

The Florida Bar Board of Governors  
January 27, 2012  
Hotel Duval  
Tallahassee, Florida

**1. Roll Call**

Scott G. Hawkins, President  
Gwynne A. Young, President-elect  
Stephen H. Echsner, 1<sup>st</sup> Circuit  
Lawrence E. Sellers, 2<sup>nd</sup> Circuit  
William H. "Bill" Davis, 2<sup>nd</sup> Circuit  
Clay A. Schnitker, 3<sup>rd</sup> Circuit  
S. Grier Wells, 4<sup>th</sup> Circuit  
Michael G. Tanner, 4<sup>th</sup> Circuit  
Lawrence Scott Kibler, 5<sup>th</sup> Circuit  
Andrew B. Sasso, 6<sup>th</sup> Circuit  
Sandra Fascell Diamond, 6<sup>th</sup> Circuit  
Sandra C. Upchurch, 7<sup>th</sup> Circuit  
Carl B. Schwait, 8<sup>th</sup> Circuit  
Mary Ann Morgan, 9<sup>th</sup> Circuit  
Paul Louis SanGiovanni, 9<sup>th</sup> Circuit  
Ramon A. Abadin, 11<sup>th</sup> Circuit  
Leslie J. Lott, 11<sup>th</sup> Circuit  
Michael J. Higer, 11<sup>th</sup> Circuit  
Dennis G. Kainen, 11<sup>th</sup> Circuit  
Juliet M. Roulhac, 11<sup>th</sup> Circuit  
John H. Hickey, 11<sup>th</sup> Circuit  
L. Norman Vaughan-Birch, 12<sup>th</sup> Circuit  
William J. Schifino, Jr., 13<sup>th</sup> Circuit  
Lansing C. Scriven, 13<sup>th</sup> Circuit  
Margaret Diane Mathews, 13<sup>th</sup> Circuit  
Michael S. Hooker, 13<sup>th</sup> Circuit  
David C. Prather, 15<sup>th</sup> Circuit  
Gregory W. Coleman, 15<sup>th</sup> Circuit  
Michelle R. Suskauer, 15<sup>th</sup> Circuit  
Gary Shepard Lesser, 15<sup>th</sup> Circuit  
Edwin A. Scales III, 16<sup>th</sup> Circuit  
Walter G. Campbell, Jr., 17<sup>th</sup> Circuit  
Adele Ilene Stone, 17<sup>th</sup> Circuit  
Eugene K. Pettis, 17<sup>th</sup> Circuit  
Jay Cohen, 17<sup>th</sup> Circuit  
Timothy L. Bailey, 17<sup>th</sup> Circuit  
Clifton A. McClelland, Jr., 18<sup>th</sup> Circuit  
John M. Stewart, 19<sup>th</sup> Circuit  
Laird A. Lile, 20<sup>th</sup> Circuit  
Richard A. Tanner, Out-of State

Ian M. Comisky, Out-of-State  
Eric L. Meeks, Out-of-State  
Brian D. Burgoon, Out-of-State  
Sean T. Desmond, YLD President  
Paige Adonna Greenlee, YLD President-elect  
Winston W. Gardner, Jr., Public Member  
Alvin V. Alsobrook, Public Member

Members Absent:

Scott R. McMillen, 9<sup>th</sup> Circuit  
C. Richard “Rick” Nail, 10<sup>th</sup> Circuit  
Dori Foster-Morales, 11<sup>th</sup> Circuit  
John W. Manuel, 14<sup>th</sup> Circuit  
Scott W. Weinstein, 20<sup>th</sup> Circuit

**2. Guests**

Victoria Mendez, Cuban American Bar Association  
Susan Healy, Florida Association for Women Lawyers  
SháRon James, Virgil Hawkins Florida Chapter, National Bar Association

**3. Staff in Attendance**

John F. Harkness, Jr., Executive Director  
Paul Hill, General Counsel  
John Berry, Bar Counsel  
Ken Marvin, Director, Lawyer Regulation  
Mary Ellen Bateman, Director, Ethics and Advertising, UPL, and Special Projects  
Elizabeth Clark Tarbert, Ethics and Advertising Counsel  
Lori Holcomb, Unlicensed Practice of Law Counsel,  
Chris Pollan, Director of Information Technology  
Mike Garcia, Director Research, Planning, and Evaluation  
Francine Walker, Director, Public Information  
Rosalyn A. Scott, Assistant to the President  
Gary Blankenship, Senior Editor, Florida Bar *News*

**4. Invocation and Pledge of Allegiance**

Young Lawyers Division President Sean Desmond delivered the invocation and led the board in the Pledge of Allegiance.

