



# SUPREME COURT UPDATES FLORIDA BAR PROFESSIONALISM EXPECTATIONS

📅 Mar 23, 2026



The Florida Supreme Court has approved a series of amendments to The Florida Bar’s Professionalism Expectations, revising guidance on issues ranging from billing practices and discovery conduct to communications with clients and supervision of support staff.

Professionalism Expectations are part of the court’s broader effort to define and promote lawyer professionalism. Along with the Rules Regulating The Florida Bar, the Bar’s Creed of Professionalism, and the oath of admission, they form an integrated set of standards describing both the ethical duties lawyers must follow and the customary practices that promote civility and fairness.

The court acted March 19 in *In Re: Amendments to Rules Regulating The Florida Bar – Professionalism Expectations*, [Case No. SC2025-1347](#).

The revisions, which were recommended by the Board of Governors last year, were proposed by two Naples attorneys, Edward K. Cheffy and [Laird Lile](#), the latter a former member of the Board of Governors.

The amendments include:

- For Expectation 1.9, which addresses billing practices under certain types of representation agreements, language advising lawyers to “avoid charging unnecessary expenses to the client” is deleted and moved to a newly added Expectation 1.14 to operate as a standalone expectation.
- Expectation 1.11, which advises that lawyers should continue to provide diligent representation until formal dissolution of the lawyer-client relationship, is amended by deleting “and the client’s best interests” from “until the lawyer-client relationship is formally dissolved in compliance with the law and the client’s best interests.”
- Expectation 2.4, which addresses timely service on the opposing party, is amended to replace the word “pleadings” with “documents required to be served.”
- Expectation 3.11, which directs lawyers not to prevent a deponent from answering a question unless there is a legal privilege, is amended to add two other exceptions: when the instruction not to answer is “necessary to enforce a limitation on evidence directed by the court,” and when the instruction is made “in connection with a motion to terminate or limit the examination of a deponent.”
- Similarly, Expectation 4.9, which states that a lawyer should only refuse disclosure during discovery if there is a legal privilege, is amended to add “or a valid legal objection.”
- Regarding Expectation 4.10, which addresses disorganized, unintelligible, and inappropriate discovery responses, the phrase “in an attempt to conceal evidence” is deleted so that the lawyer’s subjective intent is not the basis of the disfavored behavior.
- Expectation 4.20, which advises lawyers not to criticize or denigrate opposing parties, witnesses, or the court to clients, media, or members of the public, is amended to delete “criticize or.”

- Expectation 5.1, which currently advises lawyers to “encourage” their support personnel to abstain from rude, disruptive, and disrespectful behavior, is amended to advise the lawyer to “instruct” their support personnel to abstain from such behavior.
- Finally, Expectation 6.10, which instructs lawyers to “respond promptly to inquiries and communications from clients and others,” is amended by deleting “and others.”

The amendments become effective May 18 at 12:01 a.m.

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