

The Florida Bar Board of Governors  
May 29, 2009  
Westin Key West Resort & Marina  
Key West, FL

Pursuant to notice, the regular meeting of the Board of Governors of The Florida Bar was called to order at 9:00 a.m., Friday, May 29, at the Westin Key West Resort & Marina, Key West, FL, with President Jay White presiding.

**1. Roll Call**

John G. White, III	President
Jesse H. Diner	President-elect
Stephen H. Echsner	1st Circuit
Dominic M. Caparello	2nd Circuit
S. Grier Wells	4th Circuit
John J. Schickel	4th Circuit
Denise A. Lyn	5th Circuit
Andrew B. Sasso	6th Circuit
Murray B. Silverstein	6th Circuit
Charles Chobee Ebbets	7th Circuit
Carl B. Schwait	8th Circuit
Mayanne Downs	9th Circuit
Daniel L. DeCubellis	9th Circuit
Scott M. McMillen	9th Circuit
Ramon A. Abadin	11th Circuit
David Rothman	11th Circuit
Ervin A. Gonzalez	11th Circuit
Michael J. Higer	11th Circuit
Dennis G. Kainen	11th Circuit
Juliet Roulhac	11th Circuit
John H. Hickey	11th Circuit
Dori Foster-Morales	11th Circuit
L. Norman Vaughan-Birch	12th Circuit
William J. Schifino, Jr.	13th Circuit
William Kalish	13th Circuit
Gwynne Alice Young	13th Circuit
David C. Prather	15th Circuit
Gregory Coleman	15th Circuit
Scott G. Hawkins	15th Circuit
Lisa S. Small	15th Circuit
Edwin A. Scales	16th Circuit
Nancy W. Gregoire	17th Circuit
Eugene K. Pettis	17th Circuit
Jay Cohen	17th Circuit
Frank C. Walker, II	17th Circuit
Clifton A. McClelland, Jr.	18th Circuit

John M. Stewart	19th Circuit
Laird Lile	20th Circuit
A. Lawrence (Larry) Ringers	20th Circuit
Richard Arthur Tanner	Out of State
Ian M. Comisky	Out of State
Eric L. Meeks	Out of State
Brian D. Burgoon	Out of State
Jewel White Cole	Young Lawyers Division President
Roger J. Haughey, II	Young Lawyers Division President-elect
Arnell Bryant-Willis	Public Member
Alvin V. Alsobrook	Public Member

Members absent:

Lawrence E. Sellers, Jr.	2nd Circuit
Clay Schnitker	3rd Circuit
Robert M. Brush	10th Circuit
Clifford Sanborn	14th Circuit
Alison K. Bethel	17th Circuit

## **2. Guests**

Rebecca Steele, Florida Association for Women Lawyers  
Rachelle Munson, Virgil Hawkins Florida Chapter of the National Bar Association  
Ken Pratt, Virgil Hawkins Florida Chapter of the National Bar Association

## **3. Staff Attending**

John F. Harkness, Jr., Executive Director  
Mary Ellen Bateman, Division Director, Ethics and Advertising, UPL, and Special Projects  
John T. Berry, Division Director, Legal Division  
Lori Holcomb, Director, Unlicensed Practice of Law  
Ken Marvin, Director, Lawyer Regulation  
Elizabeth Tarbert, Director, Ethics and Advertising  
Francine Walker, Director, Public Information  
Kathy Bible, Disciplinary Procedure Committee Counsel  
Rosalyn A. Scott, Assistant to the President  
Gary Blankenship, Senior Editor, Florida Bar *News*

## **4. Invocation and Pledge of Allegiance**

Board member David Rothman gave the invocation and Board member Edwin Scales led the Pledge of Allegiance.

## **5. Appearance by Sir Peter Anderson**

Anderson, the honorary secretary general of the “Conch Republic” welcomed the board to Key West, gave a brief history of the Conch Republic rebellion, presented a Conch Republic flag to President Jay White, and swore in the board and guests as citizens of the republic.

