

**WILLS, TRUSTS AND ESTATES LAW CERTIFICATION
STANDING COMMITTEE POLICIES**

100 ADMINISTRATION
200 CONTINUING LEGAL EDUCATION

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 meetings and conference calls to participate in the responsibilities of the committee.
- 1.04 Application Review. A minimum of two committee members will review each application prior to making a recommendation to the full committee. 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 the standing policies of the board of legal specialization and education (BLSE).

200 CONTINUING LEGAL EDUCATION

2.01 Course Accreditation

- (a) Course Sponsors. A sponsor seeking approval of wills, trusts and estates law certification continuing legal education (CLE) credits must demonstrate that the course meets the guidelines established in the standing policies of the board of legal specialization and education (BLSE) and is of benefit to attorneys certified in wills, trusts and estates law.
- (b) No wills, trusts and estates law certification CLE credit will be awarded to courses dealing with law office economics and/or management.
- (c) Courses dealing strictly with guardianship or government benefits, including but not limited to, SSI and Medicaid are not eligible for wills, trusts and estates law certification credit.

2.02 Course Approval Standards

(a) Advanced. An advanced CLE course should challenge the intellect of and/or convey new material and information to an active practitioner who meets the substantial involvement requirement for wills, trusts and estates law certification. As a threshold matter, the effort must require and reflect substantial analysis and preparation and be of such quality so as to enhance the proficiency of a Board Certified Wills, Trusts and Estates Lawyer. An advanced course will receive full credit for wills, trusts and estates law certification CLE.

(1) Thorough, high quality, carefully prepared written outlines and materials are required for credit review.

(2) Course instructors will be individuals with substantial practical or academic experience. Instructors' qualifications and appropriate background information will be set forth in the application for certification credit.

(b) Intermediate. An intermediate course will be awarded full credit.

(1) Thorough, high quality, carefully prepared written outlines and materials are required for credit review.

(2) Course instructors will be individuals with substantial practical or academic experience. Instructors' qualifications and appropriate background information will be set forth in the application for certification credit.

(c) Basic. Courses determined to be at a basic level will not be eligible for wills, trusts and estates certification credit.

2.03 Credit for Other CLE Activities

(a) Lectures. Satisfactory performance as a lecturer on estate planning and probate in an approved CLE seminar may entitle an attorney to credit.

(1) Lecturer will mean lecturer, workshop discussion leader or panel member in a seminar or institute.

(2) To qualify for credit, a lecturer's topic, scope and material should meet the advanced CLE standard.

(3) Credit will be calculated based upon the presentation time. In no event may the amount of credit awarded for a single presentation exceed 50 percent of the total hours required for certification.

(A) Lecturing at basic seminars may entitle an attorney to receive 5 hours of credit for each hour of lecture time.

(B) Lecturing at an intermediate or advanced seminar may entitle an attorney to receive 8 hours of credit for each hour of lecture time.

(4) Repeating the lecture at one or more locations will not be a basis for additional credit.

(5) Participation time as a panel member, group discussion leader in a workshop, or similar activity may entitle an attorney to receive 5 hours of credit for each hour of participation in an intermediate or advanced seminar or 3 hours of credit for each hour of participation in a basic seminar. Repeating participation will not be a basis for additional credit. The applicant will certify the total time of preparation and the presentation involving the panel or group discussion. Credit will not exceed the total certified time, subject to credit limitations.

(b) Teaching. Credit may be earned through teaching estate planning and probate law courses in an approved law school or other graduate level program presented by a recognized professional education association that satisfies the advanced CLE standard.

(1) Calculation will be 2 hours for every 50 minutes of teaching. In no event may the amount of credit awarded for a single course exceed 50 percent of the total hours required for certification or recertification.

(2) Graduate non-law and undergraduate courses will not be considered for estate planning and probate certification credit.

(c) University Course Attendance. Credit may be earned through attending university law school courses toward an LLM degree in wills, trusts and estates law or taxation, when applicable to wills, trusts and estates law.

(1) Attendance credit will be 1 hour for every 50 minutes of classroom attendance. In no event may the amount of credit awarded for a single course exceed 50 percent of the total hours required for certification.

(2) Graduate non-law and undergraduate courses will not be considered for wills, trusts and estates certification credit.

(d) Writing. Credit for writing articles, books, chapters and lecture outlines will be determined by the committee on an ad hoc basis. Florida Bar publication contributions may be granted credit when the work is completed and/or accepted. Credit for articles, books and chapters written for publications

other than those produced by The Florida Bar will be awarded only after publication.

(1) The amount of credit will be based on the facts and circumstances including time devoted to preparation, quality, originality, and scope of publication. No single publication approved for credit may exceed 50 percent of the total hours required for initial certification or recertification.

(2) Where a publication has more than one author, full credit may be awarded to each author or divided among them in a manner consistent with the facts presented by all the authors.

(e) Steering Committee Membership. No credit may be awarded for service as a steering committee member unless that service contributed substantially to an attorney's knowledge of wills, trusts and estates law.

(f) Individual Study. Audio and video tapes, online or interactive CLE activities may be utilized by individual attorneys and credit for these activities will be the same as that given the live presentation.

(1) No more than 50 percent of the total hours required to satisfy the education requirement may be obtained through individual study.

(2) The reading of advance sheets or other periodicals and similar activities will not qualify for credit.

(g) Legislative Service. Legislative service relating to wills, trusts and estates law not to exceed 10 hours per year of service per certification schedule.