

SUPREME COURT OF FLORIDA

In re Amendments to Rules of the Supreme Court Relating to Admissions to the Bar

166 So. 3d 178 (Fla. 2015) · No. SC15-176 · Decided June 4, 2015

SUMMARY

The Florida Supreme Court adopted new Rule 1-21.1 of the Rules of the Supreme Court Relating to Admissions to the Bar. The rule establishes procedures for the Florida Board of Bar Examiners to request additional attorney and public members and specifies how their appointments and terms will be handled.

CASE DETAILS

COURT	Supreme Court of Florida
WRITING FOR THE COURT	Per Curiam; Labarga, C.J.; Pariente, J.; Lewis, J.; Quince, J.; Canady, J.; Polston, J.; Perry, J.
JURISDICTION	Florida
DECIDED	June 4, 2015
DOCKET	SC15-176
DISPOSITION	approved
PROCEDURAL POSTURE	Original proceeding in which the Florida Board of Bar Examiners petitioned the Supreme Court of Florida to amend the Rules of the Supreme Court Relating to Admissions to the Bar and requested appointment of additional board members.
PRECEDENTIAL VALUE	Published opinion adopting and amending rules of the Supreme Court of Florida.

TOPICS

[rulemaking](#)[appellate procedure](#)[administrative law](#)

PRACTICE AREAS

[legal ethics and professional responsibility](#)[bar admission](#)[judicial rulemaking](#)

QUESTIONS PRESENTED

1. Whether the Supreme Court should amend rule 1-21 to permit the Florida Board of Bar Examiners to obtain additional members as necessitated by its workload.
2. Whether the Court should appoint the additional attorney and public members requested by the Board in the rules proceeding.

HOLDINGS

1. The Court adopted new rule 1-21.1 rather than amending rule 1-21 as proposed, authorizing the Board to request additional members and prescribing procedures for recommendations and terms of service.
2. The Court declined to address the Board's request for appointment of additional members in this rules proceeding.

KEY QUOTATIONS

“Therefore, rather than amending rule 1-21 as proposed, we adopt new rule 1-21.1 (Additional Members) to provide the necessary procedures, as follows:” (-2)

“The amendment shall become effective immediately upon the release of this opinion.” (-3)

FACTUAL BACKGROUND

The Florida Board of Bar Examiners reported that its workload fluctuates with the number of bar applicants and sought authority to request additional members when necessary. The Board's proposed amendment did not specify procedures for requesting additional members, recommending particular attorney or public appointees, or determining the duration of their terms.

PROCEDURAL HISTORY

The Florida Board of Bar Examiners proposed amending rule 1-21 to permit additional board members and requested appointment of two additional attorney members and one additional public member. The Supreme Court declined to address the requested appointments in the rules case, adopted new rule 1-21.1 instead of the proposed amendment, and made the amendment effective immediately.

DISPOSITION

approved