**5. Appearance by Former Bar Presidents Herman Russomanno and Howard Coker**

Russomanno and Coker reported to the board that there is anticipated active opposition to the three Supreme Court justices who will be up for merit retention next year which will focus on issues rather than the competency and ability of the justices to serve. Similar campaigns have been waged in other states and are expected to be tried in Florida for the 2012 elections. Bar President Scott Hawkins noted the Bar will have a public education program this summer and fall to inform voters about the merit selection and retention system.

## **6. Appearance by Kathy Maus, Tallahassee Bar Association President.**

Maus welcomed the board to Tallahassee.

## **7. Minutes Approval**

The minutes from the board's December 9, 2011, were approved. That approval included ratifying Executive Committee actions taken since the December meeting. Those include:

- At a December 20, 2011, meeting, the Executive Committee approved slates of judicial nominating commission nominees recommended by their respective JNC screening committees to replace slates rejected by the governor. Those nominated were: First Circuit JNC for 2011 – Thomas F. Gonzalez, Pensacola, C. Jeffrey McInnis, Ft. Walton Beach, and Amy A. Perry, Miramar Beach; Fourth Circuit JNC for 2010 – Richard R. Alexander, Jacksonville, Michael S. Mullin, Fernandina Beach, and Richard Plotkin, Jacksonville; Fourth Circuit JNC for 2011 – William C. Gentry, Jacksonville, Robert E. O'Quinn, Jacksonville, and Cherry Alice Shaw, Jacksonville; Seventh Circuit JNC for 2010 – Katherine H. Miller, Daytona Beach; Theodore W. Small, Jr., Deland, and Raven E. Sword, Palm Coast; and Seventh Circuit JNC for 2011 – Robin A. Compton, Palm Coast, Steven N. Gosney, Ormond Beach, and Phillippe M. Raymond Reid, Jr., Jacksonville (in St. Johns County).

- At a January 11, 2012, meeting, the Executive Committee voted 10-0 to allow the Business Law Section to file an amicus brief, responding to the invitation of the U.S. Ninth Circuit Court of Appeals in *In re Bellingham Insurance Agency, Inc.*, No. 11-35162 (W.D. WA Jan 21, 2011). The brief will not address the facts or legal issues of the appeal but will be limited to whether a fraudulent transfer action filed by a bankruptcy trustee may finally be adjudicated by a bankruptcy court.

- At a January 12, 2012, meeting the Executive Committee voted 8-0 not to prohibit the Family Law Section from taking the following legislative positions:

- Opposes any rule or proposed legislation that would substantially alter the current structure of permanent alimony in Florida.
- Supports continued consideration of both marital and non-marital assets in determining need and ability to pay for alimony awards.
- Supports codification of existing case law that an award of life insurance to secure an award of alimony can only happen in exceptional circumstances after determining need and ability to pay.
- Opposes any attempt to make bridge the gap alimony modifiable in amount or duration.
- Opposes any attempt to impose a cap on durational alimony that is less than the length of the marriage.
- Opposes any proposed legislation that would allow modification or termination of existing awards of alimony based solely on legislative changes to F.S. § 61.08.
- Opposes any proposed legislation that would remove the standard of living as a factor for the court to consider in awarding alimony.
- Opposes any proposed legislation that caps the duration of an award of permanent alimony.
- Opposes any proposed legislation that provides a statutorily authorized automatic termination or reduction of permanent alimony other than death or remarriage.
- Supports amendment of F.S. Chapter 88 to fix certain "glitches" created by the

2011 amendments of the statute which provided for adoption of the 2008 version of Uniform Interstate Family Support Act.

