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Administrative Law Section Executive Council

Long Range Planning Retreat Agenda

February 9, 2007

Thomasville, Georgia

Continuing Legal Education

1. Where should we focus our resources?
 - Pat Dore
 - Every year? Every other year? Fall or spring?
 - Practice Before DOAH
 - Time intensive
 - Well received
 - Other specialized courses
 - What specialized topics do we need to address?
 - Introductory level courses
 - "Nuts and Bolts"
 - YLD's Basic Administrative Law Practice
2. Should we aim beyond Tallahassee?
 - By partnering with other sections?
 - By partnering with YLD?
3. Should we provide CLE for Board Certification in State and Federal Government and Administrative Practice?
 - Applicants need 50 hours of Board approved CLE during the three-year period immediately preceding the application date.
 - The three-year period for the first cycle is 7/1/04 - 7/31/07.
 - Should we sponsor an exam review course?
 - On what portions of the exam?
 - Should we work with other sections?
 - Would this course be economically viable under new revenue & expense rules?
 - Should we sponsor advanced level CLE to support certification?
 - On what topics?

Materials

- A. State and Federal Government and Administrative Practice Certifications Standing Committee Policies
- B. SFGAP Application Ex. C – CLE
- C. BLSE Policy 500 - Course Approval
- D. ALS CLE Schedule 03-07 & Audio Sales 04-07

Attachment A

STATE AND FEDERAL GOVERNMENT AND ADMINISTRATIVE PRACTICE CERTIFICATIONS STANDING COMMITTEE POLICIES

- 100 ADMINISTRATION
- 200 COMMITTEE MEMBERS
- 300 DEFINITIONS
- 400 CONTINUING LEGAL EDUCATION
- 500 PEER REVIEW
- 600 SUBSTANTIAL INVOLVEMENT
- 700 EXAMINATION
- 800 PROFESSIONAL ETHICS & COMPETENCE
- 900 RECERTIFICATION

100 ADMINISTRATION

- 1.01 Staff shall conduct a preliminary review of each application prior to review by the committee.
- 1.02 At least 2 committee members shall review each application filed. Committee members shall not review an application submitted by a member of the reviewer's family or a member of a reviewer's law firm, governmental agency or other organization.
- 1.03 Applicants whose substantial involvement is initially determined to be insufficient shall be notified by the Committee in writing; such applicants shall have one opportunity to respond to the Committee's concerns in writing before the applicant is recommended as ineligible to sit for the exam.

200 COMMITTEE MEMBERS

- 2.01 Committee members shall not complete reference statements for any applicant.

300 DEFINITIONS

3.01 “State and Federal Government and Administrative Practice” is the practice of law on behalf of public or private clients on matters including but not limited to rulemaking or adjudication associated with state or federal government entity actions such as contracts, licenses, orders, permits, policies, or rules. State and federal government practice also includes appearing before or presiding as an administrative law judge, arbitrator, hearing officer, or member of an administrative tribunal or panel over a dispute involving an administrative or government action.

400 CONTINUING LEGAL EDUCATION

4.01 Course Accreditation

- (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 benefiting 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 state and federal government and administrative practice 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 State and Federal Government and Administrative Practice lawyer.

- (d) Notwithstanding the provisions of section 4.01, for the first two application periods, for courses not previously accredited, course material (syllabus, lecture outlines, articles, etc.) shall accompany the application, which course shall be considered for accreditation by the committee consistent with subsection 4.01 (c).
- (e) The committee may approve certification credit hours for advanced, intermediate, and basic courses which have been offered during the last three years prior to July 31, 2007 which are relevant to the certification subject areas. Thereafter, the committee shall approve certification credit hours for these courses prior to being advertised.
- (f) Notwithstanding the provisions of subsection 4.01(e), all Florida Bar approved CLE courses categorized as Administrative and Government Law and Environmental and Land Use Law by The Florida Bar during period of July 1, 2004 to July 31, 2007, shall be accepted for certification credit. The percentages for advanced, intermediate, and basic courses shall be determined in accordance with subsection 4.02(a)-(c).

4.02 Course Classification

- (a) Advanced
 - 1. Advanced courses are entitled to full credit for state and federal government and administrative practice certification.