## **6. Introduction of New Members**

New board members Mary Ann Morgan, Lance Scriven, and Tim Bailey were introduced to the board, as were Renee Thompson, who will join the board as president-elect of the Young Lawyers Division, and Tasha K. Dickinson of the Florida Association for Women Lawyers and Ken Pratt of the Virgil Hawkins Florida Chapter of the National Bar Association who will join as ex-officio members.

## **7. Comments from Rachelle Munson**

Munson invited board members to the gala being held at the Bar's Annual Convention by the Virgil Hawkins Florida Chapter of the National Bar Association celebrating its new book documenting the first 200-plus African American lawyers in Florida, covering a period from 1869 through 1979.

## **8. Out of State Division Report – Agenda Item 3(b)**

Chair Allyn David Kantor reported the Bar has about 13,000 out-of-state members, as well and 174 foreign members. Around 1,300 lawyers belong to the division, which has an active CLE program and maintains a website to assist its members.

## **9. Appellate Practice Section Report – Agenda Item 3(c)**

Chair Shiobhan Shea reported the section had been involved with an amicus brief in the case at the Supreme Court involving Governor Charlie Crist's refusal to appoint a judge to the Fifth District Court of Appeal. In the past year, the section's Pro Bono Committee has been very active, offering services in every area of the state and for all state and federal courts. The section was involved with court funding issues at the Legislature and also has offered government and legal aid attorneys the opportunity to take CLE courses at a reduced rate. The section is also offering CLE program via telephone and its website to improve their accessibility, and has put the section's highly-regarded appellate practice guide online.

## **10. Non-Roll Call items – Agenda Item 2**

Non-roll items were listed as item 12 on the grievance agenda and item 54 on the Clients' Security Fund Agenda. Board member Lisa Small was recused from item 18 on the grievance agenda. Board member Jake Schickel was recused from item 20 on the grievance agenda.

## **11. Approval of Minutes – Agenda Item 4**

The board approved minutes from its April 3 meeting in Coral Gables. The vote included endorsing actions taken by the Executive Committee and emergency legislative action taken by Bar leadership:

- At a March 23 Executive Committee meeting, approved emergency legislative positions for the Code and Rules of Evidence Committee and the Legal Needs of Children Committee, as follows. Code and Rules of Evidence Committee: (1) opposes creation of an evidentiary privilege for parent-child communications; (2) opposes creation of an exception to the evidentiary privilege for husband-wife communications in criminal proceedings in which one spouse is charged with murder in the first degree; and (3) opposes legislation regarding expert testimony that would reject the standard in *Frye v. United States*, 293 F. 1013 (D.C.Cir.1923) and otherwise provide for a three-part test to determine whether such testimony will be admitted in a particular case, per *Daubert v. Merrell Dow Pharmaceuticals*, 509 U.S. 579 (1993), and

further opposes legislation that would allow a party to request a pre-trial hearing to determine whether expert testimony could be admitted, and additionally provide for interlocutory appeal of such a determination. Legal Needs of Children Committee: supports legislation that would enable Florida to develop a comprehensive system and structure for child representation, which includes guardians ad litem, legal counsel for children, and public defender representation to adequately promote and protect the legal rights and remedies of children.

- At a March 27 Executive Committee meeting, approved the second amendment to The Florida Bar Retiree Health Plan to address a problem for a retiring employee and to address the long time it takes the Social Security Administration to process disability claims.

- Emergency legislative action taken March 27 by President Jay White, President-elect Jesse Diner, and Legislation Committee Chair Greg Coleman to not prohibit the Trial Lawyers Section from opposing legislation restricting the payment of attorney's fees – either to the attorney of the injured worker or to the attorney for the employer/carrier/self insured.

- At a March 30 Executive Committee meeting, approved allowing the Family Law Rules Committee to submit a comment to the Supreme Court, which had been requested by the court, on the Support Summary Sheet rule and form. The rules committee recommended against adoption of the rule and form but provided a rule and form for the Supreme Court's review should it choose to adopt them.

