



# Inactive vs. Retirement: What's the Difference?

**When you no longer wish to be an active member of The Florida Bar, you have a choice to make: become Inactive or choose Retirement. But what's the difference? How do you know which choice is right for you?**

**This guide explores the differences between the two, and explores the criteria you need to meet, fees you may need to pay, and how to reinstate back to active status if you wish to become an active member of The Florida Bar.**

## **I. Inactive Status**

### **What are the Criteria?**

In order to apply for inactive status, you must be considered In Good Standing with The Florida Bar. This means that all of your annual fees and dues are paid, you are up to date on all of your Continuing Legal Education (CLE), and you are not delinquent suspended, disbarred, etc.

### **When Can I Become Inactive?**

You are only able to apply for inactive status during one specific part of the year: fee season. If you choose to go inactive, you must indicate your choice on the annual fee statement and submit, along with your fee payment, to Membership Records on or before August 15 of that year. You are unable to go inactive at any other time of the year.

### **Are There any Fees?**

Once inactive, you will pay \$175.00 annually to remain in good standing.

### **What Happens once I am Inactive?**

While you are inactive, you will not be able to practice law, be board certified, or vote in any election for The Florida Bar. You will also not be required to submit CLEs. You may remain inactive indefinitely, as long as you remain in good standing. You have the option of reinstating at any time.

### **How Do I Return to Active Status?**

If you decide you want to become active again, you will need to fill out an application requesting the change back to active status. If you have been inactive for less than five years, there are no additional requirements to become active. If you have been inactive for over five years, then one of two requirements is needed:

1. If you have been inactive for over five years and practicing in another jurisdiction, you will need to complete The Florida Law Update CLE.
2. If you have been inactive for five years and have not been practicing, you will need to complete both Phase 1 and Phase 2 of the Basic Skills Course Requirement and complete a full cycle of CLE (30 general including the 2-hour professionalism course, 3 technology, and 3 professional responsibility). As the Basic Skills courses also count for CLE credit, it is recommended those are taken first.

## **II. Retirement**

### **What are the Criteria?**

You can apply for retirement at any time throughout the year. You must be in good standing to elect retirement with the option to reinstate within the allotted 5-year reinstatement period. If you are delinquent and not in good standing, and do not wish to resolve your current delinquencies, you must petition for ‘permanent retirement.’ If approved for permanent retirement, you forfeit the 5-year reinstatement period and will be ineligible for reinstatement or readmission under the Rules Regulating the Florida Bar, or through the Florida Board of Bar Examiners.

### **What Happens once I am Retired?**

If you elect retirement, you are unable to practice law in the state, and you will not have a CLE cycle. You can still be subject to disciplinary action for any events that occur before your effective retirement date.

### **How Do I Return back to Active Status?**

If you elect retirement status, but wish to return to The Florida Bar within five years of your effective date, you will need to

1. Complete the [Petition for Removal of Retirement Status](#).
2. Ensure you are caught up on any outstanding dues/fees.
3. Complete any outstanding CLEs.

If you have been retired for over three years, you will need to complete 10 hours of CLE for each year you were retired.

After 5 years from your effective date, if you have not reinstated, you will be placed on permanent retirement status and you will be ineligible to reinstate through The Florida Bar. You will need to contact The Florida Board of Bar Examiners.

### **I'm Ready to Retire. Where Can I Find the Application?**

While inactive status is marked on the fee statement, Retirement requires an application that you can find [here: Petition for Retirement](#).

### **Who Should I Contact if I have any Questions?**

Questions regarding the applications to Remove Inactive Status, Petition for Retirement or Remove Retirement, can be answered by Membership Records at 850-561-5832 or [membershiprecords@floridabar.org](mailto:membershiprecords@floridabar.org)

Membership Records  
651 E. Jefferson Street  
Tallahassee, FL 32399-2300

Questions regarding the CLE requirement can be answered by Legal Specialization and Education (LSE) at 850-561-5842 or [clemail@floridabar.org](mailto:clemail@floridabar.org)

### **Helpful Links**

- [Membership Records Forms and Petitions](#)
- [Rules Regulating The Florida Bar: Chapter 1](#)
- [General CLE Info & Requirements](#)