

2020-2021

CLE Committee

Member Handbook



THE FLORIDA BAR

TABLE OF CONTENTS (ENSURE UPDATED)

PART ONE

GENERAL INFORMATION

2020-2021 CLE Committee Members	1.1
---------------------------------------	-----

PART TWO

POLICIES GOVERNING CONTINUING LEGAL EDUCATION COMMITTEE

CLE Committee Mission Statement	2.1
Standing Board Policies Governing CLE	2.2
6.10 General Policy	2.4
6.11 Master Plan	2.4
6.12 Cooperation with Law Schools	2.4
6.20 Authority for CLE Courses	2.4
6.21 Division, Section and Committee Programs	2.5
6.30 Fees for CLE Courses	2.6
6.31 Distribution of Proceeds.....	2.6
6.40 Honoraria and Expenses.....	2.8
6.50 Eligibility to Attend or Receive Printed Materials and to Purchase Publications	2.8
Policies Governing CLE Committee.....	2.9
1.00 Scope and Function of CLE Committee	2.12
2.00 Section/Division Responsibility	2.13
3.00 CLE Programs	2.14
4.00 Preparation of Publications.....	2.16
5.00 Fees, Charges and Complimentaries.....	2.18
6.00 Reimbursement of Expenses.....	2.20
7.00 Advertising CLE Courses	2.20
8.00 Course Quality Standards and Reporting	2.20

PART THREE

CLE COMMITTEE GUIDELINES FOR EVALUATORS

A Guide to Assist in the Preparation of Evaluation Reports.....	3.1
Example of a Good Evaluation Report	3.5

PART FOUR

CLE PROGRAMS INFORMATION MANUAL FOR PROGRAM CHAIRS, STEERING COMMITTEE AND SPEAKERS

CLE Committee Program Chair, Steering Committee, & Speaker Manual.....	4.1
Program Chair & Steering Committee Manual.....	4.3
Promotional Brochure	4.4
CLE Delivery Materials – New Technology	4.7
QUICK TIPS - Program Chairs / Steering Committee	4.9
Speakers Manual.....	4.10
QUICK TIPS - Speakers.....	4.15
Course Material.....	4.16
Appearing on Video Recording or Webcast	4.18
QUICK TIPS – PowerPoint Presentations.....	4.18
Expense Reimbursement.....	4.20

Moderator's Opening Remarks	4.24
Quality Standards.....	4.25
Advanced Courses	4.27

PART FIVE

LEGAL SPECIALIZATION AND EDUCATION

Standing Board Policies Governing Legal Specialization And Education	5.1
Florida Certification Plan.....	5.4
Continuing Legal Education Requirement.....	5.6
Basic Skills Course Requirement.....	5.7
Continuing Legal Education Application for Lecture Credit Form	5.9

PART ONE

GENERAL INFORMATION

2020-2021 CLE Committee

8303

Ms. Patricia Dawson, Chair (2023)
Law Office of Patricia Dawson, P.A.
1211 N. West Shore Blvd., Ste. 307
Tampa, FL 33607-4615
(813) 386-5730
Fax: (813) 969-4746
Email: lpatriciadawson@tampabay.rr.com

705330

Mr. Douglas Avery Greenbaum, Vice Chair
(2021)
800 S.E. 3rd Ave., Fl. 4
Fort Lauderdale, FL 33316-1152
(954) 462-6452
Fax: (954) 462-9332
Email: dougreenbaum@earthlink.net

378615

Ms. Susan Odzer Hugentugler, Vice Chair
(2021)
201 S.E. 6th St., Ste. 7130
Fort Lauderdale, FL 33301-3303
(954) 831-7913
Fax: (954) 831-6448
Email: shugentugler@sao17.state.fl.us

153796

Mr. Eric Lynn Meeks, Board Liaison (2021)
P.O. Box 8098
Cincinnati, OH 45208-0098
(513) 826-0229
Fax: (513) 826-0231
Email: emeeks@meekslawfirm.com

614671

Ms. Zascha Blanco Abbott, Representative
(2021)
P.O. Box 347924
Miami, FL 33234-7924
(305) 379-0400
Fax: (305) 428-2470
Email: zba@lgplaw.com

109051

Ms. Trisha Pavelka Armstrong, Representative
(2021)
P.O. Box 2907
West Palm Beach, FL 33402-2907
(561) 689-4378
Email: tarmstrong@sasserlaw.com

30056

Ms. Linda McGrady Berman (2023)
201 S.E. 6th St., Ste. 08140
Fort Lauderdale, FL 33301-3303
(954) 831-6955
Email: lberman@sao17.state.fl.us

705551

Ms. Kathleen Maria Bonczyk (2023)
14318
14318 Breda Center Loop
Winter Garden, FL 34787-9034
(561) 568-2512
Email: bonczyklaw@gmail.com

278963

Mr. Sam Wood Boone, Jr. (2021)
4545 N.W. 8th Ave., Ste. A
Gainesville, FL 32605-4522
(352) 374-8308
Fax: (352) 375-2283
Email: sboone@boonelaw.com

104847

Ms. Lauren DeWeil Brooks, Representative
(2021)
101 N. Monroe St., Ste. 925
Tallahassee, FL 32301-1571
(850) 425-7507
Email: lbrooks@bakerdonelson.com

748412
Ms. Linda Susan Calvert-Hanson,
Representative (2021)
21612 N.E. 46th Ave.
Earleton, FL 32631-6827
(904) 819-0570
Email: linda.calvert.hanson@gmail.com

968234
Mr. Robert Paul Charbonneau, Representative
(2021)
55 Alhambra Plaza, Ste 800
55 Alhambra Plz Ste 800
Coral Gables, FL 33134-5254
(305) 722-2002
Fax: (305) 489-2698
Email: rpc@agentislaw.com

99354
Ms. Amanda S. Coffey, Representative (2021)
315 Court St., Fl. 6
Clearwater, FL 33756-5165
(727) 464-3354
Email: acoffey@pinellascounty.org

87228
Mr. Tiernan Cole (2023)
18500 Murdock Cir.
Port Charlotte, FL 33948-1068
(941) 743-1330
Email: tiernan.cole@charlottecountyfl.gov

27625
Mr. Michael O'Brien Colgan (2023)
255 S. Orange Ave., Ste. 900
Orlando, FL 32801-3454
(407) 872-6011
Email: michael.colgan@qpwbllaw.com

845469
Mr. Patrick St. George Cousins (2023)
319 Clematis St., Ste. 701
West Palm Beach, FL 33401-4622
(561) 835-1727
Fax: (561) 835-0766
Email: cuzlaw@yourlemon.com

111446
Mr. John Bacus De Jesus (2022)
Ste 108 Box 160
2220 County Rd. 210 W.
Jacksonville, FL 32259-4058
(904) 728-8066
Email: johndejesus831@gmail.com

127655
Ms. Shannon Lyn Nunez del Prado (2023)
9350 S. Dixie Hwy., Ste. 1200
Miami, FL 33156-2945
(305) 670-2889
Fax: (305) 670-6666
Email: sdelprado@pwndlawfirm.com

643734
Mr. Reuben Alexander Doupe, Representative
(2021)
4099 Tamiami Trl. N., Ste. 201
Naples, FL 34103-8739
(239) 298-5200
Fax: (239) 298-5236
Email: rdoupe@chtlegal.com

834041
Ms. Courtney Drew Durham (2023)
P.O. Box 3992
Ocala, FL 34478-3992
(352) 575-8807
Email: cdrewdurham@yahoo.com

106324
Ms. Danielle Rachelle Faller, Representative
(2021)
309 N. Parsons Ave.
Brandon, FL 33510-4533
(813) 661-5297
Fax: (813) 689-8725
Email: danielle@hemnesslaw.com
294268
Mr. Luis Guillermo Figueroa (2022)
3339 W. Kennedy Blvd.
Tampa, FL 33609-2903
(813) 250-0000
Fax: (813) 258-4567
Email: luis.figueroa@dennishernandez.com

796727

Mr. H. Scott Fingerhut, Representative (2021)
Law Offices at Brickell Bay
2333 Brickell Ave.
Miami, FL 33129-2435
(305) 285-0500
Fax: (305) 444-3744
Email: hsfpa@aol.com

89478

Ms. Jennifer Lynn Fulton (2023)
150 E. Palmetto Park Rd., Ste. 340
Boca Raton, FL 33432-4832
(561) 994-6273
Fax: (561) 880-6900
Email: jfulton@breskylegal.com

97871

Mr. Michael Paul Gennett, Representative
(2021)
1111 Brickell Ave., Ste. 2800
Miami, FL 33131-3127
(786) 635-0523
Email: mgennett@polsinelli.com

379875

Mr. William Francis Hamilton, Representative
(2021)
15233 Merlinglen Pl.
Lithia, FL 33547-3900
(813) 657-1483
Email: williamfhamilton@mac.com

998680

Ms. Margaret Rose Hoyt, Representative
(2021)
254 Plaza Dr.
Oviedo, FL 32765-6431
(407) 977-8080
Fax: (407) 977-8078
Email: peggy@hoytbryan.com

20257

Mr. Russell Scott Kent, Representative (2021)
2297 Heathrow Dr.
Tallahassee, FL 32312-4260
(850) 668-0306
Email: fsukent@gmail.com

59330

Ms. Wilhelmina Fettrow Kightlinger,
Representative (2021)
1408 N. West Shore Blvd., Ste. 900
Tampa, FL 33607-4535
(813) 514-6130
Email: wkightlinger@oldrepublictitle.com

633860

Ms. Kimberly Dawn Kolback, Representative
(2021)
1395 Brickell Ave., Ste. 800
Miami, FL 33131-3302
(305) 200-8786
Email: kdkolback@gmail.com

314714

Mr. Bruce Douglas Lamb, Representative
(2021)
Gunster
401 E. Jackson St., Ste. 2500
Tampa, FL 33602-5226
(813) 222-6605
Fax: (813) 314-6905
Email: blamb@gunster.com

107363

Mr. Michael Evan Levine, Representative
(2021)
1 S.E. 3rd Ave., Ste. 3000
Miami, FL 33131-1711
(305) 358-6644
Email: mlevine@stfblaw.com

504556

Ms. Brittany Adams Long, Representative
(2021)
Radey Law Firm
301 S. Bronough St., Ste. 200
Tallahassee, FL 32301-1722
(850) 425-6654
Fax: (850) 425-6694
Email: balong@radeylaw.com

67374
Ms. Jennifer Lucas-Ross (2021)
Ave Maria School of Law, Career Services
1025 Commons Cir.
Naples, FL 34119-1376
(239) 687-5351
Email: jlucasross@gmail.com

206423
Ms. Marsha Gerre Madorsky (2023)
201 S. Biscayne Blvd., Ste. 3400
Miami, FL 33131-4325
(305) 960-2230
Fax: (305) 402-0986
Email: mgmadorsky@duanemorris.com

396478
Ms. Jani E. Maurer, Representative (2021)
4401 N. Federal Hwy., Ste. 101
Boca Raton, FL 33431-5164
(561) 392-4142
Fax: (561) 392-2063
Email: maurer.jani.esq@gmail.com

346100
Honorable Anthony Bernard Miller,
Representative (2021)
Circuit Judge
301 S. Monroe St. 265-H
Tallahassee, FL 32301-1861
(850) 606-4392
Fax: (000) 000-0000
Email: milleran@leoncountyfl.gov

484393
Mr. Gregg Riley Morton, Representative
(2021)
4708 Capital Cir. N.W., Ste. 300
Tallahassee, FL 32303-7257
(850) 488-8641
Email: greggrileymorton@gmail.com

207535
Mr. Anthony Charles Musto, Representative
(2021)
P.O. Box 2956
Hallandale Beach, FL 33008-2956
(954) 336-8575
Email: villeanddale@gmail.com

505196
Ms. Jowanna Nicole Oates (2023)
Joint Adminst. Proc. Comm.
680 Pepper Bldg. 111 W. Madison St.
Tallahassee, FL 32399-1400
(850) 488-9110
Email: oates.jowanna@leg.state.fl.us

49024
Ms. Guna Ose (2022)
2725 Judge Fran Jamieson Way, Bldg. D
Viera, FL 32940-6605
(321) 617-7510
Fax: (321) 617-7518
Email: gose@sa18.org

26734
Ms. Martha Angela Pardo, Representative
(2021)
122 E. Colonial Dr., Ste. 200
Orlando, FL 32801-1219
(407) 710-0834
Email: marthap@clsmf.org

91919
Ms. Kerry A. Parsons (2023)
Nabors, Giblin & Nickerson, PA
1500 Mahan Dr., Ste. 200
Tallahassee, FL 32308-5167
(850) 224-4070
Fax: (850) 224-4073
Email: kparsons@ngnlaw.com

629634
Ms. Rinky S. Parwani (2023)
9905 Alambra Ave.
Tampa, FL 33619-5060
(813) 514-8280
Fax: (813) 514-8281
Email: rinky@parwanilaw.com

21216
Mr. Yohance Asim Pettis, Representative
(2021)
United States Attorney's Office
400 N. Tampa St., Ste. 3200
Tampa, FL 33602-4798
(813) 274-6000
Fax: (813) 274-6200
Email: yohance.pettis@usdoj.gov

99137
Ms. Katherine Alena Sanoja, Representative
(2021)
1111 Brickell Ave., Ste. 2715
Miami, FL 33131-3112
(305) 856-7723
Fax: (786) 220-8265
Email: katherine.sanoja@gstllp.com

72751
Ms. Elina Magaly Santana (2023)
P.O. Box 141855
Coral Gables, FL 33114-1859
(305) 916-4800
Fax: (888) 402-6786
Email: elina@srlawpa.com

36525
Ms. Jennifer L. Simpson-Oliver,
Representative (2021)
Adventhealth
900 Hope Way
Altamonte Springs, FL 32714-1502
(407) 200-9237
Email: jennifer.simpson-
oliver@adventhealth.com

15739
Ms. Collett P. Small (2022)
2400 N. University Dr., Ste. 209
Pembroke Pines, FL 33024-3629
(954) 437-4603
Fax: (954) 437-4686
Email: csmall@slater-small.com

79082
Ms. Marguerite Clare Racher Snyder (2023)
Weil Snyder Schweikert & Ravindran, P.A.
201 S. Biscayne Blvd., Ste. 720
Miami, FL 33131-4308
(305) 372-5352
Email: msnyder@weillawfirm.net

140228
Mr. T. Rankin Terry, Jr. (2022)
1245 Hanton Ave.
Fort Myers, FL 33901-6716
(239) 332-4533
Email: trterry@gmail.com

85507
Mr. Jay R. Thakkar, Representative (2021)
96 Willard St., Ste. 302
Cocoa, FL 32922-7947
(321) 639-1320
Fax: (321) 639-9950
Email: jay@cfglawoffice.com

845027
Ms. Glenda La'Von Thornton, Representative
(2021)
College of Law Advocacy Center
425 W. Jefferson St.
Tallahassee, FL 32306-0001
(850) 644-7826
Email: gthornton@fsu.edu

509360
Ms. Kim Watson Torres, Representative (2021)
1300 W. Eau Gallie Blvd., Ste. A
Melbourne, FL 32935-5392
(321) 821-9995
Fax: (321) 574-4224
Email: kim@torresmediation.com

78001
Ms. Dawn Renee Traverso, Representative
(2021)
2875 N.E. 191st St., Ste. 802
Aventura, FL 33180-2803
(305) 466-4401
Fax: (305) 466-4404
Email: dtraverso@eraclides.com

119427
Mr. Thomas Crews Treece, Representative
(2021)
1533 N. Wieland St., Apt. 3D
Chicago, IL 60610-1256
(904) 708-6484
Email: thomastreece24@gmail.com

670340
Ms. Amanda M. Uliano (2023)
400 N. Ashley Dr., Ste. 1100
Tampa, FL 33602-4324
(813) 787-5613
Fax: (813) 435-5492
Email: amanda@ulianolaw.com

44372
Ms. Ashley Kogan Weed, Representative
(2021)
Florida Public Defenders Office
P.O. Box 1980
Fort Myers, FL 33902-1980
239-533-2911x18
Email: ashleyk@pd.cjis20.org

467601
Ms. Sancha Brennan Whynot, Representative
(2021)
P.O. Box 2706
Orlando, FL 32802-2706
(407) 893-7888
Fax: (407) 893-9396
Email: sbwhynot@thebrennanlawfirm.com

74199
Ms. Nickisha Williams (2023)
4302 Hollywood Blvd., #258
Hollywood, FL 33021-6635
(305) 901-0634
Email: nickisha22@gmail.com

641502
Mr. Michael J. Wilson, Representative (2021)
200 S. Orange Ave.
Sarasota, FL 34236-6802
(941) 536-2043
Fax: (941) 366-5109
Email: mwilson@williamsparker.com

319511
Ms. Marjorie Ellen Wolasky, Representative
(2021)
9400 S. Dadeland Blvd., Ste. 604
Miami, FL 33156-2841
(305) 670-7005
Fax: (305) 670-9983
Email: mwolasky@wolasky.com

115737
Ms. Kimberly Jones Woods (2023)
201 N. Hogan St., Ste. 400
Jacksonville, FL 32202-4220
(904) 353-6241
Email: kwoods@boydjen.com
867330
Mr. Mark Harris Wright (2023)
601 Bayshore Blvd., Ste. 700
Tampa, FL 33606-2756
(813) 425-2020
Fax: (813) 251-6711
Email: mark@markwrightlaw.com

117060
Mr. Barry Wurgler (2023)
7880 Gate Pkwy., Ste. 300
Jacksonville, FL 32256-7285
(904) 899-4613
Email: barry@ashproperties.com

PART TWO

POLICIES GOVERNING CONTINUING LEGAL EDUCATION COMMITTEE

The Continuing Legal Education Committee Mission Statement

The mission of the Continuing Legal Education Committee is to assist the members of The Florida Bar in their continuing legal education, to facilitate the production and delivery of quality CLE programs and publications for the benefit of Bar members in coordination with the Sections, Committees and staff of The Florida Bar and others who participate in the CLE process.

