

Supreme Court of Florida

No. SC21-1616

IN RE: AMENDMENTS TO RULES REGULATING THE FLORIDA BAR 11-1.3 AND 11-1.4.

January 27, 2022

PER CURIAM.

On its own motion, the Court amends rule 11-1.3 (Requirements and Limitations) and rule 11-1.4 (Certification of Student) of the Rules Regulating the Florida Bar. We have jurisdiction. *See* art. V, § 15, Fla. Const.

To assist with workload issues, we amend rules 11-1.3(d) and 11-1.4 to authorize either the dean of a law school or that dean's designee to certify that a student wishing to participate in the law school practice program as a certified legal intern is of good character, competent legal ability, and adequate training. Correspondingly, rule 11-1.4(b) is amended to allow either the dean or the dean's designee to withdraw the certification. However, we leave in place the requirement in rule 11-1.3(a) that the student

receives “a letter of clearance as to character and fitness from the Florida Board of Bar Examiners.” As this Court has explained, “[t]he Board possesses the most experience in conducting background investigations designed to determine issues of character and fitness for the practice of law.” *In re Amendments to Rules Regulating the Florida Bar*, 214 So. 3d 1232, 1234 (Fla. 2017) (quoting *In re Amendments to Rules Regulating the Florida Bar*, 964 So. 2d 690, 692 (2007)).

Accordingly, we amend the Rules Regulating the Florida Bar as reflected in the appendix to this opinion. New language is indicated by underscoring. The amendments shall become effective immediately upon the issuance of this opinion. Because the amendments were not published for comment previously, interested persons shall have seventy-five days from the date of this opinion in which to file comments with the Court.¹

1. All comments must be filed with the Court on or before April 12, 2022, 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. 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.

It is so ordered.

CANADY, C.J., and POLSTON, LABARGA, LAWSON, MUÑIZ,
COURIEL, and GROSSHANS, JJ., concur.

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

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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. 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.

APPENDIX

Rule 11-1.3. Requirements and Limitations

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

(a) – (c) [No Change]

(d) 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;

(e) – (g) [No Change]

Rule 11-1.4. Certification of Student

The certification of a student by the law school dean or the dean's designee:

(a) [No Change]

(b) May be withdrawn by the dean, or the dean's designee, at any time by mailing a notice to that effect to the clerk of this court. It is not necessary that the notice state the cause for withdrawal.

(c) [No Change]