



IPO Statement on the Florida Supreme Court Order Regarding Diversity on CLE Panels

In 2021, the Business Law Section of the Florida Bar adopted a policy that regulated and encouraged diversity on CLE panels, ensuring such courses are taught by faculty that contain at least some measure of diversity.

The Florida Supreme Court, *sua sponte*, amended the Rules Regulating the Florida Bar to preclude continuing legal education credit for “any course submitted by a sponsor, including a section of the Florida Bar, that uses quotas based on race, ethnicity, gender, religion, national origin, disability or sexual orientation in the selection of course faculty or participants.” *In re Amendment to Rule Regulating the Florida Bar 6-10.3*, 315 So. 3d 637, 639 (Fla. 2021).

Intellectual Property Owners Association (“IPO”), along with numerous other organizations, provided comments opposing the Florida Supreme Court’s rule, noted that policies that encourage diversity of CLE panelists are in accordance with law, and encouraged the Court to reconsider its order.

Despite the comments, the Florida Supreme Court reaffirmed its order on December 16, 2021, and further clarified that “CLE credit will be unavailable for courses ***with any sponsor that uses quotas covered by the rule***, whether course approval is sought by the sponsor or by an individual bar member.” *In Re: Amendment To Rule Regulating the Florida Bar 6-10.3*, 2021 WL 5992537, at *1 (Fla. Dec. 16, 2021). It explained that “any regulatory response should address the use of discriminatory quotas by any CLE course sponsor, regardless of its affiliation with the Florida Bar.” *Id.* at *2. The Florida Supreme Court did not directly address IPO’s comments or comments from any other organization.

IPO believes the vitality of the association and IP profession is dependent on the contributions of a community that reflects the diverse perspectives of a global economy. Such vitality is fostered by diversity at IPO’s conferences, including diversity of panelists who present CLE content. The Florida Supreme Court’s decision is inconsistent with IPO’s goal of fostering a more diverse and inclusive legal profession.

IPO will continue to take proactive measures to encourage diversity and inclusion within its CLE programming, including at in-person events that are eligible for CLE credit. Because the Florida Supreme Court’s decision is inconsistent with these values, IPO will not hold in-person meetings in Florida until further notice.