**STANDING BOARD POLICIES
GOVERNING
CONTINUING LEGAL EDUCATION**

600 CONTINUING LEGAL EDUCATION

6.10 General Policy

6.11 Master Plan

6.12 Cooperation with Law Schools

6.20 Authority for CLE Courses

6.21 Bar Division, Section and Committee Programs

6.30 Fees for CLE Courses

6.31 Distribution of Proceeds

6.40 Speaker Expenses

6.50 Eligibility to Attend Programs or Receive Printed Materials and to Purchase Publications

6.10 GENERAL POLICY

(a) **Policy.** The bar will provide its members with continuing legal education (CLE) opportunities, which include live, online, and recorded courses, course materials, workshops, seminars, publications, and electronic transmissions. The bar's CLE committee will adopt and implement CLE policies consistent with the board's policies.

(b) **Funds.** The board will control and budget all funds received and disbursed in connection with the CLE program.

(c) **Executive Director Responsible for CLE Program.** The executive director is responsible to the board for carrying out the bar's CLE program.

6.11 MASTER PLAN

The CLE committee will develop and maintain a specific 2-year master plan. All CLE presentations that the bar or its entities participate in or sponsor must be on the master plan.

6.12 COOPERATION WITH LAW SCHOOLS

The bar may cooperate with the CLE program of each of the law schools in Florida and with other recognized institutions and organizations. The bar may not merge or identify its total program in any area with any institution or organization.

6.20 AUTHORITY FOR CLE COURSES

(a) **Section and Division Authority.** The bar's sections' and divisions' primary authority in educational programs ("programs") includes:

- (1) selecting the leadership for directing the program;
- (2) selecting the topics of the programs for the section's or division's area of practice or interest;
- (3) selecting the speakers;
- (4) proposing a date, location and format for the course (live or other media); and
- (5) imposing quality controls above a minimum established by the CLE committee.

Reasonable exceptions to administrative standards (for example, questions and answer periods, lunches, pricing) will be permitted if the section or division requests them.

(b) CLE Committee Authority. The CLE committee's primary authority includes:

- (1) considering any recommendations of a sponsoring bar division, section or committee;
- (2) determining the minimum fees for attendance;
- (3) resolving any conflict from the selected dates, locations or format proposed;
- (4) setting minimum quality standards;
- (5) setting minimum administrative standards; and
- (6) monitoring seminar activities of sections.

6.21 BAR DIVISION, SECTION, AND COMMITTEE PROGRAMS

(a) Generally. Courses or similar programs conducted or sponsored by the bar's divisions, sections, or committees must be submitted to and approved by the CLE committee for development or distribution. The CLE committee will usually approve the recommendations made from divisions, sections, or committees regarding a course's subject matter, speakers, participants, and classification if the subject matter is clearly within the jurisdiction of the proposing division, section, or committee. The CLE committee will resolve differences when the subject matter of a course is within the jurisdiction of more than 1 division, section, or committee, or when there are other differences among divisions, sections, or committees regarding courses. Any course or program in which the bar or a bar division, section, or committee is involved must be included in the budget as approved by the board.

(b) Co-sponsored Programs. A bar division, section, or committee may co-sponsor or cooperate with another professional group in presentation of an education program, provided that the other entity's purposes do not conflict with the purposes of the bar. The program's subject must be one in which the bar has a special interest or responsibility. Distribution of proceeds must be in accordance with standing board policy 6.31.

(c) Division and Section Service Programs. A division or section may provide educational service programs independent of the CLE committee only if the program: 1) limits attendance to division or section members; 2) is conducted in one continuous session; and 3) is not designed to, and will not, result in post-market sales of written or recorded materials, including books, articles, on-demand programs, CDs, or DVDs. The division or section must pay all expenses and will receive all revenue for the event. The bar will charge the division or section

basic section support and general division or section management fees but no additional fees for division or section service programs. The bar will charge the division or section the same administrative charge as approved CLE programs for any program not meeting the above requirements.

d) Out-of-State Programs by Sections. A section may sponsor a CLE course outside the state of Florida. The CLE committee will not co-sponsor courses presented by sections outside the state of Florida except that Out of State Division courses professionally recorded to maintain quality standards and made available in The Florida Bar 24/7 online and downloadable catalog may be co-sponsored with the CLE Committee. Sections are responsible for all direct expenses and the associated overhead charge as outlined in standing board policy 6.31.

6.30 FEES FOR CLE COURSES

The CLE committee establishes minimum fees for attendance at CLE committee jointly sponsored CLE courses. Fees for programs co-sponsored with an outside group will be jointly fixed by the CLE committee and the co-sponsor. The minimum base course fee for one-day courses will be determined as part of the annual budget process each year.

A minimum base course fee applies to a course of 5 or less continuing legal education requirement(CLER) credit hours per day; at multiple locations (no more than 3 of which may be live presentations); with no more than 5 in-state speakers; and at reasonably priced locations and facilities.

The base course fee for multi-day courses will be calculated as a minimum of the base fee for single day courses multiplied by the number of consecutive days. The total CLER credit hours must not exceed 5 hours multiplied by the number of days.

The CLE committee may charge additional fees for credit hours over 5 per day, out-of-state speakers, special materials, luncheons, honoraria, extra promotion, added committee meetings, receptions, and other similar expenditures, as well as a non-member surcharge equal to dues of a sponsoring bar section or division.

If sections request additional features or exceptions, fees will be adjusted accordingly. The CLE committee may also market live, recorded, or electronic CLE courses at prices in the approved budget.

6.31 DISTRIBUTION OF PROCEEDS

(a) Course Fees. Courses include, but are not limited to, audio, video, and electronic media. Net proceeds for CLE courses are determined after all direct and indirect expenses for the development and presentation of CLE programs are paid, including a CLE general administrative fee paid to the bar. The CLE general administrative fee represents the expected

level of support needed from bar staff in order to execute the program as planned, including general course coordination, registration services, art and graphic design, bookkeeping and general program management. The CLE general administrative fee will be a per-program hour charge applied to each course based on the course plan with 8 rates. The 8 per-program hour charge rates will be published in the budget instructions provided prior to budget preparation. The time and cost related to the taping, editing and reproduction of the course materials for after-market sales will be handled as a direct expense even if paid to the bar. The following are the 8 rates:

- (1) live programs requiring full service resources with fewer than 5 speakers;
- (2) live programs requiring full service resources with 5 or more speakers;
- (3) live programs requiring mid-range service resources with fewer than 5 speakers;
- (4) live programs requiring mid-range service resources with more than 5 speakers;
- (5) live programs requiring low service resources with fewer than 5 speakers;
- (6) live programs requiring low service resources with more than 5 speakers;
- (7) recorded or webcast programs with fewer than 5 speakers; and
- (8) recorded or webcast programs with 5 or more speakers.

(b) Non-Member Surcharges. Bar sections and divisions will receive all non-member surcharges which are not considered revenue for revenue sharing purposes outlined in (c) below.

(c) Net Proceeds after surcharges.

(1) Bar sections and the bar's Out-of-State Division will receive 80% of all net proceeds as defined in (a) above and incur 80% of all losses for all CLE courses and after-market material sales.

(2) The bar's Young Lawyers Division will receive 50% of all net proceeds for Practicing with Professionalism programs and course materials, for which the bar will not charge the CLE general administrative fee.

(3) The bar's Young Lawyers Division will receive 90% of all net proceeds and incur 90% of all losses of all other courses and materials.

(4) The bar will retain the balance of the proceeds/losses in its general fund to offset any expenses not covered by the CLE general administrative fee.

(d) Further Distributions. A bar section or the bar's Out-of-State Division may share its

percentage of the course revenues with a co-sponsor not affiliated with the bar. A co-sponsor not affiliated with the bar is any entity outside of the bar which participates in any manner in the planning and execution of a CLE program with a bar entity.

(e) **Unique Distribution Appeal.** Variations in the distribution of proceeds may be approved by the board after consideration of the work involved and risk assumed by each of the co- sponsors and contained in the budget or a budget amendment previously approved by the board.

6.40 SPEAKER EXPENSES

(a) **Authorized Honoraria.** The bar will not pay honoraria to its members unless the member is a full-time college of law faculty. With advance approval of the CLE committee, the bar may pay honoraria to speakers who are full-time college of law faculty or who are not bar members.

(b) **Authorized Expenses.** Authorized expenses for reimbursement under this section include transportation expenses (including air fare, ground transportation, tolls and parking) and expenses incurred for meals and lodging. Expenses will be reimbursed for the participant only, and not for family members. Reimbursed expenses must be actual vouchered expenses as defined by bar policy.

Revenues from courses and publications may pay for authorized expenses of speakers and authors for steering committee meetings, speakers' workshops, and course presentations.

(c) **Exceptions.** Any exception to this policy is subject to advance approval of the budget committee.

6.50 ELIGIBILITY TO ATTEND PROGRAMS OR RECEIVE PRINTED MATERIALS AND TO PURCHASE PUBLICATIONS

Any person may attend CLE programs or purchase CLE publications. There is no limit on the number of programs or publications a person may attend or purchase.

**POLICIES GOVERNING
CONTINUING LEGAL EDUCATION
COMMITTEE**

POLICIES ADOPTED BY CONTINUING LEGAL EDUCATION COMMITTEE

1.00 SCOPE AND FUNCTION OF CLE COMMITTEE

- 1.01 Size of CLE Committee
- 1.02 Representative Members
- 1.03 Voting Rights
- 1.04 Alternate Committee Members
- 1.05 Transaction of Business
- 1.06 Removal
- 1.07 Responsibility
- 1.08 Executive Committee Appointment
- 1.09 CLE Co-sponsorship with Sections, Divisions and Committees of The Florida Bar, Law Schools, Bar Associations and Professional Groups
- 1.10 Program Evaluation Responsibility and Oversight
- 1.11 Licensing of CLE Products
- 1.12 Certification Review Courses

2.00 SECTION/DIVISION RESPONSIBILITY

- 2.01 Primary Responsibility
- 2.02 Speaker Diversity
- 2.03 Financial Recapitulations
- 2.04 Revenue Sharing

3.00 CLE PROGRAMS

- 3.01 Standard Course - Definition
- 3.02 Proposed Courses - Review - Conflicts
- 3.03 Standards for Resolution of Conflicts
- 3.04 Method of Resolving Conflicts
- 3.05 Honoraria
- 3.06 Disqualification of Steering Committee Members, Authors and Lecturers
- 3.07 Considerations of Special Credit Hours
- 3.08 Smoking Policy
- 3.09 Exhibits and Displays at Courses
- 3.10 Sale of Electronic Media
- 3.11 Private Recording
- 3.12 Course Cancellations and Postponements
- 3.13 Copyrighting Course Outlines, Audio/Videotapes, and Other Electronic Media; Permissions

4.00 PREPARATION OF PUBLICATIONS

- 4.01 Selection of Steering Committees and Authors
- 4.02 Author Compensation
- 4.03 Practice Manuals as Separate Projects
- 4.04 Design and Style
- 4.05 Supplements or New Editions
- 4.06 Use of Products of Other Publishers
- 4.07 Copyrighting Publications; Permissions
- 4.08 Purchase and Return of CLE Publications
- 4.09 Complimentary Publications to Competition Winners
- 4.10 Pricing of Publications
- 4.11 Price Lists for CLE Publications
- 4.12 Publications to be Advertised on Course Brochures
- 4.13 Electronic Production or Reproduction

5.00 FEES, CHARGES AND COMPLIMENTARIES

- 5.01 Registration Fees
- 5.02 Refunds
- 5.03 Late Registration Charge
- 5.04 Half-price Registration Fees for CLE Courses
- 5.05 Half-price Fees for CLE Publications
- 5.06 Complimentary CLE Publications
- 5.07 Complimentary Course Admissions

6.00 REIMBURSEMENT OF EXPENSES

- 6.01 Reimbursement of Travel Expenses
- 6.02 Reimbursement Restrictions

7.00 ADVERTISING CLE COURSES

- 7.01 Florida Bar Logo Use
- 7.02 Monthly CLE Course Calendar

8.00 COURSE QUALITY STANDARDS AND REPORTING

- 8.01 Quality Control – CLE Committee
- 8.02 Minimum Quality Standards for Florida Bar Continuing Legal Education Programs

1.00 SCOPE AND FUNCTION OF CLE COMMITTEE

1.01 Size of CLE Committee

The CLE Committee shall consist of no more than twice the number of members appointed pursuant to Section 1.02 CLE Committee Policies and selected in accordance with the Rules Regulating The Florida Bar.

1.02 Representative Members

Each section of The Florida Bar, the Young Lawyers Division, the Out-Of-State Practitioners Division and all ABA-accredited Florida law schools shall be represented by a member on the CLE Committee. Each section and division of The Florida Bar shall recommend a representative member to be approved by the President-elect.

1.03 Voting Rights

Each member of the CLE Committee shall have a vote. Only those members present during a meeting may vote and there will be no proxy votes allowed.

1.04 Alternate Committee Members

The sections and divisions of The Florida Bar and each represented law school may recommend one alternate member. An alternate may vote if the regular member is not present. Each alternate shall be appointed in the same manner as representative members.

1.05 Transaction of Business

Those voting members of the committee present at a duly noticed meeting shall constitute a quorum for the transaction of business. All meetings shall be called at least two weeks in advance unless otherwise called by the President of The Florida Bar. Notice shall include agenda items to be discussed. Items not on the agenda shall not be considered except upon a 2/3 approval of those members present and voting.

1.06 Removal

Upon the failure to attend two consecutive meetings without good cause, the member may be removed. Upon the failure of any member to comply with the provisions of Policy 1.10, the member may be removed. It shall not be considered an absence for a member, who is allowed an alternate, if that alternate attends.

1.07 Responsibility

The CLE Committee is responsible for presenting programs, publishing printed materials, and other instructional type materials and mediums. (SBP 6.10)

1.08 Executive Committee Appointment

The CLE Committee may appoint an executive committee to undertake and perform tasks and responsibilities delegated to it by the committee as a whole or the chair. The chair may appoint subcommittees and subcommittee chairs for such areas as programs,

publications and others as shall be necessary to accomplish the objectives and purposes of the CLE Committee.

1.09 CLE Co-sponsorship with Sections, Divisions and Committees of The Florida Bar, Law Schools, Other Bar Associations and Professional Groups

The CLE Committee may co-sponsor courses with law schools, sections, divisions and committees of The Florida Bar, and other bar associations and professional groups. Any surplus income over expenses produced by the courses, if budgeted in accord with Standing Board Policies, may be shared with the co-sponsor. (SBP 6.12, 6.21)

1.10 Program Evaluation Responsibility and Oversight

Each member of the CLE Committee is responsible for evaluating at least one live program and one live webcast during each year of tenure on the committee. Committee members who serve as section representatives should not evaluate seminars co-sponsored by their section. Committee members who fail to comply with this responsibility will be subject to removal from the committee.

1.11 Licensing of CLE Products

The CLE Committee may enter into licensing arrangements or co-sponsorship or joint distribution of its products with proprietary CLE sponsors.

1.12 Certification Review Courses

It is not a requirement of the CLE Committee to present a review course for applicants for certification by The Florida Bar.

