

600 FLORIDA CONTINUING LEGAL EDUCATION REQUIREMENTS

6.01 Administration

These policies establish the reporting and compliance procedures for the administration of the Continuing Legal Education Requirement (CLER).

6.02 Reporting

(a) Reporting Date. Each newly admitted bar member will be assigned a date to report continuing legal education requirement completion. The report dates will be staggered to balance the number of members who report each month.

(b) Reporting Cycle. Each member must report compliance with the continuing legal education requirement, or eligibility for an exemption, by the last day of the member's assigned month. If a member is reinstated to practice law after retirement, disbarment, resignation, revocation, or an incapacitated membership status, the start date for the new reporting cycle will be the first day of reinstatement. A judge who returns to the practice of law will receive a new reporting cycle.

(c) Reporting Compliance. Each member should use the bar's website to post and confirm continuing legal education credit hours earned. If online posting is not used, the member must provide the following information regarding each CLE activity:

- (1) title and sponsor;
- (2) date and location;
- (3) the member's involvement;
- (4) number of earned continuing legal education credit hours; and
- (5) other activity constituting continuing legal education credit.

(d) Reporting Affidavit. The bar will provide by email to the member's official business email address a continuing legal education report to a member who has not completed the continuing legal education requirement at least 90 days before the member's reporting date. The member must complete the necessary hours for the current reporting cycle, post credits through the bar's website, and complete the required credit hours by the member's reporting date.

(e) Supplemental Information. To ascertain compliance, the board of legal specialization and education or staff may require the member to provide additional information.

(f) Exemptions.

(1) *Eligibility.* The Rules Regulating The Florida Bar determine who qualifies for an exemption from the continuing legal education requirement.

(2) *Application for Exemption and Review.* A Florida Bar member who requests an exemption from the continuing legal education requirement for active military service, undue hardship, or non-Florida residence, must file an exemption request on the appropriate form. Staff will review and confirm eligibility within 10 days of receipt of the request. If granted, the exemption will remain in effect no more than 1 reporting cycle. A Florida Bar member must complete and report 10 hours of continuing legal education courses before requesting an additional exemption.

(3) *Pro Rata Credit Hours.* A Florida Bar member who staff has determined is exempt from continuing legal education requirement whose active military service, non-Florida residence, or inactive membership status changes before the end of the reporting period must complete and report the continuing legal education requirement based on the pro rata portion of the reporting period during which the member is not exempt from the continuing legal education requirement. Pro rata hours will be calculated in 10-hour increments, and any part of a 12-month period will be considered a full year requiring 10 hours.

A Florida Bar member who is exempt for full-time judicial service and prohibited from private law practice is not subject to the pro rata continuing legal education requirement.

(4) *Determination of No Undue Hardship.* A member who requests exemption due to undue hardship must comply with the continuing legal education requirement within 60 days of a staff determination of no undue hardship.

6.03 Carry over Prohibited

The member must complete the required CLE within the member's current reporting cycle to maintain active membership in the bar. CLE credit may not be counted for more than 1 reporting cycle and may not be carried forward to subsequent reporting cycles. Repeating a course during a member's CLER reporting cycle is not a basis for additional credit.

6.04 Evidence of Compliance

Completion of the requirement may be demonstrated through a member's online posting through The Florida Bar's website or the timely return of an executed reporting affidavit.

6.05 Notice of Delinquency and Appeal

A member who fails to comply with the CLER is delinquent the first day following the member's reporting date. The BLSE will notify members of their CLER delinquency by regular or electronic mail to the member's official bar address. A determination of noncompliance by the BLSE may be appealed under the 400 series of these policies.

6.06 Reinstatement

A delinquent member may petition for reinstatement under the Rules Regulating The Florida Bar.

6.07 EX PARTE COMMUNICATIONS

Applicants and their representatives are prohibited from communicating about the subject matter of the noncompliance or

the appeals process with members of the BLSE, Appeals Committee, or the board of governors except to make a presentation at a meeting called by the presiding member of the BLSE or Appeals Committee after the presiding member has granted permission to make the presentation.