(b) Intermediate

1. Intermediate courses are entitled to full credit for state and federal government and administrative practice certification.

(c) Basic

1. Courses determined to be at a basic level shall be eligible for 50% state and federal government and administrative practice certification.

4.03 Credit for Other CLE Activities

(a) Lectures

1. Satisfactory performance as a lecturer on state and federal government and administrative practice 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 up to 3 hours of credit for each hour of lecture time.
4. Lecturing at an intermediate seminar may entitle an attorney to receive up to 5 hours of credit for each hour of lecture time.
5. Lecturing at an advance seminar may entitle an attorney to receive up to 7.5 hours of lecture credit for each hour of lecture time.
6. Repeating the lecture at one or more locations shall not be a basis for additional credit.

7. Lecture credit shall be limited to 50% of the total hours required for certification or recertification.
8. Participation time as a panel member, group discussion leader in a workshop, or similar activity may entitle an attorney to receive up to 5 hours of credit for each hour of participation in an intermediate or advanced seminar or up to 3 hours of credit for each hour of participation in a basic seminar. Repeating participation shall not be a basis for additional credit. The applicant shall certify the total time of preparation and the presentation involving the panel or group discussion. Credit shall not exceed the total certified time, subject to credit limitations.

(b) Teaching

Teaching federal and state government-related courses and administrative practice 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.

(c) Graduate Law School Credit

1. Credit may be earned through successful completion of graduate law school courses related to state and federal government and administrative practice.
2. Credit shall be 2 times the university assigned quarter hour or 3 times the university assigned semester hour. No more than 50% of the requirement for certification or recertification may be satisfied through successful completion of graduate law school courses.

3. Graduate non-law and undergraduate courses shall not be considered for state and federal government and administrative practice.

(d) Writing

1. Attorneys who write articles, books, and chapters in books may receive credit only upon publication. Credit may be received for articles published in The Florida Bar Journal, appropriate Section newsletters, and other professional publications.
2. Credit shall be based on the time devoted to preparation, quality, originality, and scope of publication. No single publication approved for credit may exceed 50% of the total hours required for CLER compliance.
3. Where a publication has more than 1 author, credit may be awarded to each author or divided among them in a manner consistent with the facts presented by all the authors.
4. Up to 10 credit hours may be awarded for the preparation of Florida bar examination questions.
5. CLE publications steering committee members may receive up to 10 credit hours for their work. Credit shall be determined based upon consideration of the staff editor's recommendation.

(e) Individual Study

Individual study may be granted credit through the use of audio and or videotapes

approved for state and federal government and administrative practice certification credit. Credit for these activities shall be the same as that given the live presentation.

1. No more than 50% of the total hours required for initial certification or recertification shall be obtained through individual study.

(f) Preparation of State and Federal Government and Administrative Practice Certification Examination

CLE credit for certification may be granted to those committee members who spend time in preparation of the state and federal government and administrative practice certification exam. The amount of credit shall be determined by the state and federal government and administrative practice certification committee.

500 PEER REVIEW

5.01 References

- (a) References will be provided in accordance with rule 6-25.3(c).
 1. Staff shall send out a minimum of 2 “blind” references in addition to the number required by rule 6-25.3(c).

600 SUBSTANTIAL INVOLVEMENT AND PRACTICAL EXPERIENCE

6.01 Each applicant shall meet the standards of Rule 6.25.3(b)(1) with respect to substantial involvement. All applications will be reviewed in accordance with BLSE policy 6-3.5.

6.02 Applicants are encouraged to use their most recent experience to demonstrate their practical experience in the field. If a substantial portion of that experience is more than

five (5) years old, the Committee may request further evidence of current substantial involvement in the applicant's field.

700 EXAMINATION

7.01 Exemption – An applicant who has been substantially involved in state and federal government practice for a minimum of 20 years, who applies within the first 2 application filing periods from the effective date of these standards, and who otherwise fulfills the standards set forth in BLSE policy 6-3.5(d) and rule 6-25.3(a)-(d) shall be exempt from the examination. If an applicant is determined to be ineligible for an exemption but is otherwise qualified to sit for the examination, the applicant may choose to sit for the written examination being given for the same application period.