2.00 SECTION/DIVISION RESPONSIBILITY

2.01 Primary Responsibility

The sections and divisions have primary responsibility for each program they co-sponsor to select leadership for presenting the course, select the topics to be covered, select the lecturers and impose quality controls. They may exceed existing administrative standards. The CLE Committee has set minimum quality standards for all co-sponsored programs. (SBP 6.20)

2.02 Speaker Diversity

The sections, divisions and committees shall recognize the diversity of the legal community and shall select qualified speakers who reflect that diversity.

2.03 Financial Recapitulations

The sections and divisions shall be provided financial recapitulations of courses they co-sponsor with the CLE Committee to assist with evaluating future course presentations. The recapitulation reports will be provided to the section.

2.04 Revenue Sharing

The financial arrangement between sections and divisions and CLE is set forth in Standing Board Policy 6.31. No payment to a section may exceed the total revenues for that program reduced by allowable expenses. Allowable expenses will consist, among other things, of the actual cost for printing and distribution of course materials and brochures, including labor.

3.00 CLE PROGRAMS

3.01 Standard Course - Definition

A standard, or base, course is one presented in one day not at a resort. A base course contemplates an initial steering committee meeting and a speakers' workshop, in addition to the scheduled presentations.

Except as otherwise authorized by the Budget Committee, if a nonstandard course operates at a loss, the responsible section or division shall be charged with the loss.

3.02 Method of Resolving Conflicts

After reviewing proposed course budgets for the next Bar year, staff shall refer any potential conflicts in titles or subject matter to the appropriate chairs and CLE representatives of the co-sponsoring sections/divisions or committees for reconsideration. If the co-sponsors cannot resolve the conflict, the matter will be referred to the Council of Sections. If the Council cannot resolve it, it will be forwarded to the CLE Committee for resolution pursuant to Section 3.04 and succeeding sections of these policies.

3.03 Proposed Courses - Review - Conflicts

The CLE Committee shall review the courses proposed for the next Bar year by February first of the preceding year. Conflicts or duplication in subject matter still existing at that time shall be resolved by the CLE Committee or its designate.

3.04 Standards for Resolution of Conflicts

The following factors will all be considered in deciding who will have primary responsibility for co-sponsoring a course.

- a. The co-sponsor first initiating the program.
- b. The co-sponsor most closely identified with the subject matter.
- c. Any prior experience by a co-sponsor in presenting the subject matter and the success of the course.
- d. Prior compliance with quality standards and deadlines.

Conflicts should be avoided in geographical areas between courses of similar topics. More than one single-location course should not be scheduled on the same day, regardless of the subject matter, unless faculty scheduling requires such a possible conflict.

Courses on different subjects on the same day in different cities are not considered to be in conflict.

3.05 Honoraria

Honoraria are authorized only for speakers who are not members of The Florida Bar or full-time law college faculty who may be members of The Florida Bar. (SBP 6.40a)

3.06 Disqualification of Steering Committee Members, Authors and Lecturers

No person may serve as a steering committee member, author or lecturer who is disbarred or suspended from the practice of law.

3.07 Considerations of Special Credit Hours

Inclusion of ethics and professionalism in courses shall be governed by Standing Board Policy. Sections, divisions and committees are encouraged to include considerations of ethics, professionalism, substance abuse, technology, bias elimination and mental illness awareness when pertinent to course presentations.

3.08 Smoking Policy

Smoking is not permitted during CLE course presentations.

3.09 Displays, Exhibits, Meals, Events, and Receptions at Courses

Displays, exhibits, meals, events, or receptions at courses, including those sponsored and paid for by charitable or nonprofit organizations as well as commercial organizations, are permitted subject to the approval of the sponsoring section if applicable and either the CLE Committee or staff. Approval will be given if the committee or staff determines the display, exhibit, meal, event, or reception does not detract from the educational purpose or quality of the seminar.

3.10 Sale of Electronic Media

Upon order, the staff shall prepare audio CDs/video DVDs or other electronic media of selected CLE course presentations and make the media available to members of The Florida Bar and others permitted to attend CLE course presentations pursuant to the policies of the committee.

3.11 Private Recording

Private recording in any format of CLE Programs is prohibited at all seminars unless previous approval has been obtained from the CLE Committee or staff.

3.12 Course Cancellations and Postponements

The staff, upon conferring with the steering committee chair, shall determine whether it is necessary to cancel or postpone a course due to failure of the steering committee to meet appropriate deadlines or other factors. In some cases it may be necessary to cancel a course after the advertising brochure has been delivered. If that occurs, the co-sponsoring section or division, if at fault for the cancellation, shall be liable for the costs

of the seminar in excess of the revenues generated, from their reserves. If a section/division proceeds with a course despite the staff's recommendation to cancel, any losses from that point forward will be charged to the particular section/division budget rather than the CLE budget.

3.13 Copyrighting Course Outlines, Audio CDs/Video DVDs, and Other Electronic Media; Permissions

Course outlines, audio CDs/video DVDs, and other electronic media will comply with all requirements necessary to obtain a copyright, but the copyrights need not be perfected unless that protection is necessary and the cost involved is reasonable. All CLE manuals and any other material prepared in co-sponsorship with the CLE Committee shall carry the copyright legend and shall note "all rights reserved."

CLE staff shall review all requests for permission to copy material from course outlines and shall determine whether to grant permission after consulting with the author of the material and the steering committee of the manual in which the material was published.

4.00 PREPARATION OF PUBLICATIONS

4.01 Selection of Steering Committees and Authors

The staff will coordinate the selection of the steering committee and authors for each publication. No person may serve as a steering committee member or author who is disbarred or suspended from the practice of law in any jurisdiction.

4.02 Author Compensation

Authors of all or any part of a CLE publication are not to receive financial compensation for the material submitted.

4.03 Practice Manuals as Separate Projects

Practice manuals generally shall be prepared and sold separate from CLE courses. A manual, however, may be produced simultaneously with a course and presented as a part of the course materials, if the CLE committee finds that it is expedient to do so.

4.04 Design and Style

All aspects of the design and style of CLE publications is left to the discretion of the staff.

4.05 Supplements or New Editions

Supplements to or new editions of CLE publications are to be prepared at regular intervals. Staff is authorized to determine the format of the update.

4.06 Use of Products of Other Publishers

CLE Publications staff may purchase books or electronic media of other publishers and sell them to Florida Bar members after the purchase has been approved by the CLE

Committee. Effort should be made to obtain products on consignment instead of by purchase.

4.07 Copyrighting Publications; Permissions

CLE publications and electronic media will comply with all requirements necessary to obtain a copyright, but the copyrights need not be perfected unless that protection is necessary and the cost involved is reasonable. All CLE publications and electronic media shall carry the copyright legend and shall note “all rights reserved.”

CLE staff shall review all requests for permission to copy material from publications and shall determine whether to grant permission after consulting with the author of the material and the steering committee of the manual in which the material was published.

4.08 Purchase and Return of CLE Publications

CLE publications may be purchased by any person or organization. Purchasers may return publications within 30 days of purchase for a full refund. No returns, however, shall be accepted unless the publications are in resalable condition.

4.09 Complimentary Publications to Competition Winners

The CLE staff shall have the authority to provide complimentary publications to winners of Moot Court and similar competitions.

4.10 Pricing of Publications

The CLE staff has authority to set prices for publications and will select the publications that will be offered for sale at reduced rates. Publications related to the subject matter of a seminar may be offered at a discount to registrants of the seminar.

4.11 Price Lists for CLE Publications

Order forms and price lists for CLE publications will be posted on The Florida Bar’s website and advertised in The Florida Bar News on a quarterly basis.

4.12 Publications to be Advertised on Course Brochures

Current CLE publications that discuss substantially the same subject matter to be covered in a CLE course may be listed on the brochures advertising the course.

4.13 Electronic Production or Reproduction

The CLE Committee may electronically produce or reproduce and sell electronic media covering any area that it feels justifies the investment in the software. Proposals to produce or reproduce programs electronically that are not directly based on a CLE Publications manual are to be referred to the committee or section of The Florida Bar that should be concerned with quality control over the subject involved. The CLE staff is responsible for obtaining bids on the cost of producing electronic media on various topics authorized for production of software programs and is responsible for evaluating the quality and availability of maintenance and service of those programs.

5.00 FEES, CHARGES AND COMPLIMENTARIES

5.01 Registration Fees

The base registration for a standard CLE program is \$135. If the course is co-sponsored, the fees will be jointly fixed by the CLE Committee and the other co-sponsor. The base course fee may be increased by the CLE Committee or staff to include the costs of luncheons, honoraria, extra brochures or promotion, number of speakers or out-of-state speakers, added steering committee meetings, transcripts, special materials binders, or additional “add-on” costs. A surcharge of the amount of their dues may be charged by a sponsoring section/division to registrants who are not members of that section/division. If requested by the sponsoring section/division, the fees may be adjusted for additional features or variations. (SBP 6.30)

5.02 Refunds

Registrants for CLE course presentations where the number of registrants is limited or when there are additional charges such as lunches or other amenities may be charged a reasonable cancellation fee unless the cancellation is received by the Bar in writing two business days prior to the presentation of the course or such other time indicated in the course advertising. All other requests for refunds less a \$25 cancellation fee will be honored if postmarked within two business days after the last course presentation.

5.03 Late Registration Charge

To encourage early registration, a \$25 surcharge will be added to the course fee for any person registering the day a course is offered.

5.04 Half-price Registration Fees for CLE Courses

The following groups are eligible to attend CLE seminars at one-half the registration fee.

- (a) full-time law faculty and law students working toward a Juris Doctor degree
- (b) full-time clinical instructors at accredited or provisionally accredited law schools
- (c) full-time law school librarians

5.05 Half-price Fees for CLE Publications

The following groups are eligible to purchase CLE publications at one-half the full price:

- (a) full-time students working toward the Juris Doctor degree, but additional copies must be purchased at the full price. If the unit cost of the manual or publication is so large that the sale at half the standard price would result in a loss, then staff may add a reasonable charge to the price of the publication. A law student's right to purchase CLE publications at this reduced price terminates the day before graduation from law school. These sales may be made through the law school bookstore.
- (b) libraries open to the public (limit two copies);

- (c) contributing authors of a manual (limit three copies of that manual);
- (d) university students purchasing a publication required for class (limit one copy);
- (e) professors from accredited Florida colleges (limit one copy);
- (f) in-state law libraries of nonprofit organizations providing free civil legal services to low income clients (limit two copies).

5.06 **Complimentary CLE Publications**

Complimentary copies of CLE publications* are available to:

- (a) Each contributing author of a practice manual (printed copy).
- (b) Each steering committee member of a practice manual (printed copy).
- (c) CLE Committee members (printed copy upon request to the CLE Publications Director).

*This policy applies only to practice manuals produced by CLE Publications staff; complimentary copies of practice manuals that are in The Florida Bar's product line but that are produced entirely by LexisNexis will not be provided

5.07 **Complimentary Course Admissions**

Amended Policy 5.07:

Members of the CLE Committee are eligible, upon request, for complimentary admission to any CLE sponsored live course presentation. CLE Committee members must pay add-on costs, such as luncheons (the published fee waiver price).

The following groups are eligible, upon request and for personal use only, for complimentary admission to any CLE sponsored course presentations; or complimentary order of audio CD, including the standard electronic course materials. They are not, however, eligible to receive complimentary video DVD, teleseminars, webinars, webcasts, online or downloadable CLE delivery formats. These groups may attend programs with add-on costs such as luncheons by paying the additional cost of the add-on fee:

- (a) Supreme Court, DCA, Circuit, and County Judges, and Federal Judges who are members of The Florida Bar;
- (b) full-time legal aid attorneys for programs directly related to their client practice;
- (c) magistrates, judges of compensation claims, full-time administrative law judges and court-appointed hearing officers;

6.00 REIMBURSEMENT OF EXPENSES

6.01 Reimbursement of Travel Expenses

The reasonable travel expenses incurred by steering committee members, workshop lecturers and speakers and authors incurred in attending one steering committee meeting, one workshop for each publication project or course, and each live course presentation may be reimbursed by The Florida Bar. (SBP 6.40b)

6.02 Reimbursement Restrictions

All speakers at CLE programs are allowed reimbursement for meals up to \$60 per day, including tips, hotel accommodations at the base rate secured by The Florida Bar, and airfare up to the 21-day advance rate. Hotel accommodations should be where the course is offered, or in a hotel suggested by the staff. Advanced booking of airline reservations in order to obtain the lowest fares available, as well as prudent use of rental cars and other means of transportation, is necessary.

Any speaker expenses exceeding the amounts set forth above may be reimbursed from the co-sponsoring section's/division's funds, upon approval of that section/division.

7.00 ADVERTISING CLE COURSES

7.01 Florida Bar Logo Use

The Florida Bar logo shall be used on all brochures advertising CLE courses and course materials.

7.02 Monthly CLE Course Calendar

When possible, the calendar of the forthcoming month's CLE course presentations will be published in The Florida Bar Website

8.00 COURSE QUALITY STANDARDS AND REPORTING

8.01 Quality Control – CLE Committee

The CLE Committee is responsible for maintaining quality control to ensure that minimum standards are maintained in the presentation of all CLE sponsored or co-sponsored courses.

8.02 Minimum Quality Standards for Florida Bar Continuing Legal Education Programs

1. Purpose and Authority

Standing Board Policy charges the Continuing Legal Education Committee with the preparation and promulgation of minimum quality standards, allowing reasonable variations, for continuing legal education programs produced by The Florida Bar. SBP 6.20(b)

The Continuing Legal Education Committee is in the best position to monitor overall quality. On the other hand, neither the CLE Committee nor the staff has the substantive knowledge to supervise sections, divisions and committees for content. The CLE Committee, however, has recognized common errors in the organization, preparation, and presentation of programs which have been repeated over time. As to such matters, the CLE Committee can and should make its expertise available to sections, divisions and committees in promulgating minimally acceptable quality standards.

Although the standards which follow cannot be applied in every conceivable case, they are guides from which deviation should not occur in the vast majority of cases. Moreover, they are minimum standards which should not be construed to represent the best an individual section, division or committee should strive to achieve. Sections, divisions and committees are encouraged to exceed these minimum standards.

2. Steering Committee Appointment, Composition and Procedure

Steering committees for programs co-sponsored by sections, divisions or committees will be appointed by the section, division or committee chair or by section, division or committee CLE chair, as is appropriate. The CLE Committee, acting through its staff, shall appoint program steering committees for programs offered exclusively by it.

In selecting steering committee members, authors, and lecturers, appointing authorities should strive to select practitioners with the highest reputations for knowledge and experience in their fields and practitioners who have performed well in prior programs and in accordance with CLE policy on diversity 2.02. In making such selection decisions, consideration should be given to bringing in qualified practitioners who have not participated in CLE programs in the past and to avoid the repeated selection of practitioners whose involvement in multiple programs may overtax their available time and energies to the detriment of overall quality. The staff shall provide the steering committee chair with a printout of potential speakers and their grades from recent evaluation report summaries.

A member of the steering committee should be specifically appointed to serve as the Quality Coordinator. Other than possibly serving as chair the Quality Coordinator should have no other responsibilities on the steering committee. The Quality Coordinator should not be an author or lecturer for the program.

The staff should arrange a meeting or conference call of the speakers at least 10-12 weeks prior to the seminar and be available for all meetings of the steering committee. The organizational meeting of the steering committee should be conducted with all committee members present.

3. Duties of the Quality Coordinator

The Quality Coordinator, together with the steering committee chair (if a different individual), shall have overall quality responsibility for the program. The Quality Coordinator should ensure all quality standards are met in the areas of both content and presentation.

The Quality Coordinator, together with the steering committee chair (if a different individual), shall ensure that the program maintains the appropriate course preparation timetable, particularly as to the timely submission of brochure materials and outlines.

The Quality Coordinator should review authors' outlines prior to finalization and publication for overall content, including both substantive errors and omissions, ensure that citations are accurate and that the cited cases constitute good authority for the propositions for which they are asserted.

Authors continue to have primary responsibility for their work. Should the Quality Coordinator detect any problems in a particular outline, the Quality Coordinator should discuss the matter with the author. The Quality Coordinator should not overrule a substantive decision of the author.

If the Quality Coordinator continues to perceive a problem after consulting with the author, the Quality Coordinator and steering committee chair should consult with the section, division or committee chair or the CLE Committee chair, as may be appropriate, for final resolution.

The Quality Coordinator should attend any workshop held for the program and participate in critiques of both substance and presentation. The Quality Coordinator should also attend the program presentation so as to be able to critique final performance.

