

**AGENDA FOR JANUARY 25, 2023 (12PM-1PM)
MEETING OF THE CLE COMMITTEE
OF THE BUSINESS LAW SECTION OF THE FLORIDA BAR**

1. Welcome and introductions

OLD BUSINESS

2. Approval of September 2, 2022 minutes (attached as Exhibit A)
3. Review of Mission Statement and Officer Roles (attached as Exhibit B)

NEW BUSINESS

4. Florida Bar Journal Pipeline- published articles

| Fla Bar Issue | Title / Author |
|--------------------------|---|
| January/February 2022 | Florida's New Commercial Real Estate Receivership Act: a Roadmap for Judges and Practitioners (Kendall Coffey and David Freedman) |
| March /April 2022 | How the Supreme Court's Decision in <i>Van Buren</i> Impacts Mobile Employees and Computer Data Theft in Florida |
| July / August 2022 | Where to Incorporate? Florida Bar Survey Results and a Florida vs. Delaware Comparative Analysis (Cohn, Aronson, Suarez) |
| September / October 2022 | Third Party Releases in Chapter 11 (Mariane Dorris) |
| November/ December 2022 | Should <i>Durham v. Ocwen</i> Affect the Interpretation of "Assignee" Under Florida's Version of Article 9 of the Uniform Commercial Code? (Juan Mendoza) |
| January/ February 2023 | Subchapter V: a big deal for small business |

5. Florida Bar Journal Pipeline: Upcoming articles

| Fla Bar Issue | Title / Author | Status | Deadline |
|------------------------|----------------|--------------|-----------|
| March/ April 2023 | N/A | Need article | January 1 |
| May/June 2023 | N/A | Need article | March 1 |
| July/August 2023 | N/A | Need article | May 1 |
| September/October 2023 | NA | Need article | July 1 |

6. Recent CLEs/ Events:

| Date | Event |
|---------------------|--|
| September 2-5, 2022 | BLS Labor Day Retreat (Marco Island) |
| September 2, 2022 | 2022 Legislative Update |
| September 21, 2022 | Blockchain & Digital Assets CLE Series: Tokenization Explained |
| November 3-4, 2022 | View from the Bench (Tampa 11/3, Miami 11/4) |
| November 9, 2022 | Financial Literacy for New Professionals |
| December 8, 2022 | Practical tips for litigating blockchain issues |
| January 12, 2022 | Recent legislative changes to service of process bill: a new ball game |

7. Upcoming CLEs

| Date | Event |
|-------------------|--|
| January 25, 2023 | Panel discussion: the benefits and pitfalls of subchapter V |
| February 9, 2023 | ABC: The state court alternative to bankruptcy |
| February 28, 2023 | Mental health first aid kit: Skills and strategies for handling everyday emotions and stress |
| March 2-3, 2023 | 39 th annual federal securities institute |
| March 30-3, 2023 | 13 th annual intellectual property symposium |

8. Committee Management – Florida Bar Journal Submission Process

| Fla Bar Issue | Article Due to CLE Committee | CLE Committee Editor |
|---------------------|------------------------------|----------------------|
| January/February | November 1 | Vice-Chair |
| March /April | January 1 | Second Vice-Chair |
| May / June | March 1 | Chair |
| July /August | May 1 | Vice-Chair |
| September / October | July 1 | Second Vice-Chair |
| November / December | September 1 | Chair |

9. BLS CLE Diversity policy (attached as Exhibit C)

10. How to create a CLE checklist (attached as Exhibit D)

11. CLE committee website

- Link: <https://flabizlaw.org/committees-task-forces/standing-committees/continuing-legal-education-committee/>
 - o Information on webpage:
 - Florida Bar Journal submission deadlines

- Author information form
- Bar Journal style guide
- Publication agreement
- Previous articles submitted to the Florida Bar Journal
- Florida Bar Journal article guidelines