- Emergency legislative action taken April 6 by President White and Legislation Committee Chair Coleman not to prohibit the Business Law Section from advocating two legislative positions: (1) opposing definitions of "Credit Counseling Services" in SB 1132 (2009), HB 959 (2009) and HB 1045 (2009), and supporting clear definitions and language to exclude licensed Florida attorneys, including bankruptcy attorneys who represent debtors, from the scope of the bills; and (2) opposing HB 1135 (2009) and SB 2192 (2009) proposing creation of the "Florida Consumer and Small Business Arbitration Act."

- At an April 14 meeting, the Executive Committee took two actions. First, it approved proposed Family Law Rules Committees comments to correct two rules and seven forms proposed in amendments from the Committee on Access to Court Records. The Family Law Rules Committee also recommended amendments to implement the access committee's proposals on redacting personal and account information. Second, it approved a request from the Appellate Practice Section to file an amicus brief in the writ of mandamus action filed by retired Fifth District Court of Appeal Judge Robert J. Pleus, Jr., with the Supreme Court seeking to force Gov. Charlie Crist to name his successor.

- At an April 21 meeting, the Executive Committee approved the request of the Family Law Rules Committee to file comments with the Supreme Court opposing amendments to *Florida Rule of Juvenile Procedure 8.257* proposed by the Juvenile Court Rules Committee as part of its three-year cycle rule amendments. The Family Law Rules Committee opposed the changes in the interests of preservation, conservation and good stewardship of judicial labor and resources, fiscal costs to the litigants, and assurances of due process.

- In an emergency action on May 4, President White decided not to prohibit the Trial Lawyers Section from taking the following legislative position: opposing graduated filing fees in designated types of cases based upon the value of the claim, consistent with the State Courts System's *Seven Principles for Stabilizing Court Funding* (January 2009) which specifies, in paragraph (e) that additional or increased filing fees should be considered, but only after an adequate review of the distribution of the current filing fee revenue has been made. The section continues its support for adequate court funding as a number one goal. The section supports

additional filing fees that are constitutional, reasonable, and uniformly applied; however, it opposes any graduated filing fees whether they be for personal injury, family law, foreclosure, business litigation, tort actions, or probate case.

## **12. Consent Agenda – Agenda Item 5**

The board approved the consent agenda. That included final action on the following items:

- In Rule 3-7.5 Procedures Before the Board of Governors: Within subdivision (g), adds language to include the executive director's designees as records custodians of official Bar records.
- In Rule 3-7.7, Procedures Before the Supreme Court of Florida: Within subdivisions (c) through (f), amends the nomenclature of the bar rule and time periods for filing answer briefs and reply briefs identical to those for filing notices of appeal and briefs in regular appeals under rule 9.210, Florida Rules of Appellate Procedure; within subdivision (h), allows pending disciplinary cases to be dismissed by the court in final orders in disciplinary revocation cases as well as disbarment cases.
- In Rule 6-12.3, (BLSE) Requirement: Within subdivision (a), eliminates the "in-person" attendance requirement for Basic Skills CLE and allows the method of transmission to be via live or electronic means.
- In Rule 3-12.4, (BLSE) Deferment and Exemption: Within subdivision (b)(2)(B), changes the "attendance" requirement to "completion" for Basic Skills CLE after a deferment expires.
- Revisions to the Public Interest Section Bylaws.
- Revisions to the Family Law Section Bylaws.
- Standing Board Policy 6.30, Fees for CLE Courses: Increases the base course registration fee from \$105 to \$115.
- Rule 20-3.1 (Florida Registered Paralegal Program) Requirements for Registration: Within subdivision (a)(2), allows a degree higher than a bachelor's degree to be used for eligibility for registration.
- Rule 20-4.1 (Florida Registered Paralegal Program) Generally: Within subdivisions (d) and (e), specifies that if there is an open unlicensed practice of law investigation against an applicant at the time of application or renewal, the application or renewal will be held as pending until the investigation is resolved.
- Rule 20-5.1 (Florida Registered Paralegal Program) Generally: Within subdivision (c), specifies that a finding of unlicensed practice of law within the last 7 years will preclude registration and adds new subdivision (g), to clarify that an applicant who is providing services directly to the public is ineligible for registration.
- Approval of partial annual membership refunds for member objections to legislative positions 15 and 16 for the 2008-10 biennium.