The Quality Coordinator will prepare a post-presentation critique, in writing, so that lessons learned may be passed on and used in the preparation and presentation of future programs. Particularly in the case of continuing programs, a special post-presentation critique meeting should be held, although this meeting may be held in conjunction with the organizational meetings of the subsequent program.

4. Course Preparation Timetable

The following course preparation timetable should be applicable to almost every course. [Times indicated are those before the first presentation.]

<u>Time Period</u>	<u>Event</u>
6 months	Appointment of program chair/steering committee chair by CLE chair; appointment of quality coordinator
4 months	Appointment of steering committee members
16 weeks	Initial meeting of steering committee; selection of topics; selection of speakers; date selected (if not already done); letter sent to speakers advising requirements of and deadline for receipt of written materials; staff letter to program chair reminding of deadline for receipt of brochure information.
12 weeks	Course detail information due to staff Confirmation letters sent to speakers CLE credit application submitted Brochure designed and sent to print Bar News ads and promotional email campaigns developed Save the date posted on section site and link eblasted

10 weeks	Cancel if course detail is not completed Proofed ad for Bar News completed Send letter with course material deadline reminder and course detail to speakers Authors send course materials to Quality Coordinator/Program Chair
8 weeks	Course materials due to staff, in final form Eblast
6-8 weeks	First ad in Bar News
5 weeks	Eblast
2-4 weeks	Second ad in Bar News
2 weeks	Eblast
OPEN	Speakers workshop
2 weeks after	Quality coordinator report sent to staff
_____	If continuing program, post-presentation critique meeting should be held as soon as possible after the program

Planning a CLE Program

e-CLE

An e-CLE should only be 1-2 hours long and not have too many speakers. The intent is to cover a single issue or hot topic. If the topic would require more than 1-2 hours to cover think about having a 2- or 3- part series on the topic.

E-CLEs should follow the simplified version of the standard Florida Bar CLE timeline outlined below.

8 weeks prior to the program:

- Finalize subject matter and speaker(s)

6 weeks prior to the program:

- Finalize information for brochure.
- Title of presentation (should catch attention).
- Names and contact information of speakers.
- Short description of program.

3 weeks prior to the program:

- Written materials delivered to program chair for quality control, providing a comprehensive outline.

2 weeks prior to the program:

- Written materials delivered to Bar staff.
- PowerPoint delivered to program chair for quality control.

7 days prior to the program:

- PowerPoint delivered to Bar staff.
- Walkthrough scheduled (at least 24 hours prior to the scheduled program).

Other important information:

- For quality purposes, speakers should use landlines instead of cellphones and should not use speaker phones.

To assist in keeping programs on schedule, the staff will give written notice at each stage in the above timetable to the section CLE chair, each member of the program steering committee, lecturers, and authors.

5. Program Brochure Requirements

Brochures should describe in significant detail the topics to be included in the program. A mere title for each lecture is normally insufficient for potential registrants to have a clear expectation of program subject matter.

The brochure should contain a statement as to the classification of the course so that potential registrants may better determine if the course is suited to their needs. The classifications — basic, intermediate, and advanced — will be used. The definitions of such classifications are as follows:

- a. Basic. This course is designed for the practitioner with no or fairly limited experience in the subject area related to the course. A current law survey course will be considered basic unless there are recent, significant changes in the law. Note: Presentation of basic-level programs is reserved for programs sponsored by the Young Lawyers Division.
- b. Intermediate. Course designed for the practitioner somewhat experienced in the area but not necessarily an expert. A survey course related to an area of the law in which there has been recent, substantial changes may be determined to be intermediate. In an intermediate course, some segment may be low intermediate or basic, and others high intermediate or advanced. In such instances, however, the course taken as a whole will be considered intermediate.
- c. Advanced. Designed for the practitioner with extensive experience in the subject matter of the course.

6. Minimum Outline Standards

The written materials offered with each program are a valuable part of the course. The following minimum standards should be helpful to authors and others:

The outline should be more than a “bare bones” listing of topical headings. The outline should contain substantive material in support and amplification of the topical headings. For example, if discussing applicable dates, the topical heading “dates” would be insufficient. Instead, the actual dates of applicability should be set out under the heading with necessary discussion and citation of authority.

The outlines should include complete citations of authorities. The outline will be used as an office reference source and research aid both by attendees and by those who have not attended the program but receive the written materials.

The outline should adhere to the particular course classification given the program. In only the most unusual circumstances should an outline be an overall survey or an elementary course.

The outline should be geared to the practitioner. Therefore, it should be practical rather than theoretical.

The lecturer will be speaking from the outline. Accordingly, it should be organized in the same manner in which the lecture will be given. Program attendees frequently complain of lecturers not following the outline format.

Considerations of ethics and professionalism should be included in each outline and covered by practical examples.

7. Program Workshops

Each program may have a speakers' program workshop. The purpose of the workshop is twofold:

- a. To provide an opportunity for authors and lecturers to meet and exchange views concerning the substantive content of their outlines and other course materials.
- b. To provide an opportunity for lecturers to practice their program delivery and to be critiqued, particularly with respect to videotape performance.

8. Minimum Lecturer Standards

The advertised level of course content must be followed.

In presenting their lectures, lecturers should follow the outline format but not read the outline.

Specific examples are a highly desirable way of bringing home points in course presentation. In offering examples, however, lecturers should refrain from including inappropriate “war stories” or other personal aggrandizement.

Professional ethics and professionalism issues should be included in lectures.

The use of visual aids when appropriate, is encouraged.

Speakers may attend a speaker training session or view speaker training videos (The CLE Committee presented a speaker training program in 2019 entitled “Speaker Fever – Secrets to an Amazing CLE Presentation!”). This resource, along with a separate video developed by ACLEA, are both available through The Florida Bar’s CLE Committee’s webpage.

9. Standards for Advanced Continuing Legal Education Courses

In addition to complying with all minimum quality standards in effect for Continuing Legal Education Courses, those labeled “advanced” must comply with the following.

a. Subject Matter

1. Substantive and update courses

The subject matter for courses dealing at the advanced level with substantive knowledge (as opposed to lawyering skills) shall be geared to the practitioner with several years of concentrated practice in the area of substantive law of the course. Generally, these courses should concentrate on a narrow and highly specialized area of law to give experienced practitioners a more sophisticated slant to their practice. Alternatively, these courses can provide updating in the more subtle methods of use of new developments.

For example, an advanced torts course designed to build substantive knowledge could deal with representing plaintiffs in toxic tort litigation. On the other hand, a refined updating course for tort attorneys could consider the impact of recent United States Supreme Court cases on defamation litigation.

2. Skills development courses

As opposed to building substantive knowledge, the skills course concentrates on using advanced substantive knowledge in an intricate planning or litigation setting. These courses should take a narrow area and teach practitioners already proficient in the practice how to upgrade their existing skills. A substantial portion of each course shall be taught in small groups with live instructors and intense, “hands-on” experience in drafting and other skills. These courses are “task-oriented” as opposed to “substance-oriented.”

For example, an advanced real estate planning course would consider preparation of federal environmental impact statements rather than simple zoning variances. A torts course would have the attorneys participate in examination of sophisticated expert witnesses, with subsequent critique by instructors.

b. Supporting Material

Supporting material prepared by the instructors should go beyond basic statutory documentation. It should include cases from other jurisdictions as well as relevant regulations.

Where copyright problems do not interfere, it should include excerpts from advanced secondary source material, sample forms and documents and a detailed bibliography of primary and secondary source materials.

c. Instructors

Instructors in advanced courses must have substantial experience in the subject matter they are teaching in order for them to maintain high levels of credibility with those attending. Instructors should have concentrated during their professional careers in the area of law covered by the course. The following types of instructors would satisfy this requirement:

1. Attorneys who have been certified in the field in which they are lecturing;
2. Attorneys who have practiced for five or more years primarily in the field in which they are lecturing;
3. Judges of a trial or appellate court;
4. Professors of law who have taught for five or more years in the field in which they are lecturing;
5. Persons who have a total of five or more years' experience in the field in which they are lecturing, gained from a combination of any of the above; or
6. Persons who are not lawyers but have a total of five years' experience in the field in which they are lecturing.

These categories are examples only, and should not preclude those who are highly qualified but do not fit within them from serving as instructors in appropriate instances.

10. Enforcement of Minimum Standards

The CLE Committee contemplates exercising, in unusual cases, the methods set forth below as a means of enforcing these minimum quality standards. Of course, the CLE Committee recognizes that reasonable variations from these minimum standards must be made on a case-by-case basis.

- a. Withdrawing CLE Committee approval for the program, particularly in cases where the program has fallen behind the Course Preparation Timetable.
- b. Requesting that appointing authorities not invite future participation by an errant steering committee member, author, or lecturer.

- c. Recommending to The Florida Bar BLSE that a program be denied CLER, certification and designation credit.
- d. Recommending to The Florida Bar BLSE that an individual program participant be denied education credit for participation.
- e. Requiring section co-sponsors to bear costs of printing materials submitted by speakers/authors after the deadline has passed. The section/division co-sponsor shall pay any costs in overtime or use of outside printers resulting from faculty members not meeting deadlines, from either the seminar profits or the section's/division's reserve account.

PART THREE

CLE COMMITTEE

GUIDELINES FOR EVALUATORS

The Florida Bar Continuing Legal Education Committee

A Guide to Assist in the Preparation of Evaluation Reports

The following checklist has been developed to assist members of the Continuing Legal Education Committee in preparing evaluation reports of The Florida Bar's CLE programs they are assigned to review. While the checklist has been designed to be thorough it should not be viewed as precluding comment on items not listed. Correspondingly, every item on the checklist may not need to be addressed on every evaluation report. The checklist is designed as a guide to conveniently list those factors an evaluator should consider when preparing the report.

Beyond the items listed, there are certain elements the evaluator should keep in mind in preparing the report. **First and foremost, the evaluator should remember that those who plan and speak at CLE courses are volunteers.** They are providing their time, talent and energy in service to the profession. The evaluation report is a tool they and others can use to maintain and improve the quality of The Florida Bar's CLE courses. It is designed to reward with praise when merited and provide constructive criticism when needed.

Should the evaluator identify a component of the CLE program being reviewed as falling short of The Florida Bar's Minimum Quality Standards, the evaluator should also state how the situation can be avoided in the future. Similarly, if an element of a speaker's performance was below par, suggestions should be offered which the speaker could use to improve for the next presentation. Conversely, the evaluator should identify any components of the program or speaker performance which were innovative or above average in quality.

For an evaluation report to be truly effective, it is imperative that the evaluator have actually attended a presentation of the program or reviewed a video. The evaluator should base their comments of the course and the speakers on their own viewing of the course. Comments made by the attendees of the course should not influence the evaluator's evaluation.

The following checklist has been divided into four topical areas each report should address. While an evaluation report has been provided as a sample of what a good report should look like, evaluators should feel free to use whatever style works best for them in addressing the checklist items in their reports.

Evaluation Report Checklist

1. Preparation

- a. Were the Minimum Quality Standards met? *This information will be provided for you on the evaluation form provided by The Florida Bar.*
- b. Was the seminar brochure/advertisement information correct? Did it adequately promote the seminar?
- c. Did the program brochure advise the Bar members of the level and content of the seminar by providing an adequately detailed description of each individual presentation?
- d. Was sufficient time devoted to ethics? technology? professionalism?

2. Presentation

- a. Maintaining good eye contact?
- b. Voice modulation and inflection?
- c. Use of proper English?
- d. Were there distracting mannerisms?
- e. Obvious familiarity with materials?
- f. Minimal reference to or reliance on notes to carry flow of presentation?
- g. Oral presentation followed general organization of written materials?
- h. Speaker able to cover all necessary and planned materials within time allotted?
- i. Proper time and emphasis given to individual subtopics based on difficulty or simplicity of concepts covered?
- j. Ability of speaker to clearly and succinctly explain complex or difficult concepts?
- k. How well did speaker handle the updating of written materials with recent case decisions or statutes?
- l. Was the level of the oral presentation commensurate with the advertised level of the seminar?
- m. If the topic was not in the area of ethics/professionalism, did the speaker identify apparent ethical issues as they occurred throughout the presentation?
- n. How successful was the speaker in presenting the topic in such a manner as to make the material relevant to the types of practice of a majority of the audience?

- o. Were the introductions of each speaker:
 - 1. Appropriate to the subject matter?
 - 2. Informative as to the topic and the speaker?
 - 3. Used to raise additional points, tie various presentations together, clarify or focus the audience attention to one or more collateral points?
 - 4. Merely perfunctory?
- p. Was there sufficient time allotted for questions or interaction, specifically for advanced courses?
- q. Did speakers repeat questions or appropriate microphones used by audience so that questions and answers could be heard in recorded seminars?

3. Course Materials

- a. Did each speaker submit course material that was published in course book?
- b. All course materials met Bar's Minimum Quality Standards:
 - 1. Thorough but succinct discussion of individual subpoints?
 - 2. Use of supporting citations and authorities?
 - 3. Were all citations to all relevant cases available at the time included in course materials?
 - 4. Logical, cogent, coherent organization of written materials?
 - 5. Course materials adhere to course classification?
 - 6. Ethical/professionalism considerations raised where appropriate?
- c. Did the course materials complement the general program subject matter?
- d. Were sample forms included where appropriate? If not, where should forms have been included?

4. Location

- a. Seminar facility conveniently located for expected attendance?
- b. Adequate parking?
- c. Room appropriate for presentation?
- d. Size of room and setup adequate to seat all attendees comfortably and provide appropriate ingress and egress?

- e. Satisfactory lighting conditions?
- f. Air conditioning or heating comfortable?
- g. Satisfactory sound system?
- h. Break or intermission facilities adequate, including sufficient restrooms?
- i. Registration/check-in operated in a smooth, efficient and courteous manner?
- j. If appropriate, restaurant close by for scheduled lunch breaks?

EXAMPLE OF A GOOD EVALUATION REPORT

Re: Name of Course: (Name of course)
 Date Presented: (Dates of Presentation)

1. Compliance with Minimum Standards _____ Yes _____ No
2. Evaluator's Comments and Conclusions

General: This was a very good seminar that lived up to its intermediate level rating. It was exceptionally well received by those who attended. It was, however, too ambitious for a one day seminar. Attendance and attention dropped off towards the end as the individual evaluations reflect.

- ### 3. Individual Speaker Evaluations

Speaker #1 (name)

An excellent presentation providing basic advice which in an intermediate level course was still appropriate as reinforcement and reminders of fundamental considerations. He was a comfortable speaker; clearly at ease, with good voice modulation and eye contact. His discussion of ethical considerations was adequate. The most important aspect of the ethics portion was his unequivocal statement that "I would not hesitate" to report an ethical violation. His example was refreshing and goes far to remove the "squealer" negative connotation. His advice regarding legal research (and collection of topic files); subscription to specified specialty publications; and membership in professional organizations was particularly noteworthy. Though the time allocated for his topic seemed appropriate, he wasted none of it. His entire presentation was useful in setting high standards of professionalism in this specialty field. His course materials are useful but short. It should have included citation to publications and associations mentioned in the lecture together with information about subscribing or membership. Additionally, the course materials might have included at least a list of topic areas that research files, in DUI cases, should be created.

Speaker #2 (name)

Speaker #2 is an effective and experienced lecturer and teacher. His command of his topic was exceptional. He provided useful information on an intermediate level. His presentation included the most current legislation and judicial decisions. He demonstrated the practicality of attention to detail, curiosity, and imaginative legal advocacy. This was an outstanding presentation. His course materials were of the same high caliber as was the oral presentation.

Speaker #3 (name)

Outstanding presentation which was exceptionally well received. His video could be an excellent training tool for all CLE speakers. He was articulate, dynamic, and informative. His utilization of visual aids added interest and clarity. The only criticism is that insufficient time was allocated to this important topic. Additionally, an opportunity for the audience to interact with the speaker would have enhanced the value to the attendees.

Speaker #4 (name)

Speaker #4's presentation was well received by the attendees. To this intermediate level audience, his "stream of consciousness" presentation perhaps was not confusing and disjointed. However, this presentation could be improved by more thoughtful transitions. Additionally, when dealing with a new subject - distinction between legal and medical blood; substantial compliance; etc., some brief background and contextual framework would be appropriate even for an intermediate audience.

His illustration of the use of "demonstrative" evidence -- the Challenger newspaper article -- was interesting, but was unrelated to his topic and lacked sufficient theoretical analysis to justify its use in the manner depicted. Though taking up a considerable portion of his presentation, the case cited, together with its reasoning, was not adequately related to his example. The discovery implications (3.220(d)(1)(iii) -- requirement that tangible papers and objects intended to be "used" at the trial must be disclosed) and evidentiary implications were inadequately explored.