12. Laird Lile's proposal regarding the Basic Skills CLE Courses (attached as Exhibit E)

13. Judicial reimbursement policy

14. Other business/Good of the Order

REPORT/MINUTES FOR SEPTEMBER 2, 2022
MEETING OF THE CLE COMMITTEE
OF THE BUSINESS LAW SECTION OF THE FLORIDA BAR

I. Welcome and Introductions

- a. Utibe Ikpe called the meeting to order at 1:10 pm.
- b. Chair Ikpe welcomed attendees and invited introductions
- c. Attendees—
 - i. Chair, Utibe Ikpe
 - ii. Judicial Chair, Hon. Caryl E. Delano, Chief U.S. Bankruptcy Judge
 - iii. Michelle Suarez, liaison from Corporations committee
 - iv. Elizabeth Stamoulis, liaison from Intellectual Property, and Computer & Technology Law committees
 - v. Joseph Van de Bogart, liaison from Business Litigation committee
 - vi. Bart Valdez, liaison from COVID Task Force
 - vii. Luis E. Rivera, Vice chair

II. Old Business

- a. **Approval of Minutes (attached as Exhibit A)**
 - i. After review, Judge Delano moved to approve the minutes. Second by Mr. Valdez. No objections being made, the minutes were approved unanimously.
- b. **Review of Mission Statement and Officer Roles (Attached as Exhibit B)**
 - i. Chair Ikpe presented the mission statement and described the function of the committee and its officers.

III. New Business

a. ***The Florida Bar Journal Pipeline: Published Articles***

Chair Ikpe updated the committee on recent articles published in *The Florida Bar Journal*—

| Fla Bar Issue | Title / Author |
|-----------------------|---|
| January/February 2022 | Florida's New Commercial Real Estate Receivership Act: a Roadmap for Judges and Practitioners (Kendall Coffey and David Freedman) |
| March /April 2022 | How the Supreme Court's Decision in <i>Van Buren</i> Impacts Mobile Employees and Computer Data Theft in Florida |

EXHIBIT A

| | |
|--------------------------|--|
| July / August 2022 | Where to Incorporate? Florida Bar Survey Results and a Florida vs. Delaware Comparative Analysis (Cohn, Aronson, Suarez) |
| September / October 2022 | Third Party Releases in Chapter 11 (Scott Shuker & Mariane Dorris) |

b. *The Florida Bar Journal* Pipeline: Upcoming Articles

Chair Ikpe updated the committee and substantive committee liaisons on upcoming opportunities for publication in *The Florida Bar Journal*—

| Fla Bar Issue | Title / Author | Status | Deadline |
|----------------------------|---|--------------|------------|
| November/ December 2022 | Should <i>Durham v. Ocwen</i> Affect the Interpretation of “Assignee” Under Florida’s Version of Article 9 of the Uniform Commercial Code? (Juan Mendoza) | Submitted | N/A |
| January/ February 2023 | | Need article | November 1 |
| March/ April 2023 | | Need article | January 1 |
| May/June 2023 | | Need article | March 1 |
| July/August 2023 | | Need article | May 1 |

c. Recent CLEs & Events

Chair Ikpe updated the committee on recent CLE events presented by the Business Law Section and its substantive committees—

| Date | Event |
|-------------------|--|
| January 27, 2022 | Introduction to Blockchain, Cryptocurrency, and NFTs |
| March 30, 2022 | Top Tips for U.S. Privacy Law Compliance and Ransomware Preparedness |
| April 5, 2022 | 2022- The Year of a Florida Data Privacy Law? |
| April 28-29, 2022 | Intellectual Property Symposium |
| May 25, 2022 | Business Litigation and Bankruptcy/UCC Case Law Update |

| | |
|---------------------|--|
| June 24, 2022 | Ephemeral electronic evidence preservation and discovery obligations, and best practices |
| September 2-5, 2022 | BLS Labor Day Retreat (Marco Island) |
| September 2, 2022 | 2022 Legislative Update |

d. Upcoming CLE Opportunities

- i. Chair Ikpe and committee members also discussed upcoming CLE events presented by the Business Law Section and its substantive committees—

| Date | Event |
|--------------------|--|
| September 21, 2022 | Blockchain & Digital Assets CLE Series: Tokenization Explained |
| October 19, 2022 | Corporations Committee CLE – Update on Reg D & Reg A |
| November 3-4, 2022 | View from the Bench (Tampa 11/3, Miami 11/4) |