## **13. Investment Committee Report – Agenda Item 15**

Chair Ian Comisky reported that Bar investments had improved in the second quarter, with a 4.65 percent returned and nearly a \$2 million increase in the Bar's long-term portfolio. Because of stock market declines, the Bar's cash holdings remained slightly over the recommended target and the committee recommended the board extend its approval of cash exceeding the target as the committee and the Bar's advisors continue to address that issue. The board unanimously approved the recommendation. Comisky also said the committee is continuing its ongoing

review to see if the Bar's investment strategy needs to be changed to meet possible changes in the market stemming from the recent financial upheavals.

#### **14. Budget Committee Report – Agenda Item 14**

Budget Committee Chair Gwynne Young presented objections to the 2009-10 budget that was approved by the board at its April meeting. She reported the only objection related to the Family Law Section, which had not completed its budget before the April meeting. The section has since completed and submitted its budget. The committee recommended and the board approved including that in the overall 2009-10 budget. The committee also recommended and the board approved three amendments for the 2008-09 budget. Those are: \$12,261 for a reception at the diversity symposium scheduled at the Bar Annual Convention, \$7,302 for an extra meeting of the Citizens Forum, which was working on an advertising project for the Bar, and \$191,700 for the Client's Security Fund to cover the payment of approved claims up to \$25,000 for the current budget year. Funds for the first two items came from Bar operating reserves while the last came from the CSF fund balance.

#### **15. Executive Session**

The board went into executive session to discuss grievance and Clients' Security Fund matters.

#### **16. Rules Committee Report – Agenda Item 12**

Chair Nancy Gregoire requested the board waive second reading and approve this change to Standing Board Policy 2.21 (Elections Committee and Board Sanctions): Within subdivision (a) establishes that the president-elect appoints the membership and clarifies that member service dates are from July 1 to June 30. The board unanimously approved the recommendation.

#### **17. Board Review Committee on Professional Ethics Report – Agenda Item 20**

Ethics appeal – Proposed Advisory Opinion 90-6 (Reconsideration): The Board Review Committee on Professional Ethics voted 6-0 to recommend that the Board of Governors adopt a revised Proposed Advisory Opinion 90-6 (Reconsideration) which concludes that a lawyer who knows that a client is proceeding under a false name is participating in fraud on the court under Rule 4-3.3 if the lawyer does nothing to alert the court, and that if a lawyer learns during an initial consultation that a prospective client is proceeding under a false name, the lawyer should not accept the representation unless the client agrees to inform the court that the client is proceeding under a false name. If the lawyer learns that the client is proceeding under a false name after representation has begun, but before the lawyer has formally appeared in the case, and the lawyer is unable to persuade the client to disclose to the court that the client is proceeding under a false name, the lawyer must withdraw and must advise the client not to commit perjury. If the lawyer learns the information during the course of representation after formally appearing in the proceeding and is unable to persuade the client to disclose to the court that the client is proceeding under a false name, the lawyer must move to withdraw from the representation and must disclose to the court that the client is proceeding under a false name. If the court permits, the disclosure may be made ex parte and in camera.

The motion of the Board Review Committee on Professional Ethics failed by voice vote.

A motion was made and seconded to approve Proposed Advisory Opinion 90-6

(Reconsideration) as revised by board member David Rothman, which concludes that a lawyer who learns that a criminal defendant is proceeding under a false name before the lawyer agrees to represent the criminal defendant who cannot persuade the client to correct the name must decline representation. A lawyer who learns that a criminal defendant who is an existing client is proceeding under a false name must withdraw from representation and must admonish the client not to commit perjury, but cannot disclose the client's use of the false name to the court unless the client makes an affirmative misrepresentation to the court regarding the name, but that the mere act of filing pleadings under the false name or responding to the false name at docket sounding is not an affirmative misrepresentation to the court.