Likewise, his discussion of the use of previously suppressed evidence to impeach a testifying client raised an interesting subject, but it was unrelated to his topic. However, since it was raised, the speaker should have given a complete (however brief) explanation of the legal authority on the subject (New York v. Harris; Angello v. United States; Waler v. United States; United States v. Haven, etc.)

His course materials were one of the best provided. It would, alone, be worth the price of admission. A presentation which followed the course materials more closely may have been even better received.

In all, a job very well done.

Speaker #5 (name)

Speaker #5 had a friendly and energetic style of speaking. He was well received by those in attendance. No person trying DUI cases can be ignorant of the impact of recidivism upon the disposition of the current case. A DUI lawyer must understand the law regarding the validity and use of prior convictions. This speaker gave a good overview of the legal issues involved. He added practical advice and examples regarding searching for and evaluating court records. His course materials were adequate and provided the audience with the opportunity to further explore this topic.

Speaker #6 (name)

An absolutely outstanding speaker. Articulate, exciting, energetic, innovative are some of the adjectives that come to mind. His presentation was exceptional in content as well as style. It was well organized and he packed into his discourse substantial "take home" advice. It was up to date. Important decisions handed down since the course materials were distributed were mentioned. His lecture was, in and of itself, "demonstrative evidence" of his topic -- "Trial Strategy and Techniques." Uncommon important advice was given and the practicality of this advice was demonstrated. His course materials were well prepared and his example motions were instructive. These motions not only gave attendees some ideas as to what may be accomplished through motion practice, but additionally set a high standard in the knowledgeable and imaginative exploitation of issues.

Speaker #7 (name)

This speaker provided important insights into the cross-examination of an officer in a DUI case. His emphasis on tailoring the examination to the audience -- the jury; and keeping it within your preselected strategy was appropriate even in an intermediate level seminar. However, his specific examples of potentially effective areas of cross-examination was particularly helpful. His presentation followed his course materials and his topic except that he did not adequately cover the cross-examination of "DO" operator. His reference in the course materials and in his lecture to the psychophysical test reports and studies was of special significance. After explaining what these reports were and some of what they contained, a demonstration or illustration of the possible practical use that could be made of them during cross-examination would have been helpful. In all it was a good performance and was well received.

Speaker #8 (name)

Both the course materials and presentation lacked organization and structure. Though both provided some interesting ideas and insights, the disorganization tended to obscure them. This speaker would greatly benefit by participation in the CLE Committee's speaker enhancement program. His choppy, broken style of speaking; his inability to make eye contact with the camera; his leaving the podium and thereby putting himself completely out of sight of the video audience; and his overall lack of a theme or structure in his presentation could be easily remedied. At times, for example when doing the basketball and bridge analogy, he appeared at ease; energetic; interesting; and informative. This proves that with a little help, his performance would be greatly improved. One last comment. His citation to Rule 3.240 Florida Rule of Criminal Procedure, in both the oral presentation and in the course materials was incorrect, the "accused as a witness" rule is 3.250. All citations should be checked. Though the content of the rule was correctly described, such carelessness (especially when only two citations were given) detracts from the speaker's credibility and that of the seminar as a whole. Though neither the CLE Committee nor this evaluator has checked each citation contained in the materials, each presenter should have done so. The program coordinators should ensure that this is done.

Speaker #9 (name)

This speaker gave a well organized description of the Drug Programs. She was an articulate and effective speaker. The individual evaluations were surprisingly weak however. I feel the unpopularity of the DUI programs and of her office contributed to this unexpectedly low evaluation. These certainly did not reflect the evaluator's conclusion that she was an effective and informative speaker. No course materials were provided.

Speaker #10 (name)

I believe Speaker #10 was the weakest of all presenters. He gave virtually no organized presentation and simply answered a few questions. He provided no course materials at all.

THE FLORIDA BAR
SEMINAR EVALUATION FORM

Course Name _____ Course Number _____

On the scheduled day of your seminar evaluation, you should be on time.

I. REGISTRATION

1. Was the overall registration process efficient? _____
2. General comments and recommendations: _____

II. LOCATION

1. Was the seminar facility conveniently located? _____
2. Was there adequate parking? ☐ Yes ☐ No
3. Was the facility fully accessible to persons with disabilities? ☐ Yes ☐ No
4. Was the room appropriate for the presentation? ☐ Yes ☐ No
 - a. Was the size of room adequate? ☐ Yes ☐ No
 - b. Was the set-up adequate? ☐ Yes ☐ No
5. If lunch was not included in the program, were there adequate and sufficient restaurants near the facility? _____
6. General comments and recommendations: _____

III. GENERAL CONSIDERATIONS

1. Did the Program Chair or Moderator remind and encourage attendees to fill out the evaluation form? _____
2. Was any time devoted to ethics? ☐ Yes ☐ No
Was any time devoted to professionalism? ☐ Yes ☐ No
Was any time devoted to technology? ☐ Yes ☐ No
Was any time devoted to bias elimination? ☐ Yes ☐ No
Was any time devoted to substance abuse? ☐ Yes ☐ No
Was any time devoted to mental illness awareness? ☐ Yes ☐ No

3. Was there a diversity of speakers? ☐ Yes ☐ No

If so describe the diversity area including but not limited to race, gender, ethnicity and location:

4. In relation to the seminar brochure/advertisement:

- a. Was the information correct? ☐ Yes ☐ No
- b. Did it adequately promote the seminar? ☐ Yes ☐ No
- c. Did it adequately advise the attendees of the general content of the seminar? ☐ Yes ☐ No
- d. Did it adequately advise the attendees of the level of the seminar? ☐ Yes ☐ No
- e. Did it provide an adequate description of each presentation? ☐ Yes ☐ No

OVERALL COMMENTS OR RECOMMENDATIONS:

Submitted by: _____

Print Name: _____ Date: _____

THE FLORIDA BAR
SPEAKER EVALUATION FORM

Course Name _____ Course Number _____

INDIVIDUAL SPEAKER/PANEL PRESENTATIONS

Name: _____

Topic: _____

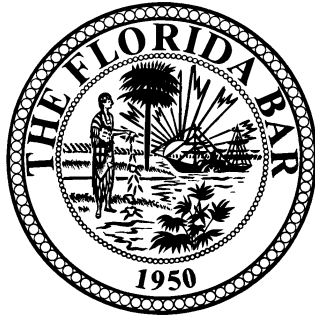
(select whether ☐ individual or ☐ panel)

If a panel, complete one evaluation for each member of the panel.

1. Was each speaker introduced? ☐ Yes ☐ No
2. Did the speaker make minimal reference to his/her notes? ☐ Yes ☐ No
3. Was the speaker sufficiently familiar with the topic? ☐ Yes ☐ No
4. Was the speaker able to clearly and succinctly explain complex or difficult concepts? ☐ Yes ☐ No
5. Was the speaker able to cover all of his/her material in the time allotted? ☐ Yes ☐ No
6. Was the level of the oral presentation commensurate with the advertised level of the seminar? ☐ Yes ☐ No
7. Even if the topic was not in the area of ethics and/or professionalism, did the speaker identify such issues? ☐ Yes ☐ No
8. Was there sufficient time allotted for questions? ☐ Yes ☐ No
9. Did the speaker repeat the questions so that questions and answers could be heard? ☐ Yes ☐ No
10. If applicable, was the manner in which audio/visual equipment was used, was it effective? ☐ Yes ☐ No
11. Course Materials:
 - a. Were the speaker's materials included in the seminar course materials? ☐ Yes ☐ No
 - b. Were the speaker's materials substantive? ☐ Yes ☐ No
 - c. Was there thorough discussion of topic sub-points? ☐ Yes ☐ No
 - d. Was there appropriate use of supporting citations and authorities? ☐ Yes ☐ No
 - e. Were the speaker's materials up to date? ☐ Yes ☐ No
 - f. Were the speaker's materials organized in a logical and coherent fashion? ☐ Yes ☐ No
 - g. Do you have any recommendations on additional materials which may have been useful to attendees (i.e. form contracts, articles, case law, etc.)?
12. General comments on the speaker's course material:
13. General comments and/or criticisms on the speaker presentation, in its entirety (i.e. – was there a unique or creative element to the lecture, was the lecture relevant to the types of practice of the audience, did the speaker have any distracting mannerisms or use distracting language, etc.

PART FOUR

CLE PROGRAMS INFORMATION MANUAL FOR PROGRAM CHAIRS, STEERING COMMITTEE AND SPEAKERS



THE FLORIDA BAR'S CONTINUING LEGAL EDUCATION COMMITTEE

PROGRAM CHAIR, STEERING COMMITTEE, & SPEAKER MANUAL

The Continuing Legal Education Committee of The Florida Bar has created this manual to assist in preparation of CLE courses. The purpose is to provide necessary information to develop and deliver an informative and relevant Florida Bar sponsored program that will be financially successful.

Information on the following pages relates to continuing legal education policies and requirements, the preparation and delivery of written course materials, and important financial reimbursement forms. Also, suggestions have been included related to quality standards, advance level course requirements and other matters to assist in the creation and execution of an exceptional seminar.

Please direct inquiries to the Section Administrator.

On behalf of The Florida Bar, we greatly appreciate your participation in the preparation and presentation of continuing legal education seminars.

Thank You.

**PROGRAM CHAIR
&
STEERING COMMITTEE
MANUAL**

DEFINITIONS OF FREQUENTLY USED TERMS

Program Chair - A volunteer assigned to coordinate the substance of a CLE seminar. This includes, but is not limited to, selecting topics and the course title, contacting speakers, enforcing course material deadlines, and appearing on-site at the live presentations to introduce the seminar and speakers. Program Chairs who choose to collect the various speakers' course materials prior to their delivery to the Bar for the purpose of quality control and to eliminate overlaps or errors reduce cost to section of Administration time. Some Program Chairs also serve as moderators, and act as discussion leaders during Q&A portions of the seminar (e.g., walking a mic to audience members asking questions).

Steering Committee - A group of volunteers who assist the Program Chair in determining course subject matter, title, topics, and speakers. Members will usually meet via conference call (or in person as possible) 4 months prior to the designated course presentation date. This will continue as necessary until the promotional materials for the course are complete, which are due 12 weeks out. Speaker selection is a difficult job for one person. Working together makes it much easier to select speakers with experience, diversity and good ratings from previous programs. One member of the Steering Committee should be appointed as the Quality Coordinator (see page 2.21).

Program Administrator - The Bar staff person assigned to the sponsoring Section/Division whose responsibility it is to assist the Program Chair and Steering Committee to adhere to important seminar deadlines. Duties also include the preparation of promotional brochures and Bar News ads, CLE credit approval, site selection and arrangements, speaker letters, course material compilation after it is submitted from Program Chair, and on-site registrations.

CLE Administrative Charges (Joint Sponsored & Section Sponsored) The applicable rate is applied per program hour

	<u>Less than 5 speakers</u>	<u>5 or more speakers</u>
Contracted venue with food (High)	\$1,700 per CLE hour.....	\$1,100 per CLE hour
Contracted venue without food (Medium).....	\$1,300 per CLE hour.....	\$900 per CLE hour
Private setting with food (Medium)	\$1,300 per CLE hour.....	\$900 per CLE hour
Private setting without food (Low)	\$850 per CLE hour.....	\$550 per CLE hour
Audio Webcast only.....	\$350 per CLE hour.....	\$400 per CLE hour

PROMOTIONAL BROCHURE HOW TO's

The Steering Committee determines the scope of the course, course title, topics, lecturers, and time periods, all of which is necessary to produce a complete course brochure. THE FINAL AGENDA INFORMATION IS NEEDED AT LEAST 12 WEEKS BEFORE THE DATE OF THE COURSE PRESENTATION. It is essential to have the brochure information 3 months in advance to ensure adequate time to advertise the program to potential registrants. Seminars that miss this deadline should consider cancellation to avoid low registrations.

Simply titling each lecture is not sufficient for potential registrants to understand the program's subject matter. Adding sound bytes or a sentence describing the presentation that will pique the reader's interest is better. A general course synopsis is also helpful to describe the scope and the overall content of the program. The better informed a prospective registrant is by the brochure, the greater the possibility of excellent seminar attendance and thus a rewarding experience for the attendees, speakers, and the sponsoring section.

- 1) **Course Title and Synopsis** - The title should be concise and to the point; it should refer specifically to main seminar topics or the practice area. For example, "Hot Topics in Mediation" is not sufficient if the seminar subject matter is specifically family mediation. The synopsis should describe the relevance and educational benefit of the course content for attorneys who may or may not have experience in the specific areas of law to be discussed.
- 2) **Time Schedule** - Each time segment must include the following for the purpose of course credit hour approval:
 - a. Beginning and ending times; including break times and lunch;
 - b. A detailed description of the topics and subtopics to be covered; and
 - c. The full name and city of the speaker(s).
- 3) **Speakers** - Highlight speakers who are board certified (if applicable to topic). Provide a brief biographical sketch if the program has a featured speaker.
- 4) **Steering Committee Members** - Provide a list of all Steering Committee members not included as speakers and the city from which they reside for inclusion on the brochure.

Course Level Classification - The course should be classified as basic, intermediate, or advanced. See page 18 for parameters defining advanced course classification in more detail. The basic course level and the word "basic" in a course title may only be used by the Young Lawyers Division.

Basic: Course designed for the practitioner with fairly limited experience in the subject area related to the course. A law survey course would be considered basic unless there are significant changes in the law. Note: The presentation of basic level courses is the responsibility of the Young Lawyers Division.

Intermediate: Course designed for the practitioner somewhat experienced in the area but not necessarily an expert. A survey course related to an area of the law in which there have been substantial changes would be considered intermediate.

Advanced: Designed for the practitioner with extensive experience in the subject matter of the course.

- 5) **Synopsis of the Course Content** - Describes the relevance and educational benefit of the course content for attorneys who may or may not have experience in the specific areas of law to be discussed. This should be included on the brochure to draw interest to the seminar.
- 6) **Description of the Topics and Subtopics** - Some topics speak for themselves; others require some detail in the description. Give your potential attendees as much information as you can on the brochure.

ETHICS / PROFESSIONALISM / BIAS ELIMINATION / SUBSTANCE ABUSE / MENTAL ILLNESS AWARENESS AND TECHNOLOGY

Effective January 1, 2017, each member shall complete a minimum of 33 credit hours of approved continuing legal education activity every 3 years. Five of the 33 credit hours must be in approved legal ethics, professionalism, bias elimination, substance abuse, or mental illness awareness programs and 3 of the 33 credit hours must be in approved technology programs which are included in, not addition to, the regular 33 credit hour requirement. If a member completes more than 33 credit hours during any reporting cycle, the excess credits cannot be carried over to the next reporting cycle.

Appropriate ethical or professionalism considerations in the form of practical examples should be included in the oral presentations and written materials of each seminar. Should you need assistance with professionalism topics related to your seminar topics, The Henry Latimer Center for Professionalism at The Florida Bar is available to assist you at 800-342-8060, extension 5747, or email professionalism@flabar.org. One source for speakers in the area of substance abuse is Florida Lawyers Assistance at 800-282-8981. To locate potential speakers related to mental health awareness, email mail@fla-lap.org.

Q & A SEGMENTS

If your program is being audio or video recorded you need to decide, in advance, how and IF you will be taking questions from the audience during the program taping. Regardless of what you decide, it is important that each speaker conclude his or her presentation (receive applause) **before** taking questions from the audience. Should you decide that the Q&A should be a part of the recorded product, The Florida Bar will supply ample hand-held microphones for questions taken from the audience. Questions asked without the use of microphones cannot be included in the recorded program.

To ensure proper recording of the Q&A portion of your program, it is recommended that you 1) have hand-held microphones walked to the person asking questions; 2) have audience members go to a standing mic in the middle of the room; or 3) address only the questions that have been written down and handed to the speaker. Regardless of which method you choose, it is the Program Chair or Moderator's responsibility to enforce that method.

A live audience enjoys the freedom to ask questions. This can be a valuable and substantive part of your program when guided by the Program Chair or a Moderator. With your help and by following the above steps, it can also be enjoyed by the online and aftermarket audience. If live Q & A is not recorded, consider having speakers stay a few minutes after the presentation to address questions outside the classroom or take questions at the end of the seminar presentation.

CLE DELIVERY METHODS – NEW TECHNOLOGY

The Florida Bar provides high quality, low cost CLE via audio-CDs and video-DVDs.