- On January 17, 2012, President Hawkins took emergency action and determined the Bar should not prohibit the Family Law Section from taking the following position: Opposing any rule or proposed legislation which attempts to limit the court's discretion in limiting suit money in temporary matters.

- At a January 20, 2012, meeting the Executive Committee voted 11-1 to allow the Criminal Law Section and the Public Interest Law Section to file separate amicus briefs in *Public Defender, 11th Judicial Circuit of Florida v. State of Florida*, 12 So. 3d 798 (Fla. 3d DCA 2009) and *State v. Bowens*, 39 So. 3d 479, 481 (3d DCA 2010), which have been consolidated on appeal at the Supreme Court. The cases address constitutional implications of legislative funding for public defenders' officers and the role of the judicial branch in addressing related issues of legal ethics and lawyers' professional responsibilities.

### **8. Consent Agenda Approval**

The board approved the consent agenda after item 5b(i), advertising appeal 30479, was removed to be discussed during the Board Review Committee on Professional Ethics report. The agenda vote included approval of the following items.

- Appointment of Beth Blackwelder as a public member to the Fifth Circuit UPL Committee, the appointment of Andrew Jeffrey Joseph Collinson as an attorney member to UPL Committee 6A, and the appointment of Jack Levine as a public member of UPL Committee 11B.

- An amendment to Rule 2-7.3, Creation of Sections and Divisions: Adds new Alternative Dispute Resolution Section to the list of approved sections; renumbers accordingly.

- An amendment to Rule 14-1.2 (Fee Arbitration), Jurisdiction: Within subdivision (a), deletes the cap on attorneys' fees as a requirement for jurisdiction; renumbers accordingly.

- An amendment to Fee Arbitration Procedural Rules; Rule II, Selection of Arbitrators: Within subdivision (a), decreases monetary threshold for panel of three arbitrators from \$75,000 to \$15,000. Stylistic changes to conform to Supreme Court Style Guide.

- An amendment to Fee Arbitration Procedural Rules, Rule VII; Standards for Certification and Training: Within subdivision (d), provides compensation for mileage for arbitrators who handle arbitration hearings outside the circuit in which the arbitrator resides. Within subdivisions (c) and (d), stylistic changes to conform to Supreme Court Style Guide.

- An amendment to Rule 10-3.1 (Unlicensed Practice of Law) Generally: Within subdivision (a) reduces the number of committee members from 37 to 25 and the number of nonlawyers from 18 to 12 maintaining the current ratio of lawyers to public members. Some language throughout the proposal is rearranged or edited to conform to the style guide or plain language guidelines.

- Amendments to Chapter 12 – Emeritus Attorneys' Pro Bono Participation Program: Three rules (noted below) were amended to allow an Authorized House Counsel to participate in the Emeritus Attorneys' Pro Bono Participation Program. The amendments for these three rules as well as the rest of chapter 12 were amended for clarity and to conform to the Supreme Court Style Guidelines. Rule 12-1.2, within subdivision (a), allows an Authorized House Counsel to be certified as an Emeritus Attorney to provide pro bono legal services. Rule 12-1.5, adds new subdivision (a)(3) to allow an exemption for an Authorized House Counsel applying for Emeritus Attorney status from having to supply a certificate of good standing. Rule 12-1.6, adds

new subdivision (a)(3) to provide that if an individual's Authorized House Counsel status is revoked, their Emeritus Attorney status is also revoked.

- An amendment to Rule 20-2.1(c) Paralegal Work and Paralegal Work Experience: Within subdivision (c), clarifies the number of years needed to meet the definition of recent paralegal work; also deletes the words "set forth herein" to conform to Supreme Court style guide.

- Amendments to Rule 20-6.1 Generally (Continuing Education): Amendments require a Florida Registered Paralegal (FRP) who has been revoked for failure to meet the continuing education (CE) requirement to complete a certain number of continuing education courses before re-registration. The number of hours required is contingent upon the number of years the FRP was registered and the number of hours completed prior to revocation.