7.02 All other applicants must pass a written examination administered by the State and Federal Government and Administrative Practice Certification Committee under the auspices of the BLSE.

7.03 Any applicant whose score on the examination is within 5% of the passing score (either higher or lower) shall be reevaluated by the Committee.

800 PROFESSIONAL ETHICS & COMPETENCE

8.01 Staff shall check all applicants against the Bar's grievance department records in accordance with BLSE policy 6-3.5(6).

- (a) Complaints resulting in less than a public reprimand will be disregarded.
- (b) Complaints resulting in a public reprimand or greater will be noted and relevant information provided to the committee.

- (c) Pending complaints will be noted and investigated as to the seriousness of the matter.
- (d) Prior to awarding the certificate, the Bar's grievance records will be rechecked by staff as to each applicant.

900 RECERTIFICATION

9.01 To be eligible for recertification, an applicant must comply with the requirements set forth in rule 6-25.4.

**STATE AND FEDERAL GOVERNMENT AND ADMINISTRATIVE PRACTICE
CERTIFICATION
EXHIBIT "C"**

CONTINUING LEGAL EDUCATION

If you have already met the 50 hours Certification CLE requirement and the hours are reflected on a Florida Bar transcript of certification hours, do not complete this portion of the application.

In accordance with Rule 6-25.3(d), the applicant must demonstrate that during the 3-year period immediately preceding the date of application, the applicant has completed the minimum of fifty (50) hours of Board of Legal Specialization and Education approved state and federal government and administrative practice law certification credits earned from 7/1/04 – 7/31/07. Such experience shall be a program approved by The Florida Bar and may include:

- (1) attendance at a lecture series or similar activity directly related to state and federal government and administrative practice
- (2) lecturing at continuing legal education seminars directly related to state and federal government and administrative practice
- (3) authoring or editing articles or books published in professional periodicals or other professional publications
- (4) teaching courses directly related to state and federal government and administrative practice at an approved law school or other graduate level program presented by a recognized professional education association
- (5) completing such independent study programs as may be approved by the board of legal specialization and education or the state and federal government and administrative practice certification committee, subject to the limitation that no more than 50 percent of the required number of hours of education may be satisfied through independent programs
- (6) such other methods as may be approved by the board of legal specialization and education and the state and federal government and administrative practice certification committee.

If you are seeking lecture, publication or university attendance credit, you will also need to attach separate credit applications. These forms are available for download from the CLE webpage www.flabar.org. If requesting attendance credits for courses not approved by The Florida Bar, please attach brochures (with time schedules), course outlines and materials and any other documentation that may help the committee in determining if credit is appropriate.

Please remember that all remaining CLE credits must be completed by the July 31, 2007 deadline.

I. SEMINARS OR COURSES ATTENDED*

Course Name	Course #	Sponsor	City	Date	Approved Hours

II. LECTURE, PANEL OR STEERING COMMITTEE PRESENTATIONS*

Course Name	Course #	Sponsor	City	Date	Approved Hours

III. ARTICLES OR BOOKS PUBLISHED*

Title	Publication	Publisher	Approved Hours

IV. STATE AND FEDERAL GOVERNMENT & ADMINISTRATIVE PRACTICE COURSES TAUGHT*

Course	School	Dates	Approved Hours

V. INDEPENDENT STUDY COURSES (Audio and/or Video Tapes)*

An attorney shall be entitled to credit for listening to an audio cassette or viewing a videotape of an approved live program provided it is utilized within 18 months of the original taping date.

Course Name	Course #	Sponsor	Date Listened to Tape	Approved Hours

VI. OTHER METHODS AS MAY BE APPROVED BY THE LEGAL SPECIALIZATION AND THE STATE & FEDERAL GOVERNMENT AND ADMINISTRATIVE PRACTICE CERTIFICATION COMMITTEE

	ACTIVITY	HOURS
I.	Attendance at Approved CLE Programs	
II.	Lecture Panelist or Steering Committee Participation	
III.	Articles or Books Published	
IV.	SFGAP Courses Taught	
V.	Independent Study	
VI.	Other Methods	
	TOTAL	

*Seminars or courses, audio or videotapes, lectures, articles or books published, graduate level law school courses taught or attended **(during the three years immediately preceding this application)**, if not approved by The Florida Bar **prior** to the filing of this application, **may still be eligible for credit**. Please complete the forms found in the September Florida Bar *Journal* of the Certified Lawyers Section and submit them with this Exhibit for credit consideration. Course number refers to all courses pre-approved by The Florida Bar. It will be a five-digit number (e.g., 7179R or 80361, etc.).