The more current delivery methods available to Section/Bar CLE programs are:

On-Demand CLE (audio and video) / Podcasts allow registrants to access high quality continuing education programs on timely topics on their schedule. 24 hours a day, 365 days per year members can access the continuing education programming needed to meet the demands of the member's practice. Members do not have to be available when a live program is scheduled – the program is available at the member's convenience online 24/7. This service marries quality programming and conveniently accessible technology to provide registrants a high value service that meets the demands of their schedule. All CLE committee co-sponsored programs which are audio recorded or video recorded are automatically delivered to InReach to make this option available to members.

Live Webcasts offer real-time video and audio streaming of a program taking place from a CLE venue (hotel or other meeting facility) via the internet. Registrants view and hear the speakers as well as any PowerPoint slides in a split-screen format. This medium enables online participants to see and hear what the live registrants see and hear, without leaving their home or office; thus eliminating the travel-related costs (air fare, rental car, hotel, mileage, meals, etc). Given this advantage, Bar Sections are capturing a new audience while maintaining live audience participation. Webcasts allow the Bar Section to maintain a competitive edge by providing technology in keeping with competitors. The CLE market is increasingly divided with specialty bars, law firms, universities and private providers.

Teleseminars have been phased out by The Florida Bar. This format has been replaced by Audio Webcasts with audio and video via the computer.

Audio Webcasts are a specific type of web conference for continuing legal education. The audience listens to the speaker remotely over a computer and watches the slides for the speaker's presentation. The audience can use their computers to respond to the speaker, creating an interactive experience which can also include polls and questions and answers. The speaker never has to leave his/her office or home.

This format provides an effective and efficient way to report on recent developments in case law, statutes and rules. These webcasts are automatically available in the CLE catalog as downloadable audio files. There are no editing or replication costs to create a CD/DVD, unless the Section chooses to provide those formats.

It is important to record all programs. Recorded programs provide an on-going revenue source through aftermarket sales.

These programs are low cost and easy to set up. Costs for a 1-hour audio webcast:

\$350 administrative charge

\$45 course approval fee

There is an additional 20% revenue share to InReach for processing registrations, providing technical support, online catalog, and platform, as well as a 3% processing fee on all transactions.

Sample Revenue Projection:

20 registrants @ \$75.00	\$1,500.00
Less 20% split to InReach	\$300.00
Less 3% Processing Fee	\$45.00
Net Revenue	\$1,155.00
Less set-up costs	\$500.00
Subtotal	\$655.00
Less 20% split to TFB	\$131.00
Net to Section	\$524.00

This product remains available to bring in continued revenue for 18 months.

These programs are typically marketed by the Sections through their website and e-blasts. The audience can vary in size from a few participants to hundreds of participants.

QUICK TIPS - Program Chairs / Steering Committee

1. Assign Program Chair ASAP, preferably 6 months before seminar date.
2. Confirm the dates of your live presentation(s) with your Program Administrator.
3. Form the Steering Committee and appoint Quality Coordinator. Make the opportunity to speak available and known to all qualified speakers with the goal of reflecting the diversity of the Bar.
4. Don't miss the course information deadline. What we need from you:
 - Course Title
 - Course synopsis / description (why would someone attend)
 - Schedule of topics and speakers (include time frames and speaker's city)
 - List of speakers, addresses, phone numbers (e-mail if available)
 - Indication of board-certified speakers if applicable to seminar topic.*Missing this deadline significantly reduces seminar advertising exposure, and as a result, course cancellation may be recommended (CLE Policy 3.12).*
5. Include ethics, professionalism, substance abuse, bias elimination, mental illness awareness and/or diversity sensitivity topics when practical. Include technology topics.
6. Determine course classification: intermediate or advanced.
7. Be creative. Consider panel discussions, mock trials and mock negotiations to enhance the presentation of topics.
8. Not enough material for full day? Consider a half-day program; surveys indicate preference for half-day programs (e.g. 8:30 a.m. - 12:30 pm without break for lunch).
9. Consider an audio webcast for 1-4 hours CLE credit.
10. Communicate course material deadlines to speakers often, especially when inviting them to speak. Speakers should be equally committed to the preparation of both their presentation and the written material. Ghost writers are encouraged for speakers too busy for both.
11. Meet with your speakers to go over the course at least once before the live presentation, even if it is the night before.

SPEAKERS MANUAL

FIRST TIME SPEAKERS

Principles of Adult Learning

Characteristics of Adult Learners

It is important to recognize the unique situations of adult learners and what types of experiences and expectations they bring into the classroom. Generally speaking, adult learners:

- **Learn by their own initiative** — they are selective and want to know how and why a subject is of importance to them. Especially in the case of CLE, we are dealing with professionals who experience heavy demands on their time and are seeing very specific information.
- **Bring a variety of experience** — adult learners possess a wealth of professional and personal experience that can impact the learning process. There will likely be a wide range of experience in any audience. It can be helpful to ask yourself who your learners are. Will the subject be too difficult for them, or too easy? The insights of your audience members are, potentially, a very valuable resource.
- **Differ in learning styles** — most classroom learning is cognitive. The mental process defines what the learner should know and includes objectives like recall, reproduction, and problem solving.

Some studies have shown that the majority of lawyers are introverts (57%). They are more comfortable thinking and writing and are ideally suited for the traditional presentation formats (lecture/panel) that permeate CLE. However, this leaves over 40% of participants that would be better served by alternate delivery methods like classroom discussion, collaboration and activities.

Much current education research has suggested the context and processes of learning thus:

We retain...

10% of what we **READ**
20% of what we **HEAR**
30% of what we **SEE**
50% of what we **SEE** and **HEAR**
70% of what we **SAY**
90% of what we **SAY** and **DO**

This concept is one of moving from information to application, and relies upon the observation that most people learn better as active participants. Although *say* and *do* are at the most effective end of the spectrum, the whole process must be involved to produce the desired results. Again, studies have demonstrated that people retain and integrate information best when all educational models are utilized (reading or

hearing, thinking and doing). Therefore, it is best to employ a variety of teaching methods to most effectively stimulate the largest percentage of learners.

Models of Delivery

Essentially, there are two primary models we have to work with given our programming constraints.

- **Lecture**
Benefits: facilitates transmittal of information to large groups in a short time; good for summarizing substantial amounts of information, or information from multiple resources; more effective for short term, rather than long term recall
- **Skills Workshop**
Benefits: able to introduce new or polish old skills in a no-risk setting; actively engages learners.

The subject matter should lend itself well to demonstration for this option. A rudimentary outline for this type of presentation format would be:

- 1) **DEMONSTRATE** the skill to be acquired
- 2) Allow participants to **PERFORM** the activity.
- 3) Plan for **FEEDBACK** — either by the “coach” or the participants working in pairs or teams.
- 4) **SUMMARIZE** the learning experience

Within each of these broad models, numerous teaching methodologies may be employed.

Methods, Ideas, and Tips

- **Lesson Plan**
It may be helpful to formulate a plan, determining your selection of teaching methods by asking questions like:

Who are my learners?

What is the goal of the lesson?

What resources will I need?

A Lesson Goal should be

- 1) short enough to remember
- 2) clear enough to be meaningful
- 3) specific enough to be achieved, and
- 4) written in terms of the learner.

Verbs for Lesson Goals: list, state, identify, know, become aware of, become familiar with, define, describe, recognize, discriminate between, differentiate between, compare, contrast, evaluate, examine, comprehend, reflect upon, discern, develop, appreciate, apply, produce, practice, use, become sensitive to.

- **Tips for Effective Lecture Delivery**

- ✓ Show interest in your topic
- ✓ Vary the speed and tone of your delivery; use body language.
- ✓ Pay attention to the audience.
- ✓ Repeat, clarify, illustrate and summarize based upon audience cues.
- ✓ Clarify whether participants are free to ask questions as the program unfolds, or if you prefer they be held until the end of the presentation.
- ✓ Provide an outline/written materials.
- ✓ Consider using various audio-visual options (PowerPoint, video, overhead).
- ✓ Pose questions and problems to the audience; use real life scenarios to engage them.
- ✓ Stop periodically to summarize or restate major points.
- ✓ Familiarize yourself with your audience.

We can provide a list of attendees in advance. Consider calling or e-mailing a few before finalizing your presentation. What do they know about the topic? How is it important to their practice? Solicit questions or opinions on important issues. If you prefer, we can “sample” or “survey” a select number of registrants and supply the results. Or simply ask for questions at the beginning of the program and let that help guide the course of the presentation. It all depends on what you are comfortable with.

- **Methods That Encourage Involvement**

As stated above, most people learn best when they become *involved* in the learning experience. Some suggested methods include: storytelling; audience reaction teams; brainstorming sessions; using case studies (see *case studies* below); demonstrations; discussion groups; role playing; simulations; and assigning tasks to teams (see *small groups* below).

- ✓ **STORYTELLING** People love stories. Stories relate, entertain, instruct and illustrate. A well placed story will recapture the interest of a tired audience. Here are some tips for storytelling.
 - Practice telling the story so that it comes out clear and naturally.
 - Resist the urge to explain the story. Let the story speak for itself.
 - Keep it vivid. Create colorful images and use action words.
 - Make sure the story is appropriate. Consider the specific audience and current events.
 - Avoid too many details.

- ✓ **CASE STUDIES** These encourage group interaction. They can be real or invented.

Here are some steps to helping your audience analyze case studies.

- Read through thoroughly.
 - Define the central issue.
 - Categorize the issue.
 - Seek applications of the issue under consideration.
- ✓ **SMALL GROUPS** These are a wonderful way to involve your audience and encourage discussion. It is an ideal format for many of the techniques that have already been described (case studies, role playing, etc.). You can simply assign some tasks or distribute questions that participants can research and discuss. Break into small groups for a short period (10-20 minutes), then come back together as a large group to discuss the activity. Usually, a few people will offer a summary of the small group discussion on a given issue or question. This method encourages greater participation by all members of the audience. It affords an opportunity for much more thorough dialogue and can lead to more well-developed questions and points.

QUICK TIPS - Speakers

1. **Meet deadlines** - Submit written course materials on time. All course materials are compiled in a bound book for distribution to registrants who ordered a printed version. Course attendees will receive a complete electronic course book with the purchase of the course. Consult your Program Administrator when there are deadline difficulties. Speakers unable to meet the course material deadline should not bring their chapter to the course presentation as a handout.
2. **Confine the use of visual aids** – Provide visual aids, per seminar timeline for inclusion in the course book. Always alert your Program Administrator when you will require special equipment (i.e. LCD projector).
3. **Be prepared** - Your lecture reaches a big audience - different from a courtroom. Your audience is comprised of professionals like you. Practice your presentation as often as possible.
4. **Do not read your lecture** - Develop a lecture that is interesting and informative. Your colleagues expect an oration, not a recitation.
5. **Be professional** - Use gender neutral language and models. Apply good judgment when using humor in your presentation to avoid stereotypes and sexist, religious, or racial references.
6. **Get to the point** - Introduce your topic immediately. Use practical, "how to" examples, illustrating the principles by incorporating factual situations. Incorporate citations into your course materials; indicate the page number in the materials to help the audience follow along or take notes. Repeat citations not incorporated in materials for clarity.
7. **Don't apologize** - Apologies for your lack of expertise, or for the lack of time put into preparation, will solicit a negative response from your audience.
8. When program is being recorded – speak clearly into the microphone, do not leave the podium, ALWAYS conclude your presentation, and receive applause BEFORE taking questions from the audience. Repeat all questions before responding. **Only questions taken from the audience with the use of a microphone will be included on the recorded program.** Advance preparation, coordination and set up for live events are crucial to a successful recording and high-quality seminar. The onsite registrar or Program Chair communicates to each speaker which microphone to use, how to advance the power points, and whether the program is being webcast.
9. **Stop on time** - Keep the program on schedule, use only your allotted time.
10. **Include ethical or professionalism** examples or comments when appropriate.

COURSE MATERIAL

Good course material contributes substantially to the effectiveness of a program. A comprehensive course book provides the course registrants pertinent information for reference well after the seminar presentation is forgotten. While the inclusion of Power Point slides in the printed material is important, slides should not be in lieu of written material. Properly researched and thoroughly prepared written material is the goal.

Format - For consistency and quality, please prepare written material as follows:

1. Main topics, numbered with Roman numerals, should be in all caps and underlined.
2. The first word of all topics thereafter is capitalized, and the remaining is in lower case.
3. Quotes over three lines should not be set out by quotation marks. Indent and center on the page.

Example:

I. MAIN TOPIC

A. First Point of Main Topic

1. (Indent first line of each paragraph and return to left-hand margin for remaining lines in each paragraph.)
 - a. (Indent first line of each paragraph and return to left-hand margin for remaining lines in each paragraph.)
 1. (Indent entire paragraph or paragraphs.)
 - (a) (Indent entire paragraph or paragraphs.)

Biographical Sketch

Please provide a brief (100 words or less) biographical sketch for inclusion in the course material. Include only that information pertinent to the subject matter of the course. Example:

JOHN SMITH is a shareholder at Smith, Jones & Brown, P.A., in Miami where he is the head of the corporate litigation division. Mr. Smith graduated with honors from the University of Florida, 1965; and received his LL.M. in Taxation from New York University, 1968. Mr. Smith is a member of The Florida Bar, the American and Dade County bar associations, and the Academy of Florida Trial Lawyers, and also has been admitted to practice in Virginia.

Additional information may be added if germane to the subject the author is writing about: For example, board certified in the field of law.


Lengthy biographies may be edited to meet the 100 words or less specifications.

Course Material Specifications Checklist

1. Format your course material using the following guidelines:
 - Single space text
 - 1" margins - all the way around
 - Electronic file is required (send original unlocked format – Word, PowerPoint, Excel)
 - Minimal formatting and page setup (do not use automatic outline function)
 - Consistent font - Times Roman 12
 - Do not use letterhead or footers
 - Do not page number

2. Send via email (send original unlocked format – Word, PowerPoint, Excel).

EMAIL to Program Administrator 

3. Send a short 100-word biographical sketch via email as a separate document. Do not send CVs or resumé.
4. Include in email any slides or visual aides (PowerPoint presentations) you will use for inclusion in the course book.
5. Prepare course material in gender neutral language.
6. There is no need to prepare a cover page or table of contents; we will do that.
7. Please do not miss your course material deadline _____ 

If you have any questions, please call 1-800-342-8060 extension 5618.

APPEARING ON VIDEO RECORDING OR WEBCAST

If you are a Program Chair / Moderator, it is your task to introduce speakers and keep the program on schedule. At the beginning of each recorded segment, the video technician will give a cue to start. Please wait for the cue. If you begin beforehand, that portion of the presentation will not appear on video. Arrange all papers and biographical sketches prior to the cue. Three time cards will be provided to cue the speaker when there are five minutes remaining, one minute remaining, and when it is time to stop.

If you are a speaker, approach the podium and begin your lecture immediately upon being introduced. Do not wait for a cue from the technician; the camera is already rolling. Gestures should be contained within camera range. If using a visual aid, please reference the course book page number when the visual aid is being recorded. When talking about a visual aid, be as descriptive as possible to accommodate those who only "listen" to the presentation without visuals (i.e., audio CD purchaser). If you open the floor to questions, only do so after concluding the presentation and receiving applause. Repeat each question before responding. The onsite registrar or Program Chair communicates to each speaker which microphone to use, how to advance the power points, whether the program is being webcast.

QUICK TIPS FOR POWERPOINT PRESENTATIONS

PowerPoint presentations are an integral part of any CLE presentation whether it's a one-hour audio webcast or a full day live event. Your PowerPoint can make or break your presentation. Too much text, too many transitions, and disorganization are just a few of the items that can cause the audience to lose focus. Below are some quick tips to help you put together a fantastic PowerPoint presentation.

Design

- Keep your slides simple
- Avoid a word avalanche! Limit the number of bullet points on each slide.
- Recognize the importance of color; choose a theme and stick with it.
- Remember that a picture is worth a thousand words.
- Select two complimentary fonts and a font size that is easily readable from the back of the room.
- Embed your fonts! Before saving a final copy of your presentation, review to confirm appropriate display, and (in PowerPoint) click *File > Options > Save > Embed fonts in the file* (all of them). Other applications have similar font embedding steps. Why? Just because your design device contains your special, beautiful fonts does not mean the presentation machine has them.
- Use animation conservatively if at all.
- Transitions between slides should be kept to 2 or 3 types at most, and each slide does not need a transition. Use transitions between logical sections of your presentation, for example.
- Use video where appropriate (e.g., examples!), but don't violate copyright, and test it.

