

1 A bill to be entitled
2 An act relating to postsecondary education;
3 authorizing a college of law at Florida
4 International University and Florida
5 Agricultural and Mechanical University;
6 providing duties of the Board of Regents and
7 others; providing authority to accept grants
8 and other available funds; providing conditions
9 for cessation of a college of law; authorizing
10 certain scholarship recipients to attend a
11 college of law prior to its accreditation;
12 providing an effective date.

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14 WHEREAS, this state does not provide adequate access to
15 public colleges of law to meet the growing demands of its
16 residents for legal education, and

17 WHEREAS, the residents of this state have not been
18 afforded sufficient opportunities to obtain a public legal
19 education and a need exists for colleges of law within the
20 State University System which can serve this demand, and

21 WHEREAS, minorities are not represented in proper
22 proportion with the practicing bar of this state, and

23 WHEREAS, additional public law schools, if established,
24 should be administered by the public universities whose
25 student enrollment best exemplifies the extent of diversity
26 within the total minority community in the state, and

27 WHEREAS, additional public law schools, if established,
28 should prepare students for careers in areas of high growth,
29 such as, but not limited to, public service, international
30 legal affairs, and maritime law, and

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1 WHEREAS, there are currently no part-time-study
2 programs at the existing public law schools, and
3 part-time-study programs attract significant numbers of
4 minority law school students, NOW, THEREFORE,

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6 Be It Enacted by the Legislature of the State of Florida:

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8 Section 1. (1) A college of law is authorized at
9 Florida International University.

10 (2) The college of law at Florida International
11 University must be operated in compliance with the standards
12 approved by nationally recognized associations for accredited
13 colleges of law.

14 (3) The college of law at Florida International
15 University, to the extent consistent with the standards
16 required by the American Bar Association or any other
17 nationally recognized association for the accreditation of
18 colleges of law, shall develop a law library collection
19 utilizing electronic formats and mediums.

20 (4) The college of law at Florida International
21 University shall develop and institute a program that is
22 consistent with sound legal education principles as determined
23 by the American Bar Association or any other nationally
24 recognized association for the accreditation of colleges of
25 law and that, to the extent consistent with such sound legal
26 education principles, is structured to serve the legal needs
27 of traditionally underserved portions of the population by
28 providing an opportunity for participation in a legal clinic
29 program or pro bono legal service.

30 (5) The Board of Regents shall commence the planning
31 of a college of law at Florida International University. In

1 planning the college of law, the Board of Regents and the
2 State Board of Education may accept grants, donations, gifts,
3 and moneys available for this purpose, including moneys for
4 planning and constructing the college. The Board of Regents
5 may procure and accept any federal funds that are available
6 for the planning, creation, and establishment of the college
7 of law. Classes must commence by the fall semester 2003. If
8 the American Bar Association or any other nationally
9 recognized association for the accreditation of colleges of
10 law issues a third disapproval of an application for
11 provisional approval or for full approval or fails to grant,
12 within 5 years following the graduation of the first class, a
13 provisional approval, to the college of law at Florida
14 International University, the Board of Regents shall make
15 recommendations to the Governor and the Legislature as to
16 whether the college of law will cease operations at the end of
17 the full academic year subsequent to the receipt by the
18 college of law of any such third disapproval, or whether the
19 college of law will continue operations and any conditions for
20 continued operations. If the college of law ceases operations
21 pursuant to this section, the following conditions apply:
22 (a) The authority for the college of law at Florida
23 International University and the authority of the Board of
24 Regents and the State Board of Education provided in this
25 section shall terminate upon the cessation of operations of
26 the college of law at Florida International University. The
27 college of law at Florida International University shall
28 receive no moneys allocated for the planning, construction, or
29 operation of the college of law after its cessation of
30 operations other than moneys to be expended for the cessation
31 of operations of the college of law. Any moneys allocated to

1 the college of law at Florida International University not
2 expended prior to or scheduled to be expended after the date
3 of the cessation of the college of law shall be appropriated
4 for other use by the Legislature of the State of Florida.

5 (b) Any buildings of the college of law at Florida
6 International University constructed from the expenditure of
7 capital outlay funds appropriated by the Legislature shall be
8 owned and managed by the Board of Regents upon the cessation
9 of the college of law.

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11 Nothing in this section shall undermine commitments to current
12 students receiving support as of the date of the enactment of
13 this section from the law school scholarship program of the
14 Florida Education Fund as provided in section 240.498(8),
15 Florida Statutes. Students attending the college of law at
16 Florida International University shall be eligible for
17 financial, academic, or other support from the Florida
18 Education Fund as provided in section 240.498(8), Florida
19 Statutes, without the college's obtaining accreditation by the
20 American Bar Association.