Professional Practice

Certification

Standing Policies of the Board of Legal Specialization and Education

500 Course Approval

5.01 COURSE APPROVAL ADMINISTRATION

(a) Application for Course Accreditation. To apply for course accreditation, the sponsoring organization shall submit an application to include, but not limited to, a course description, an outline of all topics addressed, a detailed time schedule, and the requisite accreditation fee(s). Copies of any course materials, i.e. books, audio or video tapes or handouts included in the course presentation may be requested.

(b) Incomplete Applications. A course will not be evaluated if the sponsor does not submit all of the information required in the application or meet the requirements set forth in these policies. Incomplete applications will be returned to the sponsor with a request for the necessary information.

(c) Submission Deadline. An application for course accreditation must be submitted at least 30 days in advance of the first scheduled presentation or be deemed late and subject to a late fee. The fee amount shall be set by the budget committee of the board of governors.

(d) Rush Processing. Applications for course accreditation submitted with a rush fee will be processed within 5 days of receipt. The fee amount shall be set by the budget committee of the board of governors. If, pursuant to policy 5.01(h), the staff refers the course to the BLSE for review but processing cannot be completed within 10 days, the applicant's rush fee will be returned and the course will be approved in accordance with policy 5.01(c).

(e) Course Accreditation Fees. Courses submitted for accreditation shall be accompanied by a nonrefundable fee. The fee amounts as to each of the following shall be set by the budget committee of the board of governors:

- (1) state bar associations
- (2) local bar associations;
- (3) federal, state, and local governmental agencies and law firms that

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offer courses for employee attorneys at no cost to the attendees

(4) sponsors that offer courses at no cost to attendees; and,

(5) all other sponsors.

(f) Co-sponsorship. A course sponsored by 2 or more organizations shall not be eligible for accreditation at no charge unless all sponsoring organizations meet the criteria for accreditation at no charge.

(g) Revenue and Expense Distribution. All accreditation fee revenue and all related expenses shall be allocated and charged to the course approval cost center. Two-thirds of the year end net profits shall be distributed to the CLER program and one-third to the certification program.

(h) Authority of Staff. Staff shall evaluate all submissions for accreditation and grant or deny credit in accordance with BLSE policies and/or certification committee policies approved by the BLSE. Staff shall refer novel questions or matters of first impression to a certification committee and/or the BLSE. The BLSE may waive any policy if it finds the waiver would be in the best interest of the program.

(i) Notice of Accreditation. If accreditation is granted, staff shall advise the course sponsor of the assigned course number, credit hours awarded, the categories to which the credit hours may be applied, and the accreditation period and expiration date. If accreditation is not granted, staff shall notify the sponsor of the basis for such determination.

(j) Accreditation Period. The accreditation period of a course with multiple dates and locations shall not exceed 1 year from the date of the first course offering.

(k) Audio or Video Tapes and On-Line Courses.

(1) Continuing legal education credit for study involving audio or video tapes or on-line courses may be given in the same manner as for live CLE courses.

(2) The "life" of an audio-video tape or on-line course is 18 months. Upon reapplication, that period may be extended if the subject matter represents the current status of the subject matter covered.

(l) Interactive CLE Activities. A CLE activity that allows attorneys to participate or interact with one another and thereby fosters the free exchange of information and ideas is creditable. Interactive CLE credit may be claimed for activities in which attorneys participate through some type of electronic medium, such as:

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- (1) teleconferencing seminars; or
- (2) other CLE activities as may be developed through advanced technology.

