurance Coverage Law matters;

(6) representing Policyholders and serving as Policyholders' legal counsel in proceedings (trial, appeal, administrative or regulatory proceedings, arbitration, or mediation) concerning Insurance Coverage Law matters;

(7) representing Insurers and serving as Insurers' legal counsel in proceedings (trial, appeal, administrative or regulatory proceedings, arbitration, or mediation) concerning Insurance Coverage Law matters;

(8) representing insurance policy beneficiaries and serving as insurance policy beneficiaries' legal counsel in proceedings (trial, appeal, administrative proceedings, arbitration, or mediation) concerning Insurance Coverage Law matters;

(9) preparing for and presenting continued legal education programs and preparing scholarly articles on Insurance

Coverage Law topics and matters; or

(10) providing insurance coverage counseling or risk management advice to Policyholders concerning Insurance Coverage Law matters.

The applicant must also describe, through examples or narrative, the applicant's law practice of representing Policyholders or Insurers in matters involving Insurance Coverage Law matters during the 5-year period since the last date of certification or recertification. The examples or narrative must include the approximate number and type of clients the applicant has represented during the 5-year period. Consideration will be given to applicants who have served as in-house counsel, who have been employed by governmental agencies, and who have obtained an LL.M. degree in insurance law or other related fields approved by the board of legal specialization and education and the Insurance Coverage Law Certification Committee.

(c) Education. The applicant must demonstrate completion of at least 75 credit hours of approved continuing legal education in insurance law topics since filing of last application for certification or recertification. Accreditation of educational hours is subject to policies established by the Insurance Coverage Law Certification Committee or the board of specialization and education.

(d) Peer Review. The applicant must submit the names and addresses of at least 3 lawyers or judges who are neither relatives nor current associates or partners as references to attest to the applicant's substantial involvement, practical experience, and competence in Insurance Coverage Law, as well as the applicant's character, ethics, and reputation for professionalism in the practice of law. At least 2 of the 3 references must be a member of The Florida Bar. The Insurance Coverage Law Certification Committee may, at its option, send reference forms to other lawyers and judges. The board of legal specialization and education or the Insurance Coverage Law Board Certification Committee may authorize references from nonlawyers.