

IN THE SUPREME COURT OF FLORIDA

**IN RE: AMENDMENTS TO RULES OF THE
SUPREME COURT RELATING TO
ADMISSIONS TO THE BAR**

CASE NO. SC09-____

Petition

The Florida Board of Bar Examiners petitions the Court for approval of certain amendments to the Rules of the Supreme Court Relating to Admissions to the Bar.

Jurisdiction

The Court has jurisdiction of this matter pursuant to Article V, Section 15 of the Florida Constitution and Rule 1-13 of the Rules of the Supreme Court Relating to Admissions to the Bar.

Rule Development History

The Supreme Court of Florida requested the board to propose appropriate rule amendments to the Rules of the Supreme Court Relating to Admissions to the Bar that would restrict conditional admission to individuals who live and work in Florida during the entire period of their conditional admission. The board has approved the proposed rule amendments. No individual board member will be filing a written dissent or objection to any of the proposals.

Summary and Discussion of Proposed Rule Amendments

The adoption by the court of the proposed rule amendments will restrict conditional admission to individuals who live and work in Florida during the entire period of their conditional admission. The following paragraphs summarize and discuss the rule amendments as proposed by the board.

RULE 3. BACKGROUND INVESTIGATION

The proposed amendments to rules 3-22.5 and 3-23.6 will add a reference to the requirements of rule 5-15, including the proposed provision that individuals who are conditionally admitted must live and work in Florida during the entire probationary period.

RULE 5. RECOMMENDATIONS AND JURISDICTION

The board recommends that rule 5-15 be amended to restrict conditional admission to individuals who live and work in Florida during the entire period of their conditional admission.

Effective Date of Proposed Rule Amendments

The board requests that the amendments adopted by the Court be effective on release of the Court's order.

Appendixes

Appendix A to this petition is the proposed rule amendments in legislative format. Appendix B to this petition is the text of the proposed rule amendments with the reasons for the changes. Appendix C is the condensed version of the proposed rules amendments for publication in The Florida Bar News. Appendix D is the certification of compliance with Part I(d) of the Guidelines for Rules Submission.

Dated April 29, 2009.

FLORIDA BOARD OF BAR EXAMINERS
REGINALD D. HICKS, CHAIR

Michele A. Gavagni
Executive Director

By: _____
Thomas Arthur Pobjecky
General Counsel
Florida Board of Bar Examiners
1891 Eider Court
Tallahassee, FL 32399-1750
(850) 487-1292
Florida Bar #211941

Certificate of Service

I hereby certify that true and correct copies of the foregoing Petition and Appendix A (Proposed Rule Amendments in Legislative Format) have been served by U.S. Mail on April 29, 2009 to the following: John F. Harkness, Jr., The Florida Bar, 651 East Jefferson Street, Tallahassee, FL 32399-2300; Dean Leticia Diaz, Barry University School of Law, 6441 East Colonial Drive, Orlando, FL 32807-3650; Dean, LeRoy Pernell, Florida A & M University College of Law, 201 Beggs Avenue, Orlando, FL 32801; Dean C. Peter Goplerud, III, Florida Coastal Law School, 8787 Baypine Road, Jacksonville, FL 32256; Dean Leonard P. Strickman, Florida International University, College of Law, University Park, GL 495, Rafael Diaz-Balart Hall (RDB), Suite 1055, Miami, FL 33199; Dean Donald J. Weidner, Florida State University College of Law, 425 West Jefferson Street, Tallahassee, FL 32306-1601; Dean Athornia Steele, Nova Southeastern University, Shepard Broad Law Center, 3305 College Avenue, Ft. Lauderdale, FL 33314; Dean Alfredo Garcia, St. Thomas University School of Law, 16400 N.W. 32nd Avenue, Miami, FL 33054; Dean Darby Dickerson, Stetson University College of Law, 1401 61st Street, South, St. Petersburg, FL 33707; Dean Robert Jerry, University of Florida, Fredric G. Levin Law Center, Post Office Box 117620, Gainesville, FL 32611; Acting Dean Paul R. Verkuil, University of Miami School of Law, 1311 Miller Drive, Room F203, Coral Gables, FL 33146.

Thomas Arthur Pobjecky

Certificate of Type Size and Style

I hereby certify that the size and style of type used in this Petition are 14 Times New Roman.

Thomas Arthur Pobjecky