- ii. Mr. Bogart and Mr. Valdez presented the idea of preparing an article and presenting a CLE on the work of Florida Rules of Civil Procedure Task Force, which would be sponsored by the Business Litigation Committee
1. It was suggested the CLE presentation should be held at the Annual Meeting? If so, need to discuss with EC soon to reserve a slot at the Annual Meeting.
 - a. The was suggested there is potential for great revenues from both in-person attendance and aftermarket sales
 2. It was suggested that the article should be published as soon as amended rules are released and in advance of Annual Meeting CLE

e. **Committee Management – *The Florida Bar Journal* Submission Process**

Chair Ikpe reminded the committee and substantive committee liaisons on editing process and deadlines for publication in *The Florida Bar Journal*—

| Fla Bar Issue | Article Due to CLE Committee | CLE Committee Editor |
|----------------------|-------------------------------------|-----------------------------|
| January/February | November 1 | Vice-Chair |
| March /April | January 1 | Second Vice-Chair |
| May / June | March 1 | Chair |
| July /August | May 1 | Vice-Chair |
| September / October | July 1 | Second Vice-Chair |
| November / December | September 1 | Chair |

Mr. Rivera suggested committee liaisons remind their members that CLE Committee leadership may be available to assist with substantive editing of works.

Judge Delano also reminded the committee that *The Florida Bar Journal* style guide and other resources are available on the CLE Committee website.

f. **BLS CLE Diversity Policy**

Chair Ikpe reminded the committee of the existing diversity policy and suggested that all CLE presentations should endeavor to comply with the aims of the policy.

g. **CLE Checklist** (draft attached as Exhibit D)

Mr. Rivera updated the committee on the work of preparing a CLE checklist for use by the substantive committees. The goal is to provide support to the substantive committees and make it easier for them to put on quality CLE.

Ms. Suarez suggested updating the Checklist with hyperlinks to relevant materials.

Mr. Bogart raised the notion of increasing participation by state court judiciary by offering continuing judicial education (CJE) credits at Business Law presentations.

A discussion then ensued about judicial reimbursement policies. Mr. Rivera offered to research existing policies with The Florida Bar staff and report to the committee. If helpful, this information

would also be published on the CLE Committee website and on the CLE Checklist.

h. CLE Committee Website

Chair Ikpe reminded the substantive committee liaisons of the existence of the CLE Committee website. Many great resources are published on the website.

Link: <https://flabizlaw.org/committees-task-forces/standing-committees/continuing-legal-education-committee/>

Information on webpage:

- Florida Bar Journal submission deadlines
- Author information form
- Bar Journal style guide
- Publication agreement
- Previous articles submitted to the Florida Bar Journal
- Florida Bar Journal article guidelines

IV. Leadership Visit

- a. Welcome and Introductions from Douglas Bates
- b. What can Leadership do to help?
- c. Discussed logistics of Florida Rules Civil Task Force at Annual Meeting
 - i. Chair Ikpe will email Ms. Lieb information for discussion at Executive Council meeting

FLORIDA BAR BUSINESS LAW SECTION- CLE COMMITTEE

Mission Statement

The CLE Committee supports the substantive committees of the Business Law Section in their efforts to provide continuing legal education programs and articles for The Florida Bar Journal. The CLE Committee serves as a liaison between the substantive committees, their designated representatives, and the Business Law Section Administrator to facilitate the scheduling and marketing of CLE programs and provides editorial oversight for Bar Journal articles.