The Board of Governors voted to approve the motion by voice vote.

Request from the Board of Legal Specialization and Education: In response to a request from the Board of Legal Specialization and Education chair, the Board Review Committee on Professional Ethics voted 3-1 to recommend that the Board of Governors not waive the filing fee for attorneys who add the following tag lines approved by the Board of Legal Specialization and Education to their previously filed advertisements: 1) "Legal Expert Dedicated to Professional Excellence" and 2) "Is Your Lawyer Board Certified? Find Out at FloridaBar.org/certification."

The Board of Governors voted to approve the Board Review Committee on Professional Ethics recommendation by voice vote.

Informational item – Development of Goals in Lawyer Advertising: The Board Review Committee on Professional Ethics has engaged in discussion of recommending appropriate goals in regulating lawyer advertising and will report further to the Board of Governors at upcoming meetings.

### **18. International Law Section Report – Agenda Item 3(a)**

Section Chair Brock McClane reported the section has 1,200 members. He said in the past year it embarked on a marketing and membership drive. That including a revamping of the section website and updating its calendar so members could be current on section activities. The section has also worked to improve communications with members. It conducted several CLE seminars, including on international trade and contracts. McClane said the section sees as an important job advocating for all Florida lawyers abroad and touting their qualifications.

### **19. Legislation Committee Report – Agenda Item 21**

Committee Chair Greg Coleman and Legislative Counsel Steve Metz reviewed the recent legislative session, with Metz saying the signal achievement was obtaining a dramatic increase in trust funding for the court system. In past years, 8 percent of the court's budget came from fees generated by the court system. In the new budget, he said that will be around 70 percent.

### **20. Disciplinary Procedure Committee Report – Agenda Item 11**

Chair Murray Silverstein presented two items on first reading.

- Rule 3-7.10, Reinstatement and Readmission Procedures: The proposed amendments add educational and testing requirements for certain suspended bar members before they can become members of the bar in good standing again and therefore eligible to practice.

The proposed amendments seek to ensure that reinstated members will be competent to practice law when they become members in good standing and eligible to practice again.

- Standing Board Policy 15.75, Policy on Review of Continuing Complaints – Rewrite: Within subdivision (b)(2), removes direct review by the designated reviewer and the disciplinary review committee of an inquiry or case that is closed by bar counsel at staff level; substantial restructure and rewrite of rule and title to conform with existing style protocol, clarify the authority and procedure, reduce redundancy, and to clarify that the policy's intent is to establish a review process and not an appeal process.

The committee recommended and the board approved final action on four amendments on disciplinary revocations:

- Rule 3-5.1(g) Types of Discipline; Generally: New subdivision (g), allows for disciplinary revocation for a minimum of five years with the option of disciplinary revocation without leave to apply for re-admission; within subdivision (h), requires that members granted a disciplinary revocation notify clients and other parties of the revocation.

- Rule 3-6.1 Generally (disciplinary revocations): Adds members granted disciplinary revocation to the list of former members who must report their employment by an authorized business entity.

- Rule 3-7.9 Consent Judgment: New subdivision (e), moves language regarding disbarment on consent from subdivision (j) of rule 3-5.1. It also adds the option of a disbarment on consent without admission of guilt by the respondent to the Bar's charges.

- Rule 3-7.12 Disciplinary Revocation: Proposed rule 3-7.12, in conjunction with proposed rule 3-5.1(g) would set forth procedures for a Bar member to petition for voluntary revocation of the member's license through a procedure similar to what was formerly termed disciplinary resignation. The new procedure, known as disciplinary revocation, allows disciplinary revocation for a minimum of five years with the option of disciplinary revocation without leave to apply for re-admission. All such disciplinary revocations would require specific approval of the Bar's Board of Governors and are the functional equivalent of disbarment.

