

Supreme Court of Florida

WEDNESDAY, AUGUST 26, 2020

CASE NO.: SC20-939

IN RE: COVID-19 EMERGENCY CHANGES TO THE ADMINISTRATION OF THE JULY 2020 FLORIDA BAR EXAMINATION—RESCHEDULING OF ONLINE BAR EXAMINATION AND AUTHORIZATION OF TEMPORARY SUPERVISED PRACTICE PROGRAM.

On July 3, 2020, in light of the ongoing public health emergency in this State caused by the Coronavirus Disease 2019 (COVID-19) pandemic and after consultation with the Florida Board of Bar Examiners (Board), the Court ordered that in lieu of the two-day, in-person Florida General Bar Examination scheduled to be administered on July 28-29, 2020, a one-day examination was to be administered remotely online on Wednesday, August 19, 2020.¹ However, prior to that date, the Board informed the Court that despite the Board's best efforts to administer the online examination as scheduled, due to failures of the online platform chosen, a secure and reliable remote bar examination in August was not technically feasible. Therefore, in order to ensure the administration of a reliable examination and alleviate some of the concerns raised by those scheduled to take the August examination and other concerned individuals, on August 16, 2020, the

1. *See* Art. V, § 15, Fla. Const.; Fla. Bar Admiss. R. 1-12.

Court approved the Board's request to cancel the August 19 online examination and reschedule the examination for a date in October 2020.

October 2020, Online General Bar Examination

The Board will administer the online Florida General Bar Examination, previously approved by the Court, on October 13, with testing potentially continuing on October 14, as required to accommodate applicants' special needs. The October examination will consist of 100 multiple choice questions and three essay questions. All multiple choice questions will be based on Florida law, and will test the following seven subjects: Florida Rules of Civil Procedure; Florida Rules of Criminal Procedure; Torts; Business Entities; Evidence; Wills; and Trusts. The three essay questions will test Federal Constitutional Law and the following six subjects (all based on Florida law): Torts; Real Property; Florida Constitutional Law; Ethics; Contracts; and UCC Article 3. The following subjects will *not* be tested during this administration of the examination: Criminal Law and Constitutional Procedure; Federal Civil Procedure; Family Law; Florida Rules of Judicial Administration; and UCC Article 9. In other respects, the procedures previously approved by the Court will apply to the October administration of the exam. Applicants who were registered to take the August examination will be

given the option of taking the October examination or to postpone taking the examination until the February 2021 administration. The Board also has been directed to have in place, prior to October 13 and 14, contingency plans to ensure that the exam can be administered on those dates should complications with the newly chosen online platform prevent its administration on that platform.

Temporary Supervised Practice Program

To mitigate the impact of the delays in the administration of the examination on Bar applicants who have been preparing for the examination for months, the Court also approved the creation of a temporary supervised practice program, similar to the existing Law School Practice Program established under Chapter 11 of the Rules Regulating the Florida Bar, that will authorize applicants who were registered to take the July bar examination and who meet certain requirements to temporarily practice under the supervision of a member of The Florida Bar.

Therefore, the Board, in consultation with The Florida Bar, has developed and will implement a temporary supervised practice program, in which applicants who have submitted to the Board an application to become a member of The Florida Bar and were issued a ticket of admission to the July 2020 General Bar Examination will have the opportunity to participate, if they meet certain requirements. The rules

governing participation in that program has been approved by administrative order issued by Chief Justice Canady. *See In re COVID-19 Emergency Measures Relating to the 2020 Bar Applicants—Creation of the Temporary Supervised Practice Program*, Fla. Admin. Order No. AOSC20-80 (Aug. 24, 2020).

Suspension of Conflicting Rules

Effective immediately upon the issuance of this order, all procedures and requirements in Rules of the Supreme Court Relating to Admissions to the Bar and the Rules Regulating the Florida Bar that are inconsistent with the emergency procedures authorized in this order are suspended.

Accordingly, the remote online Florida General Bar Examination, previously approved by the Court, will be administered on October 13 and 14 to those who were registered to take the August online bar examination and choose to take the exam in October. The Board will provide information regarding the examination and the temporary supervised practice program to the appropriate Bar applicants and will post that information on the Board's website.

Applicants are expected to check the Board's website regularly for updates and additional information concerning the online examination and the temporary supervised practice program.

CASE NO.: SC20-939

Page Five

THE FILING OF A MOTION FOR REHEARING SHALL NOT ALTER
EFFECTIVE DATE OF THE EMERGENCY PROCEDURES IN THIS ORDER.

CANADY, C.J., and POLSTON, LAWSON, MUÑIZ, and COURIEL, JJ., concur.
LABARGA, J., recused.

A True Copy

Test:



John A. Tomasino
Clerk, Supreme Court



so

Served:

MICHAEL GRANT TANNER
JAMES T. ALMON
ELIZABETH CLARK TARBERT
JOSHUA E. DOYLE
MICHELE A. GAVAGNI
HON. DAVID C. REEVES, CHAIRPERSON
DORI FOSTER-MORALES