5.02 MEMBER SUBMISSIONS FOR COURSE EVALUATION AND CREDIT

A member may request credit for a course which has not been previously accredited. This policy is intended to apply only to courses submitted by members requesting credit hours toward their own CLER requirement. A member seeking accreditation of a course in order for other members to claim credit hours must submit the course pursuant to policy 5.01.

(a) Submission Deadline. A member's application for course evaluation and credit must be submitted at least 60 days prior to the member's CLER reporting deadline for which credit is requested. If submitted timely, there is no fee.

(b) Processing Fee. A member who fails to submit an application for course evaluation and credit in accordance with policy 5.02(a) must pay a processing fee. The fee amount shall be set by the budget committee of the board of governors.

5.03 COURSE ACCREDITATION STANDARDS

(a) Guidelines. Accreditation shall be granted for CLE activities that:

- (1) have significant intellectual or practical content and are designed to increase or maintain the attorney's professional competence as a lawyer;
- (2) constitute an organized program of learning dealing with matters directly related to the categories detailed in policy 5.04; and
- (3) have materials that are prepared and activities conducted by an individual or group qualified by practical or academic experience in a setting physically suitable to the educational activity of the program. High quality and carefully prepared written materials should be distributed to all attendees at or before the time the CLE activity is conducted. It is recognized that written materials are not suitable or readily available for some types of subjects; the absence of written materials for distribution should, however, be an exception.

(b) Level of activity.

- (1) Advanced. An advanced CLE course is designed for the attorney who practices primarily in the subject matter of the course.
- (2) Intermediate. An intermediate CLE course is designed for the

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attorney experienced in the subject matter, but not necessarily at an advanced level. A survey course in which there have been recent, substantial changes will be deemed intermediate. In an intermediate course, some segment may be low intermediate or basic, and others high intermediate or advanced. In those instances, the course taken as a whole will be considered intermediate.

(3) Basic. A basic CLE course is designed for the attorney with no experience or limited experience in the area of law with which the course deals. A survey course will be considered basic unless there are recent, significant changes in the law.

5.04 COURSE AND CREDIT APPROVAL

(a) Credit Calculation. Fifty minutes of course time is equivalent to 1 credit hour unless otherwise stated in this rule. A course must be at least 25 minutes in length to qualify for credit.

(b) Maximum Credit. No more than a total of 15 hours may be claimed by an attorney in a single CLER reporting cycle for law office management and economics courses, computer training courses, ethics courses, substance abuse courses, self-improvement courses, stress management courses, mental illness courses, and/or other non-law courses.

(c) Courses for Nonlawyers. A course designed for participants other than attorneys shall receive less than full credit.

(d) Courses on Nonlaw Subjects. A course devoted to a non-legal subject, including but not limited to the courses listed in policy 5.04(g), (j), and (k), may be approved if the applicant can demonstrate that the course will enhance the proficiency of a lawyer in the performance of legal services. The applicant must specify in the application how lawyer proficiency is enhanced.

(e) Demonstrations and Moot Court. Trial and appeal demonstrations and moot court participation may be given up to 3 credit hours for each 50 minutes of participation.

(f) Law Office Management and Economics. Credit may be awarded for any law office economics seminar.

(1) No more than 5 credit hours may be awarded for any 1 course, regardless of length.

(2) No more than 10 credit hours may be claimed in a single CLER reporting cycle for law office management and economics courses.

(g) Computer Training. Credit may be awarded for computer training courses.

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(1) No more than 5 credit hours may be awarded for any 1 course, regardless of length.

(2) No more than 5 credit hours may be claimed in a single 3-year CLER reporting cycle for computer training courses.

(h) Ethics. Credit may be awarded for ethics courses.

(i) Substance Abuse. Credit may be awarded for substance abuse courses.

(j) Self-Improvement Courses. Credit may be awarded for self-improvement courses that are designed to enhance human relations skills, offer practical assistance on how better to relate to clients, witnesses and adversaries, or promote courtesy and thoughtfulness in the legal profession.

(1) No more than 5 credit hours may be awarded any 1 course, regardless of length.

(2) No more than 5 credit hours may be claimed in a single CLER reporting cycle for self-improvement courses.

(k) Stress Management. Credit may be awarded for courses designed to teach stress management skills and techniques to attorneys.