Officer Roles/ Responsibilities

- Chair:
 - Serves as the primary point of contact for the CLE Committee with third parties and coordinates communication with other BLS Committees and BLS leadership
 - Schedules officer and committee meeting as needed to supplement the meetings held during The Florida Bar and BLS conferences
 - Communicates as needed with CLE Committee members between meetings
 - Ensures that all appropriate matters come before the CLE Committee at committee meetings
 - Coordinates the CLE Committee's efforts with respect to BLS members' submissions of articles for publication in The Florida Bar Journal
 - Represents the CLE Committee and reports on its activities at all BLS Executive Council meetings, or arranges for substitute representation if the Chair is unable to attend

- Vice-Chair:
 - Assists the Chair in fulfilling his or her responsibilities
 - Encourages and coordinates the participation of substantive BLS Committees in CLE Committee meetings
 - Takes minutes of all meetings and circulates the minutes to Committee officers
 - Drafts a written report to the Executive Council summarizing the CLE Committee meetings in advance of Executive Council meetings
 - Assists in coordinating the CLE Committee's efforts with respect to BLS members' submissions of articles for publication in The Florida Bar Journal
 - Serves as the Chair at any Committee meeting that the Chair is unable to attend

- Second Vice-Chair:
 - Assists the chair and vice chair in fulfilling their responsibilities
 - Provides continuity for CLE Committee leadership
 - Assists in coordinating the CLE Committee's efforts with respect to BLS members' submissions of articles for publication in The Florida Bar Journal

- Judicial Chair:
 - Supports the efforts of the Chair, Vice-Chair, and Second Vice-Chair
 - Provides continuity as new BLS members assume leadership positions in the CLE Committee

BUSINESS LAW SECTION DIVERSITY EQUITY AND INCLUSION CLE POLICY

Adopted by The Business Law Section of The Florida Bar on June , 2022

The Business Law Section (“BLS”) supports proactive measures to ensure that individuals from all backgrounds are afforded fair opportunities to participate in CLE programs. All CLE programs sponsored or co-sponsored by the BLS will meet the objectives of the BLS Diversity Committee Strategic Plan to eliminate bias and enhance diversity.

Program organizers will invite and include prospective moderators and faculty members to create CLE panels that meet the objectives of the BLS Diversity Committee Strategic Plan. This includes, among others, moderators, and faculty members from historically underrepresented communities (e.g., racial and ethnic demographic groups/people of color, women, persons with disabilities, and LGBTQ+ individuals).

The Inclusion, Mentoring and Fellowship Committee (“IMF”) will create a subcommittee (the “DEI Subcommittee”), which shall be chaired by the Vice Chair of the IMF Committee and may include representatives from any other BLS committees, subcommittees, task forces and other entities (“BLS Entities”). The DEI Subcommittee shall monitor the BLS’s CLE programming to ensure that BLS Entities conduct CLE programs in accordance with this policy. The DEI Subcommittee will have authority to engage and assist any BLS Entities found not to be in compliance with this policy. Final decisions with respect to BLS Entities conducting CLE programs in accordance with this policy shall rest with the BLS Executive Committee. IMF shall report the DEI Subcommittee’s findings at regularly scheduled meetings of the Executive Council.

The implementation date for this Diversity Equity and Inclusion CLE Policy shall be July 1 , 2022.

BUSINESS LAW SECTION
OF THE FLORIDA BAR

CONTINUING LEGAL EDUCATION COMMITTEE

CLE Planning Event Checklist

Step 1 – Contact BLS Leadership and the CLE Committee

- BLS Program Administrator – Stefanie Svisco SSvisco@floridabar.org
- CLE Committee Chair – Utibe Ikpe uikpe@melanbudwick.com

Step 2 – When? (Determine Optimal Date)

- Avoid similar industry events on the same day/week
- Clear date against The Florida Bar master calendar

Step 3 – Where? (Identify Venue, Determine Event Technology Needs)

- In-person, virtual, or hybrid?
- Virtual or Hybrid – Use InReachCE
Offered in after-market library (cost is generally \$40 per CLE hr. to attend)
- In-person – Identify venues, research pricing, visit potential locations