Prep

- Practice, practice, practice!
- If your presentation contains links to web content, make sure you request a WiFi or wired connection.
- If your presentation contains sound, request A/V.
- If your presentation will connect to the web from *your* hardware, make sure to reset any (personal) Home pages or other content that may launch unexpectedly in front of 300 people. Clear your History as well – just to be on the safe side.
- Test those links! Links change at the will of web developers.
- Provide your presentation to the coordinator of your event well ahead of time. Last-minute submissions are more likely to be full of problems. Another set of eyes will also detect mistakes faster.

Day Of

- If you're using equipment provided for you, arrive earlier so that you can do a dry run in order to become familiar with that equipment.
- No reading from your slides! The attendees are there to see you, because of your expertise – show it. Ideally the attendees should be able to glance at the slide and within a few seconds focus back on you.
- Give attendees a path to reach you after the session is over. Feedback can be used to improve the next session!
- The onsite registrar or Program Chair communicates to each speaker which microphone to use, how to advance the power points, whether the program is being webcast.

CLE EXPENSE REIMBURSEMENT POLICIES

Requests for reimbursement must be submitted within 2 WEEKS of your presentation.

We appreciate your agreeing to volunteer on behalf of The Florida Bar. We understand this requires a substantial expenditure of time on your part for which there is no payment. We can, however, reimburse you for your actual expenses directly related to the course presentations, one steering committee meeting and one speakers' workshop if held.

The following are CLE Committee policies governing the reimbursement of travel expenses. If you have any questions as to whether an expense is reimbursable, please contact your staff liaison, in advance, to avoid any misunderstandings.

Coach airfare (purchased 21 days in advance), meals, lodging, and miscellaneous expenses directly related to the seminar are reimbursable for each day of presentation. Expenses that exceed the below restrictions **may or may not** be reimbursed by the Section co-sponsoring the course, provided such expenses have been budgeted and pre-approved by the Section. The Program Administrator should be consulted prior to committing to payment of such expenses. The following are the guidelines you should adhere to when seeking reimbursement for travel.

A. Transportation

Air Fare - We will reimburse up to the cost of a **21-day advance purchase**. Please make your reservations early to obtain the lowest rate. Submit the original airline ticket (or copy of ticket) with your reimbursement request. First class air fare will not be reimbursed.

Mileage - Automobile mileage will be reimbursed at the maximum rate per mile allowed by the IRS.

Ground Transportation - The cost of ground transportation (taxicabs, airport shuttles) will be reimbursed. Please share transportation with other faculty members when possible.

Rental Cars - The one day cost of a rental car, if necessary or if more economical than cab fare, will be reimbursed. If special circumstances warrant a rental car, prior approval of the staff liaison is needed. In addition, parking fees, tolls, etc., will also be reimbursed. Include originals or copies of your invoices and receipts with reimbursement request.

B. Meals

Meals will be reimbursed on an actual expenditure basis for up to \$60 per day (24-hours) per speaker. If more than one speaker is included on a meal charge, please list all the names and provide a receipt.

C. Lodging - Receipt Required (or copy)

Lodging will be reimbursed for no more than the lowest rate (single/regular) room plus applicable taxes at the host hotel, and will be paid for no more than one night. If special circumstances warrant additional nights, prior approval of the staff liaison is needed. Lodging expenses will not be reimbursed for lecturers speaking in the general vicinity of their home. Please include a copy of the hotel bill with your reimbursement request.

D. Family Members

We cannot reimburse expenses of your spouse, children or other family members should you choose to have them accompany you to the course.

E. Long Distance Telephone Charges

Long distance telephone charges directly attributable to the course are reimbursable.

F. Printed Materials

We endeavor to have a complete course book electronically delivered in advance of each seminar presentation. We discourage the practice of "handouts" at the seminar locations. If you cannot avoid this, you will be responsible for your printing expenses.

Any speaker expenses exceeding the amounts set forth above may be reimbursed from the co-sponsoring section's/division's funds, upon approval of that section or division.



SPEAKER TRAVEL REIMBURSEMENT

SUBMIT WITHIN TWO WEEKS OF COURSE PRESENTATION

Name: _____ Course #: _____

Florida Bar #: _____ Travel Dates: _____

Course Title: _____ City: _____

TRANSPORTATION:

* Air: _____ airlines (coach, 21-day advance purchase) \$ _____

Personal Car: _____ miles at _____ per mile \$ _____

* Car Rental: _____ company (# of days _____) \$ _____

Both the rental car agreement and the rental car receipt are required.

FOOD EXPENSES: Actual expenses, not to exceed \$60 per travel day
Any AMOUNT \$25.00 AND OVER requires a receipt.

Record actual amount per meal:	DAY 1	DAY 2	DAY 3
Breakfast (example \$14 / day)	\$ _____	\$ _____	\$ _____
Lunch (example \$16 / day)	\$ _____	\$ _____	\$ _____
Dinner (example \$30 / day)	\$ _____	\$ _____	\$ _____
			\$ _____

OTHER EXPENSES: Any AMOUNT \$25.00 AND OVER requires a receipt.

** Hotel (Room and tax only, at lowest rate available) \$ _____

Taxi \$ _____

Tolls \$ _____

Parking \$ _____

Itemize: _____ for a total of \$ _____

_____ for a total of \$ _____

_____ for a total of \$ _____

TOTAL AMOUNT DUE SPEAKER: \$ _____

Please make check payable to: _____

(Name)

(Address)

(City/State/Zip)

* Receipts Required

** Actual Hotel Bill, Not Charge Slip

Return to: Professional Development
ATTN: _____
The Florida Bar
651 East Jefferson Street
Tallahassee, FL 32399-2300

FOR OFFICE USE ONLY

Course # _____

Approval _____

Date _____

CLE EXPENSE REIMBURSEMENT POLICIES

Requests for reimbursement must be submitted within 2 weeks of your presentation.

We appreciate your agreeing to volunteer on behalf of The Florida Bar. We understand this requires a substantial expenditure of time on your part for which there is no payment. We can, however, reimburse you for your actual expenses directly related to the course presentations, one steering committee meeting and one speakers' workshop if held.

The following are CLE Committee policies governing the reimbursement of travel expenses. If you have any questions as to whether an expense is reimbursable, please contact your staff liaison, in advance, to avoid any misunderstandings.

A. Transportation

Air Fare - We will reimburse up to the cost of a 21-day advance purchase. Please make your reservations early to obtain the lowest rate. Submit the original airline ticket (or copy of ticket) with your reimbursement request. First class air fare will not be reimbursed.

Mileage - Automobile mileage will be reimbursed at the maximum rate per mile allowed by the IRS.

Ground Transportation - The cost of ground transportation (taxicabs, airport shuttles) will be reimbursed. Please share transportation with other faculty members when possible.

Rental Cars – ***A Receipt is Required (and a copy of the rental car agreement).***

The one day cost of a rental car, if necessary or if more economical than cab fare, will be reimbursed. If special circumstances warrant a rental car, prior approval of the staff liaison is needed. In addition, parking fees, tolls, etc., will also be reimbursed. Include originals or copies of your invoices and receipts with reimbursement request. ***The full rental car cost may not be reimbursed without the required rental car agreement and the rental car receipt (or copy).***

B. Meals

Meals will be reimbursed on an actual expenditure basis for up to \$60 per day (24-hours) per speaker. If more than one speaker is included on a meal charge, please list all the names and provide a receipt. A receipt is required for any expense exceeding \$25.

C. Lodging - Receipt Required (or copy)

Lodging will be reimbursed for no more than the lowest rate (single/regular) room plus applicable taxes at the host hotel, and will be paid for no more than one night. If special circumstances warrant additional nights, prior approval of the staff liaison is needed. Lodging expenses will not be reimbursed for lecturers speaking in the general vicinity of their home. Please include a copy of the hotel bill with your reimbursement request.

D. Family Members

We cannot reimburse expenses of your spouse, children or other family members should you choose to have them accompany you to the course.

E. Long Distance Telephone Charges

Long distance telephone charges directly attributable to the course are reimbursable.

F. Printed Materials

We endeavor to have ***complete electronic course material two weeks in advance*** of each seminar presentation. Therefore, we discourage the practice of "handouts" at the seminar locations. If you cannot avoid this, you will be responsible for your printing expenses.

Any speaker expenses exceeding the amounts set forth above may be reimbursed from the co-sponsoring section's/division's funds, upon approval of that section or division.

MODERATOR'S OPENING REMARKS

1. I would like to welcome you this morning on behalf of the Continuing Legal Education Committee and the _____ to our course titled _____.
2. The credit for this course is listed in your course materials. If you are a member of The Florida Bar your credit will automatically be posted to your record. Therefore, if you are unable to attend the full program, it is your responsibility to notify the registrar or the Board of Legal Specialization and Education so that proper credit will be awarded. If you are attending with someone else's admission card, please let the registrar know of the name change.
3. An online course evaluation via Survey Monkey will be emailed to all attendees next Monday. The CLE Committee values your comments and suggestions. Please take a few minutes to complete the evaluation form online once you receive the link. (REPEAT THROUGHOUT PROGRAM)
4. As a courtesy to the speakers and registrants please silence your cell phones or turn them off.
5. Because the program is being recorded:
 - ☐ We will only take questions after each speaker has concluded his or her presentation and received their applause. The question will be repeated for the benefit of those purchasing CDs in the aftermarket.

OR

- ☐ We will not be taking questions from the audience; however each speaker will be available to you after their presentation.
6. At this time, I would like to introduce our first speaker . . .

Note: Highlight board certified speakers when applicable.

QUALITY STANDARDS

Although the standards which follow cannot be applied in every conceivable case, they are guidelines from which deviation should not occur in the vast majority of cases. Moreover, they are minimum standards which should not be construed to represent the best an individual Section or Division should strive to achieve. You are encouraged to exceed these minimum standards.

Steering Committee

The Steering Committee is led by the Program Chair of the seminar. In selecting Steering Committee members, authors, and lecturers, appointing authorities should strive to select practitioners with the highest reputations for knowledge and experience in their fields and practitioners who have performed well in prior programs. In making such selection decisions, consideration should be given to bringing in qualified practitioners who have not participated in CLE programs in the past and to avoid the repeated selection of practitioners whose involvement in multiple programs may overtax their available time and energies to the detriment of quality.

A member of the Steering Committee should be specifically appointed to serve as the Quality Coordinator. Other than possibly serving as chair, the Quality Coordinator should have no other responsibilities on the Steering Committee.

Quality Coordinator

The Quality Coordinator, together with the Program Chair (if a different individual), shall have overall quality responsibility for the program. The Quality Coordinator should ensure all quality standards are met in the areas of both content and presentation.

The Quality Coordinator, together with the Steering Committee chair (if a different individual), shall ensure that the program maintains the appropriate course preparation timetable, particularly as to the timely submission of brochure information and the speaker's written course materials.

The Quality Coordinator should review authors' materials prior to finalization and publication for overall content, including both substantive errors and omissions, and ensure that citations are accurate and that the cited cases constitute good authority for the propositions for which they are asserted. Authors continue to have primary responsibility for their work. Should the Quality Coordinator detect any problems in a particular manuscript, the Quality Coordinator should discuss the matter with the author. If the Quality Coordinator continues to perceive a problem after consulting with the author, the Quality Coordinator and Program Chair should consult with the Section / Division chair or the CLE Committee chair, as may be appropriate, for final resolution.

The Quality Coordinator should also attend the program presentation so as to be able to critique final presentation.

The Quality Coordinator will prepare a post-presentation critique, in writing, so that lessons learned may be passed on and used in the preparation and presentation of future programs. Particularly in the case of continuing programs, a special post-presentation critique meeting should be held, although this meeting may be held in conjunction with the organizational meetings of the subsequent program.

Written Material Standards

The written materials offered with each program are a valuable part of the course. The manuscript should be more than a "bare bones" listing of topical headings and should contain substantive material in support and amplification of the topical headings. The written material should include complete links to citations of authorities. The materials will be used as an office reference source and research aid both by attendees and by those who have not attended the program but purchase the written materials. Power Point slides cannot take the place of substantive written material.

The materials should adhere to the course classification level awarded to the program. In only the most unusual circumstances should a manuscript be an overall survey or an elementary course.

The materials should be geared to the practitioner. Therefore, it should be practical rather than theoretical.

The lecturer should present in the same manner as the written material is organized so that seminar attendees can easily follow along. Reference to page numbers is helpful if the speaker jumps around or gives comment to specific citations.

References to cites or statutes should be double checked for accuracy. If using copyrighted material of others, the speaker must obtain written permission from the copyright proprietor for reproduction and include the permission with their material when submitted to the Bar for printing. Each speaker submits The Florida Bar Grant of License to the Administration.

Plagiarism is prohibited. Avoid excerpts quoted from copyrighted material if possible.

Program Workshops

Each program may have a speakers' program workshop. The purpose of the workshop is twofold:

1. To provide an opportunity for the lecturers to meet and exchange views concerning the substantive content of their presentations and written material.
2. To provide an opportunity for lecturers to practice their program delivery and to be critiqued.

Lecturer Standards

Specific examples are a highly desirable way of bringing home points in a course presentation. In offering examples, however, lecturers should refrain from including inappropriate "war stories" or other personal aggrandizement.

Professional ethics issues should be included in lectures whenever appropriate.

The use of visual aids, when appropriate, is encouraged.

ADVANCED COURSES

In addition to complying with all minimum quality standards in effect for Continuing Legal Education Courses, those labeled "advanced" must comply with the following.

1. Subject Matter

a. Substantive and update courses

The substantive content of advanced level courses shall benefit attorneys whose practice areas are a focus of the course. Generally, these courses should concentrate on a narrow and highly specialized area of law to give experienced practitioners a more sophisticated slant to their practice. Alternatively, these courses can provide updating in the more subtle methods of use of new developments.

For example, an advanced torts course designed to build substantive knowledge could deal with representing plaintiffs in toxic tort litigation. On the other hand, a refined updating course for tort attorneys could consider the impact of recent United States Supreme Court cases on defamation litigation.

b. Skills development courses

As opposed to building substantive knowledge, the skills course concentrates on using advanced substantive knowledge in an intricate planning or litigation setting. These courses should take a narrow area and teach practitioners already proficient in the practice how to upgrade their existing skills. A substantial portion of each course shall be taught in small groups with live instructors and intense, "hands-on" experience in drafting and other skills. These courses are "task-oriented" as opposed to "substance-oriented."

For example, an advanced real estate planning course would consider preparation of federal environmental impact statements rather than simple zoning variances. A torts course would have the attorneys participate in examination of sophisticated expert witnesses, with subsequent critique by instructors.

2. Supporting Material

Supporting material prepared by the instructors should go beyond basic statutory documentation. It should include cases from other jurisdictions as well as relevant regulations.

Where copyright problems do not interfere, it should include excerpts from advanced secondary source material, sample forms and documents and a detailed bibliography of primary and secondary source materials.

3. Instructors

Instructors in advanced courses must have substantial experience in the subject matter they are teaching in order for them to maintain high levels of credibility with those attending. Instructors should have concentrated during their professional careers in the area of law covered by the course. The following types of instructors would satisfy this requirement:

- a. Attorneys who have been certified in the field in which they are lecturing;
- b. Attorneys who have practiced for five or more years primarily in the field in which they are lecturing;
- c. Judges of a trial or appellate court;
- d. Professors of law who have taught for five or more years in the field in which they are lecturing;
- e. Persons who have a total of five or more years experience in the field in which they are lecturing, gained from a combination of any of the above;
or
- f. Persons who are not lawyers but who have a total of five years' experience in the field in which they are lecturing.

These categories are examples only, and should not preclude those who are highly qualified but do not fit within them from serving as instructors in appropriate instances.

PART FIVE

**LEGAL SPECIALIZATION
AND EDUCATION**

STANDING BOARD POLICIES GOVERNING LEGAL SPECIALIZATION AND EDUCATION

700 BASIC SKILLS COURSE REQUIREMENT

7.01 ADMINISTRATION

These policies establish the reporting and compliance procedures for the administration of the Basic Skills Course Requirement (BSCR).

7.02 REPORTING AND COMPLIANCE.

Each member should use The Florida Bar's website to post and confirm BSCR courses earned. Course attendance records of The Florida Bar may also be evidence of compliance.

7.03 DEFERMENT

(a) Establishment of Deferment. A member who seeks to defer compliance with either component of the BSCR must file a BSCR deferment request form. Staff will review and confirm eligibility within 10 days of receipt of the request. If granted, the deferment will remain in effect until the member is no longer eligible.

(1) *Active Military Service.* If active military duty is cited as the basis for deferral, the member must not engage in the delivery of legal services within Florida or give advice on matters of Florida law except as required by the member's military duties.