- The board agreed not to prohibit these legislative positions by the Business Law Section: Supports HR 1021 Re: Temporary Bankruptcy Judgeships Extension Act of 2011. (Bill is pending before U.S. Congress.); and supports HR 2533 Re: Chapter 11 Bankruptcy Venue Reform Act of 2011.

### **10. Real Property, Probate and Trust Law Section Report**

Section Chair George Meyer reported on the section's CLE, legislative, and other activities, including its annual convention. He noted the section's policies encourage new ideas and new members in leadership roles.

### **11. Public Reprimands**

President Hawkins delivered three public reprimands.

### **12. Budget Committee Report**

Committee Chair William Schifino reported the committee reviewed amendments to advertising rules 4-7.3 and 4-7.5 and found they had no fiscal impact on the Bar. He presented one amendment for the 2011-12 budget, which increased the Media Law conference budget by \$4,829 for speaker expenses related to moving the conference to the June Annual Convention. Schifino announced the committee is working on the 2012-13 Bar budget, to be presented at the board's March meeting and which is expected to be balanced and not require an increase in annual membership fees.

The committee also presented on first reading this Bar rule amendment – Rule 1-7.3 Membership Fees: Within subdivisions (c) and (e), adds language so that the Bar can notify Bar members of their late fees via electronic mail; requires an electronic return receipt. Other amendments are made to conform to the Supreme Court style guide, but do not change the substance of the rule; deferred by Budget Committee at December board meeting.

### **13. Investment Committee Report**

Committee Chair Ian Comisky reported the Bar had a very good fourth quarter on investment returns for 2011, and has, as of January 23, 2012, made back all the losses from the market turbulence of the third quarter 2011. However, he said the committee is examining the Bar's mix of investments because its conservative mix is supposed to be less volatile than the overall market but in recent months has had about the same volatility of the broader market. The

committee has also reallocated money among some of the funds to stay within the investment guidelines for those funds.

#### **14. Special Commission to Honor Marshall R. Cassidy, Jr., Report**

Former Supreme Court Chief Justice and commission Chair Major B. Harding reported to the board that President Hawkins formed the commission to explore a fitting memorial for Cassidy, who passed away recently and who served as Bar executive director from 1961 to 1980. He invited input from board members on the appropriate way to honor Cassidy.

#### **15. Audit Committee Report**

Committee Chair Leslie Lott reported the committee held the required meeting with auditors on the review of the Bar's 2011-12 fiscal year and the auditors confirmed the written report that the Bar had a clean audit and is in healthy financial condition.

#### **16. Communications Committee Report**

Committee Chair Greg Coleman introduced Bar IT Director Chris Pollan, who gave a demonstration of the new mobile device "app," the first offered by the Bar, which will enable users to get and share Bar *News* stories. Coleman said the committee has identified software that may solve the Bar's public record-keeping obligations and allow the Bar to establish a presence on the Facebook social media service, and perhaps also Twitter. He also reported a subcommittee has been set up to examine a proposed Bar *Journal* editorial policy prohibiting articles on legal issues that are pending in an active court case.

#### **17. Legislation Committee Report**

Committee Co-chair Ed Scales introduced Chief Legislative Counsel Steve Metz who said the Bar is poised for a successful year in the Legislature. He said leaders in both chambers appeared supportive of maintaining court funding without cuts and the House initial budget accomplished that with some additional money to handle the foreclosure backlog. The budgets will use more state general revenues and rely less on court fees and fines, which should stabilize court funding, he said. Other legislative issues being followed by the Bar are attempts to allow state agencies to pay the Bar membership fees for their lawyers, getting funding for the Civil Legal Assistance Act, and tracking a proposed constitutional amendment raising the mandatory retirement age for judges from 70 to 75. He also noted House and Senate bills which would allow the governor to remove his five direct appointments to each of the state's 26 separate judicial nominating commissions at any time and for any reason. The bills would not affect the four appointments made from slates nominated by the Bar on each nine-member commission.