21 (4) The college of law at Florida International
22 University shall be dedicated to providing opportunities for
23 minorities to attain representation within the legal
24 profession proportionate to their representation in the
25 general population; however, the college of law shall not
26 include preferences in the admissions process for applicants
27 on the basis of race, national origin, or sex.

28 Section 2. (1) A college of law is authorized at
29 Florida Agricultural and Mechanical University.

30 (2) The college of law at Florida Agricultural and
31 Mechanical University must be operated in compliance with the

1 standards approved by nationally recognized associations for
2 accredited colleges of law.

3 (3) The college of law at Florida Agricultural and
4 Mechanical University, to the extent consistent with the
5 standards required by the American Bar Association or any
6 other nationally recognized association for the accreditation
7 of colleges of law, shall develop a law library collection
8 utilizing electronic formats and mediums.

9 (4) The college of law at Florida Agricultural and
10 Mechanical University shall develop and institute a program
11 that is consistent with sound legal education principles as
12 determined by the American Bar Association or any other
13 nationally recognized association for the accreditation of
14 colleges of law and that, to the extent consistent with such
15 sound legal education principles, is structured to serve the
16 legal needs of traditionally underserved portions of the
17 population by providing an opportunity for participation in a
18 legal clinic program or pro bono legal service.

19 (5) The Board of Regents shall commence the planning
20 of a college of law under the auspices of Florida Agricultural
21 and Mechanical University to be located in the I-4 corridor
22 area. In planning the college of law, the Board of Regents and
23 the State Board of Education may accept grants, donations,
24 gifts, and moneys available for this purpose, including moneys
25 for planning and constructing the college. The Board of
26 Regents may procure and accept any federal funds that are
27 available for the planning, creation, and establishment of the
28 college of law. Classes must commence by the fall semester
29 2003. If the American Bar Association or any other nationally
30 recognized association for the accreditation of colleges of
31 law issues a third disapproval of an application for

1 provisional approval or for full approval or fails to grant,
2 within five years following the graduation of the first class,
3 a provisional approval, to the college of law at Florida
4 Agricultural and Mechanical University, the Board of Regents
5 shall make recommendations to the Governor and Legislature as
6 to whether the college of law will cease operations at the end
7 of the full academic year subsequent to the receipt by the
8 college of law of any such third disapproval, or whether the
9 college of law will continue operations and any conditions for
10 continued operations. If the college of law ceases operations
11 of the college of law pursuant to this section, the following
12 conditions apply:

13 (a) The authority for the college of law at Florida
14 Agricultural and Mechanical University and the authority of
15 the Board of Regents and the State Board of Education provided
16 in this section shall terminate upon the cessation of
17 operations of the college of law at Florida Agricultural and
18 Mechanical University. The college of law at Florida
19 Agricultural and Mechanical University shall receive no moneys
20 allocated for the planning, construction, or operation of the
21 college of law after its cessation of operations other than
22 moneys to be expended for the cessation of operations of the
23 college of law. Any moneys allocated to the college of law at
24 Florida Agricultural and Mechanical University not expended
25 prior to or scheduled to be expended after the date of the
26 cessation of the college of law shall be appropriated for
27 other use by the Legislature of the State of Florida.

28 (b) Any buildings of the college of law at Florida
29 Agricultural and Mechanical University constructed from the
30 expenditure of capital outlay funds appropriated by the
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1 Legislature shall be owned and managed by the Board of Regents
2 upon the cessation of the college of law.

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4 Nothing in this section shall undermine commitments to current
5 students receiving support as of the date of the enactment of
6 this section from the law school scholarship program of the
7 Florida Education Fund as provided in section 240.498(8),
8 Florida Statutes. Students attending the college of law at
9 Florida Agricultural and Mechanical University shall be
10 eligible for financial, academic, or other support from the
11 Florida Education Fund as provided in section 240.498(8),
12 Florida Statutes, without the college's obtaining
13 accreditation by the American Bar Association.

14 (3) The college of law at Florida Agricultural and
15 Mechanical University shall be dedicated to providing
16 opportunities for minorities to attain representation within
17 the legal profession proportionate to their representation in
18 the general population; however, the college of law shall not
19 include preferences in the admissions process for applicants
20 on the basis of race, national origin, or sex.

21 Section 3. This act shall be implemented as provided
22 in the General Appropriations Act.

23 Section 4. This act shall take effect upon becoming a
24 law.