Step 4 – What? (Establish Goals and Brainstorm Event Topic)

- Review BLSE Policy 5.01
- Identify Topic – Current issues that will enhance an “attorneys’ professional competence and skills.” BLSE Policy 5.01(a)(1).
- Identify speakers
 - “An individual or group qualified by practical or academic experience.” BLSE Policy 5.01(a)(3).
 - Consider BLS Diversity Policy
- Apply for CLE Accreditation (BLSE Policy 5.02)
 - Create outline, gather bios and submit to BLS Program Administrator to secure BLSE CLE accreditation from BLSE
 - Consider what types of CLE credit are available (e.g., technology, ethics, bias elimination)
 - Application for course accreditation due at least 30 days in advance of event

Step 5 – Who / Why? (Develop a Marketing Plan)

- Identify what Florida Bar Sections and Committees could be interested in the program
- Create marketing plan (emails, social media ,etc.)

AMENDMENT

| | |
|--|---|
| Title: | 6-12. BASIC SKILLS COURSE REQUIREMENT RULE (Removing YLD from Administering) |
| Type: | Rule Regulating The Florida Bar |
| Companion Rules: | Entire Subchapter |
| Sponsor: | Board of Governors member Laird Lile |
| Staff Contact: | Elizabeth Tarbert |
| News Notice Summary: | Within subchapter 6-12, removes Young Lawyers Division as the sole developer and administrator of the basic skills course requirement and allows any Florida Bar section or division to develop a basic skills course. |
| Justification for Amendment: | The proponent expressed concerns that a basic skills course expired, making that course unavailable for lawyers who need to satisfy the requirement. The proponent suggests that other groups besides the Young Lawyers Division should be able to develop and present these required courses. The proponent believes that this expansion of providers will increase competition and that the target audience will have better selection and perhaps at lower costs. The proponent further believes that this change will benefit our newest members who are subject to this requirement, and that, in turn, will better serve the public. The proponent initially suggests expanding authorized developers and providers to include any section or division of The Florida Bar, but is open at some point to allow any provider to develop and present courses, even those not part of The Florida Bar. |
| History: | |
| Section Committee Opinion | |
| Impact Statement | |
| Substantive Committee: | Program Evaluation Committee |
| Assigned to Substantive Committee on: | 11/21/2022 |
| Substantive Review Completed on: | |
| Approved? | <input type="radio"/> Yes <input checked="" type="radio"/> No By Vote of: |
| Budget Review Completed on: | |
| Approved? | <input type="radio"/> Yes <input checked="" type="radio"/> No By Vote of: |
| Program Evaluation Review Completed on: | |
| Approved? | <input type="radio"/> Yes <input checked="" type="radio"/> No By Vote of: |
| Rules Committee Review Completed on: | |
| Approved? | <input type="radio"/> Yes <input checked="" type="radio"/> No By Vote of: |
| Ready for Board Final Action? | <input type="radio"/> Yes <input checked="" type="radio"/> No |
| Board Review Completed on: | |
| Approved? | <input type="radio"/> Yes <input checked="" type="radio"/> No By Vote of: |
| Date Publication of Notice of Proposed BOG Action: | |
| Dates of Board Readings: | |
| Next Referral: | PEC - Substantive Review PEC - Strategic Review |
| Referral History: | |

| | |
|-------------------------------------|---|
| Ready for Final Form? | <input type="radio"/> Yes <input checked="" type="radio"/> No (Only those that don't require court approval.) |
| Ready to publish to the web? | <input type="radio"/> Yes <input checked="" type="radio"/> No |
| Ready to Submit to Supreme Court: ✓ | <input type="radio"/> Yes <input checked="" type="radio"/> No |
| Effective Date: | |

Attachment:



