

**LABOR AND EMPLOYMENT
LAW CERTIFICATION
COMMITTEE POLICIES**

100 ADMINISTRATION
200 CONTINUING LEGAL EDUCATION
300 DEFINITIONS
400 EXPERIENCE

100 ADMINISTRATION

1.01 Meetings. The committee chair will designate meeting times and places and disseminate a calendar of meeting dates to the members at the beginning of each fiscal year.

1.02 Quorum. Five members will constitute a quorum of the committee for the transaction of business.

1.03 Attendance. Members must make every effort to attend in person meeting and conference call to participate in the responsibilities of the committee.

1.04 Application Review. At least two members of the committee must review each application submitted. If approval is not recommended, the committee must discuss and identify the basis upon which it recommends denial. Review must follow the application review process set forth in BLSE Policy 2.14.

200 CONTINUING LEGAL EDUCATION

2.01 Accreditation Standards

- (a) A sponsor seeking course accreditation must be recognized within the legal profession as an organization established with one of its purposes to offer continuing legal education benefitting practitioners with substantial involvement in specialized fields of law.
- (b) Course instructors shall be individuals with substantial, practical or academic experience. Instructor's qualifications and appropriate background information shall be set forth in the application for certification credit.
- (c) To receive accreditation, a course should challenge the intellect of an active practitioner who devotes 50% or more of his/her time to practice in the field, has done so for a minimum of five years, and who possesses the special knowledge, skills and proficiency which colleagues recognize as above average and which would qualify him or her as a labor and employment law specialist. As a threshold matter, the course must require and reflect analysis and preparation and

be of such quality as to enhance the proficiency of a Board Certified Labor and Employment Lawyer.

2.02 Course Classification

(a) Advanced

1. Advanced courses are entitled to full credit for labor and employment certification.

(b) Intermediate

1. Intermediate courses are entitled to full credit for labor and employment certification.

(c) Basic

1. Courses determined to be at a basic level shall not be eligible for labor and employment certification credit.

2.03 Credit for Other CLE Activities

(a) Lectures

1. Satisfactory performance as a lecturer on labor and employment in an approved CLE seminar may entitle an attorney to credit.
2. "Lecturer" shall include, workshop discussion leader or panel member in a seminar or institute.
3. Lecturing at basic seminars may entitle an attorney to receive three hours of credit for each hour of lecture time.
4. Lecturing at an intermediate or advanced seminar may entitle an attorney to receive five hours of credit for each hour of lecture time.
5. Repeating the lecture at one or more locations shall not be basis for additional credit.
6. In no event may the amount of credit awarded exceed 50% of the total hours required for certification or recertification.
7. Fifty to 100% of the credit under 6 above may be awarded for participation time as a member of a panel, a group discussion leader in a workshop, or similar activity.

(b) Teaching

Teaching labor and employment courses in an approved law school or other graduate level program may entitle an attorney to credit.

1. Credit shall be calculated according to the following formula: 4 times the university assigned hour per quarter or 5 times the university assigned hour per semester.
2. Graduate non-law and undergraduate courses shall not be considered for labor and employment certification credit.

(c) Writing

Credits may be granted for writing articles, books, and chapters in books only upon publication by The Florida Bar, including but not limited to The Florida Bar Journal, The Labor & Employment Law Section Newsletter-The Checkoff, and other professional sources.

1. The amount of credit awarded will be based upon preparation time, quality, and originality and shall be determined by the committee.

(d) Individual Study

Individual study may be granted credit through the use of audio and or videotapes approved for labor and employment law certification credit. Credit for these activities shall be the same as that given the live presentation.

300 DEFINITIONS

- 3.01** “Primary attorney” experience, as required within Rule 6-23.3(c) shall include acting as primary attorney during proceeding such as the taking of depositions as well as primary responsibility either as lead or primary counsel for discrete portions of a trial or proceeding.

400 EXPERIENCE

4.01 Initial Certification

- (a) The following activities are not accepted as part of the 30 day experience requirement: attendance at pre-trial conferences, attendance at scheduling and status conference, defending depositions, preparation of pleading, preparation of written discovery, preparation of briefs and position statements, and participation in investigations by administrative agencies.

- (b) Applicant is required to submit a detailed list of experience in a format approved and provided by the committee.

4.02 Recertification

- (a) The following activities are not accepted as part of the 25 day experience requirement: attendance at pre-trial conferences, attendance at scheduling and status conferences, defending depositions, preparation of pleadings, preparation of written discovery, preparation of brief and position statements, and participation in investigations by administrative agencies.
- (b) Applicant maybe required to submit a detail list of required experiences in a format approved and provided by the committee.