(1) No more than 1 credit hour may be awarded for each 150-minute block of lecture time.

(2) No more than 5 credit hours may be awarded for any 1 course, regardless of length.

(3) A maximum of 5 credit hours may be claimed in a single CLER reporting cycle for stress management courses.

(l) Mental Illness. Credit may be awarded for courses designed to enhance awareness and understanding of mental illness.

(1) Topics eligible for credit in this category include depression, manic-depression (bipolar disorder), schizophrenia, and anxiety disorders, including obsessive-compulsive disorders.

(2) Instruction shall also address the correlation among mental illness, addiction, or substance abuse due to "self medication;" the prevention of suicide, aggressive behavior, criminal activities, and underachievement through prompt and faithful medical treatment; and, the progressive deterioration of the brain and/or the increase in the severity of symptoms and accompanying problematic behaviors, without proper medical treatment.

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(m) Laws of Other States.

(1) Credit may be awarded for courses covering laws or procedures of another state or territory of the United States. The number of hours to be awarded shall be determined on a case-by-case basis.

(2) Foreign legal tours may be awarded up to 10 credit hours if the applicant can demonstrate how the activity enhanced the applicant's proficiency in the practice of law. The applicant must specify in the application how lawyer proficiency is enhanced.

(n) Legal Drafting. Courses on legal drafting may be awarded credit hours if the applicant can demonstrate the course content reasonably relates to the preparation of legal documents. The number of hours to be awarded shall be determined on a case-by-case basis.

(o) Accreditation by a State Bar. Continuing legal education credit granted by a state bar may be accepted provided the CLE activity meets the criteria for accreditation established by the 500 series of the BLSE policies. The BLSE may adjust credit in accordance with the 500 series of its policies.

(p) Self-assessment Courses. Self-assessment or self-study courses directly related to the practice of law that include an examination to be returned and graded by the sponsor may be awarded CLE credit. The number of hours to be awarded shall be determined on a case-by-case basis.

(q) College and University Courses.

(1) Approved law school and graduate law courses shall entitle an attorney to receive credit as follows:

- (a) 2 credit hours for each quarter hour assigned to the course; or,
- (b) 3 credit hours for each semester hour assigned to the course.

(2) Undergraduate law courses and all other college and university courses shall only be eligible for credit if they qualify under another section of these policies.

5.05 CREDIT FOR OTHER CLE ACTIVITIES**(a) Lecturing.**

(1) Satisfactory performance as a lecturer in an approved CLE seminar may entitle an attorney to credit.

(2) The maximum credit which may be awarded shall be calculated based upon the presentation time as follows:

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(a) attorneys who lecture at basic seminars may receive up to 3 credit hours for each 50 minutes of lecture time;

(b) attorneys who lecture at an intermediate or advanced seminar may receive up to 5 credit hours for each 50 minutes of lecture time. Additional credit for extraordinary effort will be handled on a case-by-case basis;

(c) attorneys who lecture at advanced seminars may receive up to 7.5 credit hours for each 50 minutes of lecture time. Additional credit for extraordinary effort may be awarded and will be handled on a case-by-case basis.

(3) Attorneys who repeat a lecture at 1 or more locations are not entitled to additional credit.

(4) Attorneys who participate as a panel member or group discussion leader in a workshop may receive up to 3 credit hours for each 50 minutes of participation in an intermediate or advanced seminar or 2 credit hours for each 50 minutes of participation in a basic seminar. Attorneys who repeat performances at 1 or more locations are not entitled to additional credit.

(5) Attorneys who serve as a CLE program steering committee chair, co-chair, or course moderator are not entitled to credit. Introductory and welcoming remarks are also ineligible for credit.

(6) Attorneys who prepare a lecture outline for a CLE presentation are not entitled to additional credit beyond that granted for delivery of the lecture.

(b) Teaching.

(1) Attorneys who teach in approved law school and graduate law courses may receive up to 4 credit hours for each quarter hour assigned to the course or up to 5 credit hours for each semester hour assigned to the course.

2) Attorneys who teach undergraduate law courses and any other college or university course shall be eligible for credit if such course qualifies for credit under another section of these policies.