702 So. 2d 1258.pdf

Proposed Amendment

6-12. BASIC SKILLS COURSE REQUIREMENT RULE

RULE 6-12.1 BASIC SKILLS COURSE REQUIREMENT

(a) Preamble. 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 (hereinafter referred to as “member”) ~~shall~~must comply with the basic skills course requirement (~~hereinafter BSCR~~) through the completion of continuing legal education programs developed and presented by ~~the Young Lawyers Division of The Florida Bar (hereinafter YLD)~~any bar section or division under the standards set forth in this subchapter. Oversight of member compliance with this rule ~~shall be~~is the responsibility of the board of legal specialization and education (~~hereinafter BLSE.~~)

(b) Applicability. Every member admitted to The Florida Bar after October 1, 1988 ~~shall~~must comply with the BSCR. [ECT note: is this really necessary anymore?]

RULE 6-12.2 ADMINISTRATION

(a) Responsibility. ~~The YLD shall be responsible for the planning, Any bar section or division may plan the content, and presentation of programs for BSCR compliance. The YLD shall~~ [ECT note: who will be responsible for establishing minimum standards? BLSE?] ~~also will~~ establish minimum quality standards for the Practicing with Professionalism program, to include instruction on discipline, ethics, professionalism, and responsibility to the public. The BLSE ~~shall oversees~~ member compliance with BSCR and ~~adopts~~ policies necessary for implementation. ~~Such policies shall be subject to approval by the board of governors.~~

(b) Delegation of Authority. The BLSE may delegate to ~~the Florida Bar staff of The Florida Bar~~ any responsibility ~~set forth herein, in this subchapter~~ except that of denying a waiver or exemption from BSCR.

(c) Waiver. On special application and for good cause shown, the BLSE may adjust the time for completion, may waive compliance, or accept a substitute program, for either component of BSCR.

(d) Maintenance of Records. The Florida Bar ~~shall maintains~~ a record of each member's compliance with BSCR.

RULE 6-12.3 REQUIREMENT

(a) Course Components. Compliance with BSCR includes:

(1) completion of a Practicing with Professionalism program-sponsored by the YLD; and

(2) completion of 3 elective, basic, substantive continuing legal

education programs ~~sponsored by the YLD.~~

(b) Time for Completion. BSCR must be completed as follows:

(1) ~~the~~The Practicing with Professionalism program must be completed no sooner than 12 months prior to or no later than 12 months following admission to The Florida Bar; and

(2) ~~the~~The 3 elective, basic, substantive continuing legal education programs must be completed during the member's initial 3-year continuing legal education requirement reporting cycle assigned on admission to The Florida Bar.

RULE 6-12.4 DEFERMENT AND EXEMPTION

(a) Deferment of Practicing with Professionalism Requirement.

(1) *Deferment Eligibility* . A member of The Florida Bar is eligible to defer compliance with the requirements of rule 6-12.3(a)(1), if:

(A) the member is on active military duty;

(B) compliance would create an undue hardship;

(C) the member is a nonresident member whose primary office is outside the state of Florida; or

(D) the member elects inactive membership status in The

Florida Bar; or

~~(E) the member is a full-time government employee who had benefitted from the deferment of the Practicing with Professionalism requirement as of its May 12, 2005, elimination, as long as the member continuously remains in government practice. [This amendment was approved by the Board of Governors on December 3, 2021.]~~

(2) *Deferment Expiration* . A deferment of the requirements of rule 6-12.3(a)(1) as provided under this rule shall expire at the time the member is no longer eligible for deferment. Upon expiration, a member must:

(A) promptly notify The Florida Bar in writing of the date deferment expired; and

(B) attend the Practicing with Professionalism program within 12 months of deferment expiration.

(b) Deferment of Basic Level ~~YLD~~ Courses.

(1) *Deferment Eligibility* . A member of The Florida Bar is eligible to defer compliance with the requirements of rule 6-12.3(a)(2) if:

(A) the member is on active military duty;

(B) compliance would create an undue hardship;

(C) the member is a nonresident member whose primary office

is outside the state of Florida;

(D) the member is a full-time governmental employee; or

(E) the member elects inactive membership status in The Florida Bar.