## **21. President-elect's Report – Agenda Item 7**

President-elect Jesse Diner announced that board members Eugene Pettis and David Rothman were his two appointments to the 2009-10 Executive Committee. The board elected Greg Coleman, David Prather, and Gwynn Young as its representatives on the Executive Committee. Diner asked and the board ratified his appointments of officers to Bar standing committees.

## **22. Appellate Court Rules – Agenda Item 26**

Board member Nancy Gregoire, liaison to the committee, presented three out-of-cycle rule amendments. She said the changes to Rules 9.410, 9.300 and 9.400 were to comply with F.S. § 57.105 on awarding attorneys fees in an appeal when the opposing party acts in bad faith or frivolously. The board voted 39-0 to recommend acceptance of the amendments.

## **23. Clients' Security Fund Report – Agenda Item 25**

Board member Greg Coleman, chair of the Clients' Security Fund Review Committee II, reported on the committee's recommendations, which included paying all claims at the end of the fiscal year, paying misappropriation claims on a pro rata basis with no recovery exceeding \$250,000, and keeping the maximum reimbursement for payment of fees when no useful service

was rendered at \$2,500. Coleman recommended the committee remain in existence to continue working on the fund matters, including whether the \$2,500 maximum on fee reimbursement was sufficient. The board approved the committee's recommendation to waive second reading and give final approval to several rule amendments, several amendments to the CSF regulations, and one Standing Board Policy amendment so the recommendations can be in place on July 1, the start of the new fiscal year. Those changes are:

- Rule 7-1-1 Generally: Adds "including, but not limited to, attorney's fees" to section as an example of a type of misappropriation.
- Rule 7-1.4 Definitions: Within subdivision (a), changes "applicant" to "claimant," adds new subdivisions (g) CSF Contribution, (h) Fee Claim, and (i) Misappropriation Claim to define and clarify terms and procedures.
- Rule 7-2.2 Investigations: Amends requirement that the board approve the claim form.
- Rule 7-2.3 Payments: Changes "applicant" to "claimant," deletes subdivision (d), obsolete language regarding losses sustained before 1966.
- Rule 7-2.5 Assignment in Favor of Bar: Within subdivisions (a) and (c), changes "applicant" to "claimant."
- Rule 7-3.1 Funding: Deletes language as redundant; renumbers other rules as necessary.
- Rule 7-3.2 Membership Fee Allocation: Changes rule number to 7-3.1 due to deletion of redundant language in old rule; changes "this purpose" to "the fund" to clarify the allocation of funds.
- Rule 7-3.3 Gifts: Renumbers rule due to deletion of redundant language in old rule 7-3.1.
- Regulations of the Clients' Security Fund: Reorganizes and redesignates the Regulations of the Clients' Security Fund; amends caps, placement of reserve funds, and timing of payments; other housekeeping amendments.
- Standing Board Policy 3.10 Proposed Budget; Reserve Policies: Allows CSF contribution up to \$25; deletes language regarding payment of claims up to \$25,000.

#### **24. Special Appointments – Agenda Item 24**

The board made several nominations and appointments at the meeting:

- The board nominated Gerald Kogan of Coral Gables, Lawrence P. Kuvin of Wilton Manors, Daryl Manning of Tampa, Richard A. Moore of Miami, T. Rankin Terry, Jr., of Ft. Myers, and Gary Winston of Miami for two vacancies on the Florida Board of Bar Examiners. The Supreme Court will make the final appointment.
- The board appointed Henry M. Coxe III of Jacksonville and Edith G. Osman of Miami to two-year terms in the ABA House of Delegates. Immediate Past President Jay White and President-elect Mayanne Downs will be automatic members of the House of Delegates.
- The board appointed William J. Banks of Clearwater, Matthew Gissen of Miami, William F. Sansone of Tampa, Allen von Spiegelfeld of Tampa and Barbara J. Williams of Orlando for three-year terms on the Florida Lawyers Assistance, Inc., Board of Directors.
- The board appointed Christie Anne Darias Daniels of Miami, Dolly V. Davis of Jupiter, William Manikas of Boynton Beach, Theodore W. Small, Jr., of Deland, Eric M. Sodhi of Miami, and Daniel H. Thompson of Tallahassee to two-year terms on the Florida Legal Services, Inc., Board of Directors.