3) Attorneys who repeat teaching a course during the attorney's CLER reporting cycle are not entitled to additional credit.

(c) Writing.

(1) Attorneys who write articles, books, and chapters in books may receive credit when the material is accepted for publication in a professional publication or journal.

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(2) Credit shall be based on the time devoted to preparation, quality, originality, and scope of publication. No single publication approved for credit may exceed 50% of the total hours required for CLER compliance.

(3) Where a publication has more than 1 author, credit may be awarded to each author or divided among them in a manner consistent with the facts presented by all the authors.

(4) Up to 10 credit hours may be awarded for the preparation of Florida bar examination questions.

(5) CLE publications steering committee members may receive up to 10 credit hours for their work. Credit shall be determined based upon consideration of the staff editor's recommendation.

(d) Standing Committee Participation.

(1) Generally. Continuing legal education credit shall not be awarded for ethics, standing rules or general committee participation, unless otherwise provided elsewhere in these policies.

(2) Credit For Grievance Committee Service. Grievance committee members shall receive 5 ethics credit hours in a 3-year CLER reporting cycle for their participation.

(3) Credit For Florida Bar Grievance Mediation Program. A program mediator who participates in mediation or co-mediation under The Florida Bar Grievance Mediation Program may request and receive 1 credit hour in the areas of ethics and professionalism for each 50 minutes devoted to the mediation(s), provided the maximum amount of credit received does not exceed 5 credit hours in a CLER reporting cycle.

(e) Legislative Service. Continuing legal education credit will be given for service as a state or federal legislator at the rate of 10 general credit hours and 2 ethics credit hours for each full year of service during the applicable 3-year CLER reporting cycle.

5.06 COMPLIMENTARY AUDIOTAPES

Each year, The Florida Bar shall prepare audiotapes of approved CLE material to assist in fulfilling the CLE requirement. During January of each year, the audiotapes shall be provided to each county law library or voluntary bar association in Florida, without charge or cost, and these recipients shall make the audiotapes available to all members without charge to such member(s). Copies of such tapes shall also be provided without charge or cost to out-of-state bar associations whose members desire use of same to comply with CLER, provided the out-of-state bar association requests the tapes and agrees to provide the

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tapes at no cost to members of The Florida Bar. A copy of these tapes may be purchased by any member from The Florida Bar.

[Updated: 01/10/2005]

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Attachment D

ALS CLE SCHEDULE 2003 - 2007

TITLE	COURSE # (#Attended) (Evaluation)	DATE
2003-04		
Practice Before the FPSC	5017 3 (45) (4.4)	12/04/03
Practice Before DOAH	5483 (132) (4.5)	5/20-21/04
2004-05		
2004 Pat Dore Conference	0147 (213) (4.3)	11/18-19/04
Practice Before DOAH	0222 (118) (4.4)	5/24/05
2005-06		
Practice Before the FPSC	8803 5 (50) (4.4)	1/27/06
Administrative Appeals (w/APS)	0335 (31) (4.0)	4/7/06
2006-07		
2006 Pat Dore Conference	0480 (226) (4.1)	10/19-20/06
Basic Administrative Law (YLD Course)	0482 (410)	12/7/06 + video replays
2006 Florida Telecom and Energy Legislative Update (co- sponsored w/Florida Chapter of the Federal Communications Bar Assoc. & the Florida Public Utility Research Center)	5590 6 (54)	11/16/06
Admin Law I	0453	4/20/07

Administrative Law Section -- Audiotape/CD Sales

Course	Course #	FY 04-05*		FY 05-06*		FY 06-07**	
		# Audio	Revenue	# Audio	Revenue	# Audio	# CD*** Revenue
Nuts & Bolts (5/03)	5246	12	\$1,878				
2004 Pat Dore (11/04)	0147	146	\$16,727	160	\$16,090		
Practice Before DOAH (5/05)	0222	21	\$2,496	48	\$5,040	19	\$2,235
Administrative Appeals (4/06)	0335			14	\$1,730	60	\$7,960
2006 Pat Dore (10/06)	0480					28	\$7,680

* Section share of revenue - 12.5% of gross.

* Section share of revenue - 90% of net.

* CD sales not available prior to FY 06-07.