Committee Co-chair Ray Abadin presented two requested legislative positions from the Real Property, Probate and Trust Law Section and the board voted not to prohibit these positions:

- Opposing the expansion of classes that are to serve as agencies under a power of attorney beyond the current class of individuals and financial institutions with trust powers.
- Opposing elimination of the requirement that title insurance agencies deposit securities having a value of \$35,000 or a bond in that amount for the benefit of any title insurer damaged by an agency's violation of its contract with the insurer.

### **18. Appellate Practice Section Report**

Chair Matt Conigliaro said the section has begun a monthly call-in CLE program, is participating in student education programs through the Florida Law Related Education Association, and is continuing its pro bono work for pro se litigants in appeals. He said an analysis of the section's CLE programs mirrors other Bar programs in showing a shift from live to online presentations.

### **19. Government Lawyer Section Report**

Chair Ward Griffin said lawyers working for the state were hard hit by the decision not to allow agencies to pay their lawyers' Bar membership fees and CLE costs, particularly after several years without raises and have also faced potential layoffs. He said a member from the section's Executive Council will be attending every Board of Governors meeting this year.

### **20. Board Review Committee on Professional Ethics Report**

The board acted on these three issues presented by board member Carl Schwait on behalf of the committee:

- On agenda item 5b(i), advertising appeal 30479, which was removed from the consent calendar, the Board Review Committee on Professional Ethics voted 8-0 to recommend that the Board of Governors affirm the Standing Committee on Advertising in the appeal of advertising inquiry 30479 and find that it is misleading for a retired circuit court judge to be identified as "Trial Resolution Judge [John Doe]" in an advertisement promoting his private voluntary trial resolution business. The Board of Governors approved the Board Review Committee on Professional Ethics recommendation by voice vote.

The Board Review Committee on Professional Ethics voted 8-0 to affirm the Standing Committee on Advertising in the appeal of advertising inquiry 30479 and determine that the following proposed statements in an advertisement by a retired circuit court judge promoting his private trial resolution practice are misleading under Rule 4-7.2(c)(1):

[John Doe], Esq.  
Trial Resolution Judge  
[John Doe], Esq.  
Private Judge.

The Board of Governors approved the Board Review Committee on Professional Ethics recommendation by voice vote.

The BRC voted 8-0 to recommend that the Board of Governors reverse the Standing Committee on Advertising in the appeal of advertising inquiry 30479 and determine that the filer may use the words "retired circuit judge" after his name, because it is not being used as a title, it is not misleading under Rule 4-7.2(c)(1), and is consistent with Florida Advertising Opinion A-09-1:

[John Doe], Esq.  
Retired Circuit Judge

The Board of Governors approved the Board Review Committee on Professional Ethics recommendation by voice vote.

The Board of Governors also voted to refer the issue back to Bar staff for further review.

- On amendments to advertising rules pending at the Supreme Court, the BRCPE voted 6-2 to recommend that the Board of Governors approve the amendments to pending lawyer advertising rules 4-7.3 and 4-7.5 on pages 20(a)3-6 in the board backup materials. The changes prohibit lawyers from using authority figures such as judges and law enforcement figures, or actors portraying authority figures such as judges and law enforcement officials, who act as spokespersons or otherwise endorse or recommend a lawyer or law firm in lawyer advertisements, and delete an example of a manipulative portrayal as likely to be permissible under *Zauderer* in the comment to proposed rule 4-7.5.

The Board of Governors approved by voice vote the Board Review Committee on Professional Ethics recommendation as modified on the floor by changing “professional” to “profession” on line 46, changing “would” to “could” on line 47, and by deleting “or unduly manipulative” on lines 47-48. The Board of Governors voted by voice vote with one objection to waive all rules amendments requirements not met, including review by the Program Evaluation Committee, second reading and publication 30 days before filing with the Supreme Court of Florida.

- The BRC voted 6-2 to recommend that the Board of Governors request the Professional Ethics Committee to issue a formal opinion on whether and under what circumstances lawyers may permit a lawyer’s support staff to use the lawyer’s log-in name and password for the E-Portal to file documents in the Florida court system. The Board of Governors voted to defer this issue until its March 2012 meeting.

## **21. Executive Session**

The board went into executive session to discuss grievance and other confidential matters.

