

The Florida Supreme Court seeks comments on proposed amendments to Chapter 11 (Rules Governing The Law School Practice Program) of the Rules Regulating the Florida Bar, which at the request of the Court were submitted by The Florida Bar's Special Board Committee to Study the Law School Practice Program.

The Court invites all interested persons to comment on the proposed amendments, which are reproduced in full below, as well as online at <http://www.floridasupremecourt.org/decisions/proposed.shtml>. An original and nine paper copies of all comments must be filed with the Court on or before September 30, 2005, with a certificate of service verifying that a copy has been served on the Executive Director of The Florida Bar, John F. Harkness, Jr., 651 E. Jefferson Street, Tallahassee, Florida 32399-2300, and the Chair of the Chapter 11 Task Force, William P. White, III, 25 North Market Street, Suite 200, Jacksonville, Florida 32202-2802, 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. Electronic copies of all comments also must be filed in accordance with the Court's Administrative Order In Re: Mandatory Submission of Electronic Copies of Documents, Fla. Admin. Order No. AOSC04-84 (Sept. 13, 2004).

IN THE SUPREME COURT OF FLORIDA

IN RE: AMENDMENTS TO RULES REGULATING THE FLORIDA BAR RE:
CHAPTER 11 TASK FORCE, CASE NO. 03-122

Proposed Amendments:

CHAPTER 11. RULES GOVERNING THE LAW SCHOOL PRACTICE PROGRAM

11-1. GENERALLY

Rule 11-1.1 Purpose (No Change)

Rule 11-1.2 Activities (No Change)

Rule 11-1.3 Requirements and Limitations

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

(a) have made application for admission to The Florida Bar and received a letter of initial clearance as to character and fitness from the Florida Board of Bar Examiners;

(b) be duly enrolled in the United States in, and appearing as part of a law school practice program of, a law school approved by the American Bar Association;

(bc) have completed legal studies amounting to at least 4 semesters or 6 quarters for which the student has received not less than 48 semester hours or 72 quarter hours of academic credit or the equivalent if the school is on some other basis;

(ed) be certified by the dean 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;

(de) be introduced to the court in which the student is appearing by an attorney admitted to practice in that court;

(ef) 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, but this shall not prevent a state attorney, public defender, legal aid organization, or state officer or governmental entity from paying compensation to the eligible law student (nor shall it prevent any of the foregoing from making such charge for its services as it may otherwise require); and

(fg) certify in writing that the student has read and is familiar with the Rules of Professional Conduct as adopted by this court and will abide by the provisions thereof.

Rule 11-1.4 Certification of Student (No Change)

Rule 11-1.5 Approval of Legal Aid Organization

Legal aid organizations that exclusively provide legal services to the indigent and use law student interns pursuant to this chapter must be approved by the supreme court. A legal aid organization seeking approval shall file a petition with

the clerk of the court certifying that it is a nonprofit organization and reciting with specificity:

- (a) the structure of the organization and whether it accepts funds from its clients;
- (b) the major sources of funds used by the organization;
- (c) the criteria used to determine potential clients' eligibility for legal services performed by the organization;
- (d) the types of legal and nonlegal services performed by the organization; and
- (e) the names of all members of The Florida Bar who are employed by the organization or who regularly perform legal work for the organization.

Legal aid organizations approved on the effective date of this chapter need not reapply for approval, but all such organizations are under a continuing duty to notify the court promptly of any significant modification to their structure or sources of funds.

Rule 11-1.6 Other Activities (No Change)

Rule 11-1.7 Supervision (No Change)

Rule 11-1.8 Miscellaneous (No Change)

Rule 11-1.9 Continuation of Practice Program After Completion of Law School Program or Graduation

(a) **No Change**

(b) **Graduates of Non-Florida Law Schools.** A graduate of an American Bar Association approved non-Florida law school may qualify for continuation if the graduate has made application for admission to The Florida Bar and received a letter of initial clearance as to character and fitness from the Florida Board of Bar Examiners, and has successfully completed a clinical program in law school that met the definition of a law school practice program under rule 11-1.2(a) and that awarded a minimum of 3 semester hours or the equivalent or required at least 200 hours of actual participation in the program.

(c) Termination of Certification. Failure to take the next available Florida bar examination, failure of any portion of the Florida bar examination, or denial of admission to The Florida Bar shall terminate certification hereunder.

Rule 11-1.10 Certification of Members of Out-Of-State Bars (No Change)