(2) *Deferment Expiration* . A deferment of the requirements of rule 6-12.3(a)(2) as provided under this rule shall expire at the time the member is no longer eligible for deferment. Upon expiration, a member must:

(A) promptly notify The Florida Bar in writing of the date deferment expired; and

(B) complete 3 elective, basic, substantive continuing legal education programs sponsored by the YLD within 24 months of deferment expiration.

(c) Exemption.

(1) *Governmental Practice* . ~~An exemption from rule 6-12.3(a)(1) shall be granted if a member who had benefitted from the deferment of the Practicing with Professionalism requirement as of its May 12, 2005, elimination has already or thereafter been continuously engaged in the practice of law for a Florida or federal governmental entity as a full-time governmental employee for a period of at least 6 years. An~~ The bar will grant an exemption from the 3 elective, basic, substantive continuing legal education programs sponsored by the YLD required by rule 6-12.3(a)(2) shall be granted if a member has been continuously engaged in the practice of law for a Florida or federal governmental entity as a full-time governmental employee for a period of at least 6

years.

(2) *Foreign Practice* . ~~An~~The bar will grant an exemption from the 3 elective, basic, substantive continuing legal education programs sponsored by the YLD required by rule 6-12.3(a)(2) shall be granted if a member has been continuously engaged in the practice of law (non-governmental) in a foreign jurisdiction for a period of 5 years, can demonstrate completion of ~~30~~33 hours of approved continuing legal education within the immediate 3-year period, and can attest that the continuing legal education completed has reasonably prepared the member for the anticipated type of practice in Florida. [This amendment was approved by the Board of Governors on December 3, 2021.]

RULE 6-12.5 NONCOMPLIANCE AND SANCTIONS

(a) Notice of Noncompliance. If a member fails to comply with this rule, the member ~~shall be~~is deemed delinquent as provided as provided elsewhere in the Rules Regulating The Florida Bar. The BLSE ~~shall~~ will promptly send a notice of noncompliance to ~~sue~~each noncomplying member.

(b) Appeal to the Board of Governors. A delinquent member ~~shall have the right to~~may appeal the determination to the board of governors under ~~such~~rules and regulations as it maythe board of governors prescribe s.

(c) Appeal to the Supreme Court of Florida. A delinquent member ~~shall have the right to~~may appeal the determination of the board of governors to the Supreme Court of Florida under ~~such~~rules and regulations as it maythe court prescribes.

(d) Exhaustion of Remedies. A delinquent member must exhaust each of the remedies provided under these rules in the order enumerated before proceeding to the next remedy.

(e) Tolling Time. An appeal ~~shall toll~~s the determination of noncompliance and resulting delinquency until ~~such time as~~ all appeals have been completed or the time ~~for taking same~~to appeal has expired.

RULE 6-12.6 REINSTATEMENT

Any member delinquent in completion of the BSCR may be reinstated by the executive director or board of governors ~~upon~~ a showing of compliance with the BSCR and payment of a uniform reinstatement fee, ~~as established by the board of governors.~~

RULE 6-12.7 CONFIDENTIALITY

The files and records maintained regarding appeals and hearings conducted under this rule ~~and any hearings in connection therewith shall be~~are confidential until ~~such time as~~ the appeals process has concluded. If a member is deemed delinquent ~~pursuant to~~under this rule, that fact ~~shall be~~is public information.

RULE 6-12.8 DISCIPLINARY ACTION

The BLSE may refer a member who makes a misrepresentation of a material fact concerning the BSCR for disciplinary investigation as provided elsewhere in these Rules Regulating The Florida Bar.

Composed by Elizabeth Tarbert **on** 11/21/2022 **at** 04:26 PM

Revision History:

Revised by Kelly Smith/The Florida Bar -- 01/10/2023 03:06:42 PM

Revised by Elizabeth Tarbert/The Florida Bar -- 01/10/2023 01:56:32 PM

Revised by Elizabeth Tarbert/The Florida Bar -- 01/10/2023 11:33:55 AM