### **25. Young Lawyers Division Report – Agenda Item 9**

President Jewel White Cole reported that the division's new Law Student Division is in operation, with representatives from all 10 law schools, and the student president will be installed at the Bar's Annual Convention. All the law schools will also be participating in the YLD's moot court competition at the Annual Convention. The division in the fall will have its prelaw conference aimed at attracting undergraduate students into law school. The YLD is also gearing up its pro bono disaster assistance program at the request of the ABA, in response to recent heavy rains and flooding in parts of Florida.

### **26. Program Evaluation Committee Report – Agenda Item 13**

The committee proposed and the board approved changes for the Bar's voluntary Fee Arbitration Program. The alterations, according to board members Richard Tanner, who chaired the PEC subcommittee on the program, include having the Bar's ACAP program screen requests for the program and finding ways to encourage more lawyers to volunteer to be arbitrators. The committee proposed and the board approved a revamping of the Bar's Henry Latimer Center for Professionalism, as spelled out in a series of recommendation from a PEC subcommittee. Board member Ervin Gonzalez, who chaired that PEC subcommittee, said the center will concentrate on supporting the high ideals that many students enter law school but which diminish before they graduate. It will also help new lawyers maintain high professionalism standards, including a voluntary mentoring program. The center will also use the Bar's LOMAS office to help lawyers better manage their practices and avoid common administrative problems. Committee Chair Frank Walker reported that the PEC will report on the suggested trial court judicial candidate "self disclosure" form proposed by the Judicial Administration and Evaluation Committee at the board's July meeting. The board has approved in concept a self-disclosure form to help voters in contested trial court races, and the PEC and JAEC are continuing to work together on exactly what questions to include. Walker also presented to the board bylaws amendments for the Council of Sections, which were approved by the PEC. Those will come to the board for first reading in July.

### **27. Communications Committee Report – Agenda Item 18**

Chair Ray Abadin reported the committee in the coming year will be focused on improving the Bar's website, particularly the functionality of the search engine in the Find a Lawyer service. He said the search engine will suggest alternate spellings when users seek a lawyer, helping find the specific lawyers those users are looking for. He also said the Communications Committee has created a subcommittee to oversee the website overhaul.

### **28. Comments for the Good of the Order**

Board members attending their last meeting made traditional comments to their fellow governors. Board member William Kalish talked about the necessity of the judiciary for a functioning society, as the judiciary enforces the Constitution and the Bill of Rights. Board member Frank Walker dwelt on the friendships and relationships developed during board service. He quoted a letter the elderly John Adams sent to the elderly Thomas Jefferson, recalling their service in the Continental Congress: "He said, 'Our service was a virtuous act; no service in favor of virtue is ever lost.' This for eight years has been a virtuous act." YLD President Jewel White Cole called her service a wonderful experience and reminded the board that future Bar

leaders are being cultivated through the Young Lawyers Division Board of Governors. Board member Larry Ringers said most people don't appreciate the importance of the board's work as a bulwark against having regulation of the profession taken away from the Bar, which he said would lead to a degradation of both regulation and the profession. He also praised the commitment and dedication of public employees he has worked with in two and a half years in the governor's office. President White thanked the board for members' dedicated work and called the past year a highlight of his personal and professional life. "There are very few people from the outside, even in our own Bar, who recognize the importance of what you do," he told the board. "Keep up the good work."

**29. Time and Place of Next Meeting – Agenda Item 29**

The board will next meet July 15-18 at the Naples Grande Beach Resort in Naples. There being no further business, President White adjourned the meeting at 3:55 p.m.

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