## **22. Appearance by Chief Justice Charles Canady**

Chief Justice Canady thanked the board for its support of adequate funding for the court system and said it appeared there will be no cuts for the courts in the coming year. He asked for help in the coming years in restoring funding for programs that boost the efficiency of the courts.

## **23. Juvenile Court Rules Committee Report**

Board member Paige Greenlee presented the recommendation to remove Form 8.991 from the committee’s proposed three-year cycle rule amendments because the form was no longer needed due to of changes to state law. The board voted 35-0 to recommend approval of that change.

## **24. Young Lawyers Division Report**

YLD President Sean Desmond reported on the recent successful Affiliate Outreach Conference and said the division is working with the Program Evaluation Committee on enhancing the SCOPE program. He said the Law Student Division has been working on a professionalism

program and it will start at Florida State University in the spring, and then expand to other law schools.

### **25. Commission on Review of the Discipline System Report**

President-elect Designate Gene Pettis reported that the commission, which is reviewing the Bar's disciplinary system, had its first in-person meeting earlier in January. The commission's three subcommittees hope to have their preliminary recommendations ready by March so the commission can present its recommendations to the board by its May meeting.

### **26. Program Evaluation Committee Report**

Chair Jay Cohen said the committee is studying several Bar committees and programs and will soon be making recommendations to the board. Those include the SCOPE program, the statewide Lawyer Referral Service, procedural rules committees and how sections and other committees are informed of their recommendations, and the Prepaid Legal Services Committee. The committee is continuing to examine a non-voting seat on the Board of Governors for a government lawyer. Cohen said the committee was concerned the request was a result of a feeling of disenfranchisement and the committee wants to address that perception.

The committee presented on first reading an amendment to the Bylaws - Entertainment, Arts, and Sports Law Section: Language added to clarify that email voting is allowed if the council member is present in-person or on the telephone conference call.

### **27. Committee to Study the Decline in Jury Trials Report**

Chair Jay Cohen presented the committee's findings and recommendations relating to the decline of civil and criminal jury trials in both the state and federal court system. He said the decline of trials is a matter of concern because it will ultimately affect a fair and impartial system of justice. The board received the report of the committee.

### **28. Special Committee on Lawyer Referral Services Report**

Chair Grier Wells reported the committee has made four tentative recommendations and is awaiting input from Outside Counsel Barry Richard on another proposal to prohibit lawyers from belonging to referral services that also refer callers for medical assistance. The committee hopes, he said, to submit its final report during the current fiscal year.

### **29. Appearance by Justice Peggy Quince and Justice Barbara Pariente**

Justices Quince and Pariente said that they and Justice Fred Lewis expect organized opposition for their merit retention vote in the November general election and they accordingly have filed such with the state and consequently are gearing up their retention campaigns. They said similar campaigns against incumbent judges and justices in other states have not focused on whether those judges and justices were competent and followed the law, but whether they voted the perceived "correct" way on certain issues.

### **30. Disciplinary Procedure Committee Report**

Chair Clif McClelland presented two items on first reading:

- Rule 3-7.2(f) Suspension by Judgment of Guilt in Felony Case: Rule 3-7.2(f) Within subdivision (f), allows the Bar and the respondent to file an immediate consent judgment for

disbarment or for disciplinary revocation if the respondent wishes to resolve the matter immediately following a judgment of guilt in a felony case.

- Rule 5-1.2(b) and (c), Trust Accounting Records and Procedures (Responsibility of Lawyers for Firm Trust Accounts and Appendix of Trust Accounting Forms): Within subdivision (b), adds new subdivision (5) which sets forth records requirements for wire transfers. Adds a new subdivision (c) to delineate each lawyer's responsibility within a firm relating to the trust account and requires the firm to have a plan distributed among firm attorneys describing which lawyers handle trust account responsibilities. Reletters subdivisions accordingly. Within new subdivision (d), clarifies that if a lawyer fails to file the trust accounting certificate, the lawyer will be deemed a delinquent member and ineligible to practice law.