(2) *Government Service.* If governmental service is cited as the basis for deferral, the member must not engage in the delivery of legal services within Florida or give advice on matters of Florida law except as required by the member's governmental duties.

(3) *Undue Hardship.* If undue hardship is cited as the basis for deferral, the member must establish and report special circumstances which constitute undue hardship. On receipt of a timely-filed report staff will review the special circumstances and determine whether an undue hardship exists. If granted, the member may defer compliance from the BSCR for the applicable period. If denied, the member may request a 6-month extension for compliance.

7.04 FOREIGN LAWYERS AND REPETITION OF BSCR.

If any conflict exists within these policies and rule 2.510, Florida Rules of Judicial Administration, rule 2.510 will control and govern foreign lawyers. A lawyer is not required to complete the BSCR more than once.

7.05 EXEMPTION

A member who seeks an exemption from the BSCR must file a BSCR exemption request form. Staff will review and confirm eligibility within 10 days of receipt of the request. The member may request BLSE review within 14 days if staff recommends denial of the exemption.

7.06 PROCEDURES ON NONCOMPLIANCE AND APPEAL

- (a) Determination of noncompliance.** Noncompliance will include, but not be limited to, failure to complete the BSCR, failure to establish eligibility for deferral, failure to request an extension for compliance, or failure to establish an exemption.
- (b) Notice of delinquency.** A member who fails to comply with the BSCR is delinquent the first day following the member's reporting date. The BLSE will notify members of their BSCR delinquency by regular or electronic mail to the member's official bar address.
- (c) Appeals.** A member may appeal a determination of noncompliance under the 400 series of these policies.

7.07 REINSTATEMENT

A BSCR delinquent member may petition for reinstatement under the Rules Regulating The Florida Bar. A member may be conditionally reinstated and allowed an extension of 6 months to complete the BSCR if reasonable cause exists.

For access to Chapter 6 of the Rules Regulating The Florida Bar, please visit www.floridabar.org/rules/rtrfb.

Florida Certification Plan

The Florida Certification Plan became effective July 1, 1982 by order of the Supreme Court of Florida. The Certification Program and standards for each practice area are contained in Chapter 6 of The Rules Regulating The Florida Bar. All are accessible through www.floridabar.org/about/cert/.

The purpose of the Certification Plan is to identify lawyers with "special knowledge, skills and proficiency" in specialized areas of law practice, and professionalism and ethics in the practice of law. The program is intended to assist the public in making an informed decision when seeking legal services and to benefit the profession by establishing a referral resource. The primary features of the plan include:

1. A lawyer seeking to be certified must be an active member in good standing of The Florida Bar, have practiced law for at least 5 years, demonstrate substantial experience in the specialty area as specified in the area standards (typically 30% to 50%) during 3 of the last 5 years, show completion of approved continuing legal education (30 to 90 hours for initial application), be favorably evaluated by judges and other lawyers as to competency and professionalism in the specialty field, and pass a comprehensive written examination in the specialty area. Recertification occurs every five years.
2. Currently there are 27 areas of practice available under the Certification Plan. The applicable chapter of the Rules Regulating The Florida Bar is listed with the area below:

- Adoption Law – Chapter 6-28
- Admiralty & Maritime – Chapter 6-17
- Antitrust & Trade Regulation – Chapter 6-22
- Appellate Practice – Chapter 6-13
- Aviation Law – Chapter 6-19
- Business Litigation – Chapter 6-16
- City, County & Local Government – Chapter 6-18
- Civil Trial – Chapter 6-4
- Condominium and Planned Development Law – Chapter 6-30
- Construction Law – Chapter 6-24
- Criminal Appellate – Chapter 6-8
- Criminal Trial – Chapter 6-8
- Education Law – Chapter 6-27
- Elder Law – Chapter 6-20
- Health Law – Chapter 6-14
- Intellectual Property Law – Chapter 6-26
- International Law – Chapter 6-21
- International Litigation & Arbitration – Chapter 6-31
- Immigration & Nationality Law – Chapter 6-15
- Juvenile Law – Chapter 6-29
- Labor & Employment Law – Chapter 6-23
- Marital & Family Law – Chapter 6-6
- Real Estate – Chapter 6-9
- State & Federal Government & Administrative Practice – Chapter 6-25
- Tax Law – Chapter 6-5
- Wills, Trusts & Estates – Chapter 6-7
- Workers' Compensation – Chapter 6-11

3. A lawyer who attains board certification may list the area of practice on letterhead, business cards, office door, in the yellow pages of the telephone directory, in approved law lists, and by such other means permitted by the Rules of Professional Conduct. The listing may be made by stating "Board Certified in (area of certification);" "Board Certified Specialist," or "Board Certified Expert" in (area of certification);" or use of initials "B.C.S.," to indicate Board Certified Specialist. Additional information regarding use of board certification logos, slogans and terminology may be found on The Florida Bar's website.

Rule 6-3.9, Rules Regulating The Florida Bar details the manner of listing board certification status:

- (a) Listing Area of Certification. A member having received a certificate in an area may list the area on the member's letterhead, business cards, and office door, in the yellow pages of the telephone directory, in approved law lists, and by such other means permitted by the Rules of Professional Conduct. The listing may be made by stating one or more of the following: "Board Certified in (area of certification);" "Specialist in (area of certification);" or use of initials "B.C.S.," to indicate Board Certified Specialist. If the initials "B.C.S." are used, the area(s) in which the member is board certified must be identified; if used in court documents or a non-advertising context, the initials may stand alone.
 - (b) Members of Law Firms. No law firm may list an area of certification for the firm, but membership in the firm does not impair an individual's eligibility to list areas of certification in accordance with this chapter. Except for the firm listing in the telephone directory, a law firm may show next to the names of any firm members their certification area(s).
- 4. The Supreme Court of Florida retains ultimate authority for new certification areas. The operational and administrative responsibilities are vested in the Board of Legal Specialization & Education, with committees for each practice area.
 - 5. In approving the Plan, the Court recognized its responsibility to ensure that Florida's legal system is responsive to public needs and that the lawyers of this state have available to them a method for improving their proficiency. The Court stated in its May 21, 1981 opinion: "We believe that the public is entitled to know which lawyers have demonstrated special skills and possess technical competency in specific legal areas and we have concluded that the framework of the proposals submitted by The Florida Bar is the proper means to accomplish this objective... We commend The Florida Bar for its extensive and dedicated efforts in the development of the proposed certification plan. It is, in our view, a step forward in improving the system of justice in this state."

For more information about the Certification Plan, including rules, applications, and information regarding the board certification examinations, please see www.floridabar.org/about/cert/. You may contact the Legal Specialization & Education Department of The Florida Bar, Tallahassee, Florida 32399-2300, or call 800/342-8060, ext. 5842 or 850/561-5842.

Continuing Legal Education Requirement

The Continuing Legal Education Requirement (CLER) program was approved by the Supreme Court of Florida effective October 1, 1988. The Rules are contained in Chapter 6-10, Rules Regulating The Florida Bar.

Effective January 1, 2017, each member shall complete a minimum of 33 credit hours of approved continuing legal education activity every three years. At least five of the 33 credit hours must be in approved legal ethics, professionalism, bias elimination, substance abuse, or mental illness awareness programs, with at least one of the five hours in an approved professionalism program, and at least three of the 33 credit hours must be in approved technology programs. If a member completes more than 33 credit hours during any reporting cycle, the excess credits cannot be carried over to the next reporting cycle.

Eligibility for an exemption, in accordance with policies adopted under Rule 6-10.3(c), is available for:

- (1) active military service;
- (2) members who apply and receive a waiver based upon undue hardship;
- (3) nonresident members who do not deliver legal services or advice on matters or issues governed by Florida law;
- (4) members of the full-time federal judiciary who are prohibited from engaging in the private practice of law;
- (5) justices of the Supreme Court of Florida and judges of the district courts of appeal, circuit courts, and county courts; and other judicial officers and employees as may be designated by the Supreme Court of Florida; and,
- (6) inactive members.

Although The Florida Bar maintains computerized records of hours earned, it is each member's responsibility to maintain a personal CLE record for verification purposes and to report CLE activity. Members may access CLER hours and deadlines on the Bar's website.

Approximately 120 days prior to each attorney's reporting deadline, the Bar distributes via email a CLER Reporting Affidavit indicating the credit hours accumulated to date. Reporting Affidavits must be verified, updated, signed and returned by the reporting deadline. If a member fails to report by the reporting deadline, the member will be deemed delinquent and is thereby prohibited from practicing Florida law, in accordance with Rule 6-10.5. To be reinstated as a member in good standing, the member must complete the required hours, petition the Executive Director for reinstatement and pay the administrative reinstatement fee of \$150.

Attorneys may satisfy their CLE Requirement by attending or participating in activities such as: attending live seminars; utilizing electronic media formatted programs; lecturing; authorship; and teaching or attending law school or graduate law courses. Members may also maintain their education requirement by attending courses presented, sponsored or already accredited by other organized state bars (integrated or voluntary). Credit is generally granted for these programs.

Administration of this program falls under the jurisdiction of the Board of Legal Specialization and Education. The CLER program is set forth under Rule 6-10, Rules Regulating The Florida Bar and may be found at www.floridabar.org/cler as well as all applications for CLE credit. Inquiries should be directed to the Legal Specialization and Education Department, The Florida Bar, 651 East Jefferson Street, Tallahassee, FL 32399-2300, 850/561-5842, 800/342-8060, ext. 5842, or via email at clemail@floridabar.org.

Basic Skills Course Requirement (BSCR)

It is of primary importance to the public and to the members of The Florida Bar that attorneys begin their legal careers with a thorough and practical understanding of the law. To accomplish that objective, each member of The Florida Bar shall comply with the Basic Skills Course Requirement (BSCR). This requirement is in accordance with Chapter 6-12, Rules Regulating The Florida Bar. The requirement may be fulfilled through the completion of continuing legal education programs developed and presented by the Young Lawyers Division (YLD) of The Florida Bar. Oversight of member compliance shall be the responsibility of the Board of Legal Specialization and Education (BLSE).

Compliance with BSCR shall include:

- (a) Course Components.
 - (1) completion of a Practicing with Professionalism (PWP) program sponsored by the YLD; and,
 - (2) completion of three elective, basic, substantive CLE programs sponsored by the YLD.
- (b) Time for Completion
 - (1) the PWP shall be completed no sooner than 12 months prior to or no later than 12 months following admission to The Florida Bar; and,
 - (2) the three elective, basic, substantive law CLE programs shall be completed during the member's initial 3-year CLER cycle assigned upon admission to The Florida Bar.

Effective March 6, 2010, new lawyers or members that have not yet completed their three basic CLE course component of the BSCR, will be able to fulfill this requirement either by attending a live basic CLE presentation or by participating in the 24/7 online CLE version of these programs and obtaining a certificate of completion. This online CLE option replaces the previously offered video replays. Live webcasts/virtual seminars, audio-CD and video-DVD programs will **not** satisfy this requirement. You can register for upcoming live seminars or participate in the 24/7 On-line CLE at your convenience, and any time, 24 hours a day, by accessing The Florida Bar CLE Web site at www.floridabar.org/CLE.

The expanded delivery method option for satisfying the BSCR only affects those attorneys who have not yet completed the BSCR. To verify your compliance and reporting dates, please check our Web site at www.floridabar.org/cler.

Effective May 12, 2005, the Supreme Court of Florida amended Rule 6-12, Rules Regulating The Florida Bar. This rule governs the Basic Skills Course Requirement (BSCR) for new bar members. See *In Re: Amendments to the Rules Regulating The Florida Bar*, 903 So. 2d 183 (Fla. 2005).

Effective January 1, 2016, TFB members completing Phase II of the Basic Skills Course Requirement online will have the option to complete three Basic programs or 21 individual segments. Seven segments are congruent to one Basic program. If a member is interested in completing only certain segments of a Basic program, a combination of individual segments from varying Basic programs can combine to meet the BSCR requirement. Members can choose to complete an entire program title or individual segments of various programs as long they complete a total of 21 segments within their first three years of admission to TFB. Programs and segments are available anytime through TFB's 24/7 On Demand Catalog.

In summary:

- The Practicing with Professionalism (PWP) program sponsored by the Young Lawyers Division of The Florida Bar must be completed 12 months preceding or 12 months following admission to The Florida Bar. Attendance may be deferred for: active military duty; undue hardship; nonresident status; and, inactive membership status.
- A bar member who was a full-time government employee as of May 12, 2005, *and* who has continued in government practice after May 12, 2005 may continue to defer *both components of BSCR* which include: 1) PWP; and, 2) three basic level courses sponsored by the Young Lawyers Division of The Florida Bar. *The assignment of a “government deferral” status on a member’s Bar record as of May 12, 2005 is not required to qualify for the deferral.*
- Full-time government employment which began *after* May 12, 2005 will entitle a member to defer the three basic level courses, but not PWP.
- A bar member who was a full-time government employee *on or before* May 12, 2005 and who has continued in government practice for a period of 6 years is eligible to exempt PWP.
- Six years of full-time government practice, beginning either *before or after* May 12, 2005, will entitle a member to be exempt from the three basic level courses.
- An annual renewal of deferral eligibility is no longer required by The Florida Bar. In accordance with the amended rule, a member must now “*promptly notify The Florida Bar in writing*” when no longer eligible to defer BSCR. The member must then complete PWP within 12 months of deferment expiration and attend three elective, basic, substantive continuing legal education programs sponsored by the YLD within 24 months of deferment expiration.
- A bar member who has been continuously engaged in the practice of law (non-governmental) in a foreign jurisdiction for at least five years, *and* who can demonstrate completion of 30 hours of approved CLE within the immediate three-year period, *and* can attest that the CLE completed has reasonably prepared the member for the anticipated type of practice in Florida, is eligible to be *exempt* from the three basic level courses.

Should a member fail to report by the reporting deadline, the member will be deemed delinquent and is thereby prohibited from practicing Florida law. To be reinstated as a member in good standing, the member must petition the Executive Director for a 6-month conditional reinstatement and pay a reinstatement fee of \$150.

Questions about BSCR should be directed to the Legal Specialization & Education Department at 850/561-5842. You are also encouraged to check your BSCR status on-line at: www.floridabar.org.



Continuing Legal Education Application for Lecture Credit

The Florida Bar
Legal Specialization & Education
651 E. Jefferson Street
Tallahassee, FL 32399-2300
(850)561-5842 (Phone) (850)561-9421 (Fax)
clemail@floridabar.org

Attorney #: _____ Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____

Presentation Title: _____

Course Title: _____ Course Number: _____

Course Sponsor: _____ Date and Location: _____

Lecture Time: _____ (hours) Panel/Workshop Time: _____ (hours) Attendance Time: _____ (hours)

- If seeking ethics credit, please indicate on the attached outline.
- Please attach presentation materials or outline that indicate time devoted to each topic.

Please note: Members may not receive both lecture/panel credit and attendance credit for the same minutes of instruction.

BOARD CERTIFICATION CREDIT

Please list area(s) of certification applicable to this activity:

For more information on The Florida Bar's Board Certification program,
visit: www.floridabar.org/certification

If requesting Ethics, Professionalism, Substance Abuse, Mental Illness Awareness, Bias Elimination or Technology Credit, please check appropriate box below.

☐

Ethics

☐

Substance Abuse

☐

Bias Elimination

☐

Professionalism

☐

Mental Illness Awareness

☐

Technology

NOTE: If you have completed the minimum number of required CLER hours, and are not seeking Certification credit, please do not submit further courses for evaluation. **There is no carry over of hours in Florida from one reporting period to the next.**

****PLEASE NOTE OUR NORMAL PROCESSING TIME IS 2-4 WEEKS.****

CLER Lecture Credit Policies

5.10(a) Lecturing

(a) Lecturing. Satisfactory performance as a lecturer in an approved CLE seminar may entitle a lawyer to credit. The maximum credit awarded is calculated based on presentation time. Lawyers who:

- (1) lecture at basic seminars may receive up to 3 credit hours for each 50 minutes of lecture time.
- (2) lecture at intermediate seminars may receive up to 5 credit hours for each 50 minutes of lecture time.
- (3) lecture at advanced seminars may receive up to 7.5 credit hours for each 50 minutes of lecture time.

(4) 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.

(5) lecture at intermediate or advanced seminars may receive additional credit for extraordinary effort. Staff will determine additional credit on a case-by-case basis.

(6) repeat a lecture or performance at 1 or more locations are not entitled to additional credit.

(7) 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.

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

Materials submitted for CLE credit review will be discarded once the credit has been determined. Should you wish to have your materials returned, please enclose a self-addressed stamped envelope.