McClelland said the second rule issue is an attempt to make trust accounting rules reflect the actual trust accounting practices in many firms and also make the rules easier to comply with.

### **31. Public Member Screening Committee Report**

Chair Michael Higer said that 13 people had applied for the upcoming public member vacancy on the Board of Governors and the committee expected one or two more people to apply.

### **32. Strategic Planning Committee Report**

President-elect Gwynne Young reported on the annual strategic planning retreat held the previous November. She said the committee recommended adding a fifth goal to the Bar's Strategic Plan: "Continue to Encourage and Promote Diversity and Inclusion in All Aspects of the Profession and the Justice System." The board approved that recommendation and the strategic plan for 2012-15.

### **33. Special Appointments**

The board appointed Benjamin L. Crump of Tallahassee and Stephen R. Senn of Lakeland to three-year terms on The Florida Bar Foundation Board of Directors. The terms begin July 1. The board also appointed Ira B. Price of Miami to a two-year term, effective immediately, on the Florida Realtor-Attorney Joint Committee.

### **34. New Business**

Board member Bill Davis moved that the Bar oppose SB 1570, and its House companion, HB 971, which makes the governor's five direct appointments to each JNC at-will appointments, subject to removal at any time for any reason. After extensive discussion, the board by a voice vote tabled the motion.

### **35. Moment of Silence**

President Hawkins called for a moment of silence for Mark Gregoire, husband of former board member Nancy Gregoire, who recently passed away from cancer.

### **36. Time and Place of Next Meeting**

There being no further business, President Hawkins adjourned the meeting at 3:20 p.m. The next board meeting is March 23 at the Pensacola Beach Hilton.

## SUBJECT INDEX

APPEARANCE BY CHIEF JUSTICE CHARLES CANADY .....	8
APPEARANCE BY FORMER BAR PRESIDENTS HERMAN RUSSOMANNO AND HOWARD COKER .....	2
APPEARANCE BY JUSTICES PEGGY QUINCE AND BARBARA PARIENTE ...	9
APPEARANCE BY KATHY MAUS, TALLAHASSEE BAR ASSOCIATION PRESIDENT .....	3
APPELLATE PRACTICE SECTION REPORT .....	7
AUDIT COMMITTEE REPORT .....	6
BOARD REVIEW COMMITTEE ON PROFESSIONAL ETHICS REPORT .....	7
BUDGET COMMITTEE REPORT .....	5
COMMISSION ON REVIEW OF THE DISCIPLINE SYSTEM REPORT .....	9
COMMITTEE TO STUDY THE DECLINE IN JURY TRIALS REPORT .....	9
COMMUNICATIONS COMMITTEE REPORT .....	6
CONSENT AGENDA APPROVAL .....	4
DISCIPLINARY PROCEDURE COMMITTEE REPORT .....	9
EXECUTIVE SESSION .....	8
GOVERNMENT LAWYER SECTION REPORT .....	7
GUESTS .....	2
INVESTMENT COMMITTEE REPORT .....	5
INVOCATION AND PLEDGE OF ALLEGIANCE .....	2
JUVENILE COURT RULES COMMITTEE REPORT .....	8
LEGISLATION COMMITTEE REPORT .....	6
MINUTES APPROVAL .....	3
MOMENT OF SILENCE .....	10
NEW BUSINESS .....	10
PROGRAM EVALUATION COMMITTEE REPORT .....	9
PUBLIC MEMBER SCREENING COMMITTEE REPORT .....	10
PUBLIC REPRIMANDS .....	5
REAL PROPERTY, PROBATE AND TRUST LAW SECTION REPORT .....	5
ROLL CALL .....	1
SPECIAL APPOINTMENTS .....	10
SPECIAL COMMISSION TO HONOR MARSHALL R. CASSEDY, JR., REPORT .....	6
SPECIAL COMMITTEE ON LAWYER REFERRAL SERVICES REPORT .....	9
STAFF IN ATTENDANCE .....	2
STRATEGIC PLANNING COMMITTEE REPORT .....	10
TIME AND PLACE OF NEXT MEETING .....	10
YOUNG LAWYERS DIVISION REPORT .....	8