

The Florida Bar Board of Governors
December 9, 2011
Ritz-Carlton Hotel
Amelia Island, Florida

1. Roll Call

Scott G. Hawkins, President
Gwynne A. Young, President-elect
Stephen H. Echsner, 1st Circuit
Lawrence E. Sellers, 2nd Circuit
William H. “Bill” Davis, 2nd Circuit
Clay A. Schnitker, 3rd Circuit
S. Grier Wells, 4th circuit
Michael G. Tanner, 4th Circuit
Lawrence Scott Kibler, 5th Circuit
Andrew B. Sasso, 6th Circuit
Sandra Fascell Diamond, 6th Circuit
Sandra C. Upchurch, 7th Circuit
Mary Ann Morgan, 9th Circuit
Paul Louis SanGiovanni, 9th Circuit
Scott R. McMillen, 9th Circuit
C. Richard “Rick” Nail, 10th Circuit
Dori Foster-Morales, 11th Circuit
Leslie J. Lott, 11th Circuit
Michael J. Higer, 11th Circuit
Dennis G. Kainen, 11th Circuit
Juliet M. Roulhac, 11th Circuit
L. Norman Vaughan-Birch, 12th Circuit
William J. Schifino, Jr., 13th Circuit
Michael S. Hooker, 13th Circuit
John W. Manuel, 14th Circuit
David C. Prather, 15th Circuit
Gregory W. Coleman, 15th Circuit
Michelle R. Suskauer, 15th Circuit
Gary Shepard Lesser, 15th Circuit
Edwin A. Scales III, 16th Circuit
Adele Ilene Stone, 17th Circuit
Eugene K. Pettis, 17th Circuit
Jay Cohen, 17th Circuit
Timothy L. Bailey, 17th Circuit
Clifton A. McClelland, Jr., 18th Circuit
John M. Stewart, 19th Circuit
Laird A. Lile, 20th Circuit
Richard A. Tanner, Out-of State
Ian M. Comisky, Out-of-State
Eric L. Meeks, 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:

Carl B. Schwait, 8th Circuit
Ramon A. Abadin, 11th Circuit
John H. Hickey, 11th Circuit
Lansing C. Scriven, 13th Circuit
Margaret Diane Mathews, 13th Circuit
Walter G. Campbell, Jr., 17th Circuit
Scott W. Weinstein, 20th Circuit
Brian D. Burgoon, Out-of-State

2. Guests

Victoria Mendez, President, Cuban American Bar Association
Susan Healey, President, Florida Association for Women Lawyers

3. Staff in Attendance

John F. Harkness, Jr., Executive Director
Paul Hill, General 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,
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

Board member Grier Wells delivered the invocation and board member Michael G. Tanner led the Pledge of Allegiance.

5. Approval of Minutes

The board approved the minutes from its October 21, 2011, meeting in Charleston, S.C. The approval including ratifying the actions taken by the Executive Committee since that meeting:

- At a November 7, 2011, meeting, the Executive Committee approved by a 9-0 vote four legislative contracts between four entities and The Florida Bar for services in the upcoming legislative session. The contracts are with Steve Metz and his law firm, which will act as chief legislative counsel; Matt Bryan and associates with Smith Bryan and Myers; Pamela Burch Fort of The Commerce Group; and G. Herbert Sheheane, Jr. The committee also agreed, 9-0, not to prohibit the Real Property, Probate and Trust Law Section taking this legislative position: “Supports amendment to F.S. §732.102 clarifying the effective date and application of changes made during the 2011 legislative session to the amount of the intestate share of a surviving spouse.”

- At a November 10, 2011, meeting, the Executive Committee approved, by an 11-0 vote, a request from the joint rules committees to file a response to the Supreme Court's October 13, 2011, order in a case on proposed rule amendments to the uniform computation of time.

- At a December 2, 2011, meeting, The Executive Committee took two actions, bot with 11-0 votes, at the request of rules committees. The committee recommended approval, at the request of the Criminal Procedure Rules Committee, of out-of-cycle amendments to the Florida Rules of Criminal Procedure to implement legislation passed in 2011 and which became effective on October 1, 2011. Similarly, the committee recommended approval, at the request of the Appellate Court Rules Committee, on out-of-cycle amendments to the Rules of Appellate Procedure made to implement legislation passed in 2011 and which became effective on October 1, 2011.

6. Consent Agenda

The board approved the consent agenda as presented. The approval included:

- making several appointments to circuit UPL Committees:
 - Adam P. Schwartz as an attorney member to UPL Committee 13A.
 - Guimond Cloutier as a public member and Jocelyn Juarez as an attorney member to UPL Committee 13B.
 - Gary M. Singer as an attorney member and Edith Belinda Martinez-Rowe as a public member to UPL Committee 17A.
- Not prohibiting the request of the Real Property, Probate and Trust Law Section to take the following legislative position: "Supports amendment of: F.S. §713.10(2)(b) to provide that a blanket notice recorded by a landlord remains valid and the landlord's property interest will not be liable for liens arising from tenant improvements even if the leases contain different versions of the lien prohibition language or no lien prohibition language at all, under certain circumstances; and F.S. §713.10(3) to require inclusion of specific language in any claim of lien premised on a landlord's failure to comply so as to provide record notice of the basis of such a claim by a lienor, and to provide that any lien will not take effect as to third parties without notice until 30 days after the recording of the claim of lien."
- Not prohibiting the request of the Public Interest Law Section to take the following legislative position: "Supports a foreclosure process that adequately protects homeowners' rights and ensures access to due process."
- Not prohibiting the request of the Public Interest Law Section to take the following legislative position: "Supports legislation that regulates the debt collection industry to ensure that consumers are not unfairly taken advantage of and are dealt with truthfully in providing any debt relief services."

7. Public Reprimands

President Hawkins delivered four public reprimands.

8. Alternative Dispute Resolution Section Report

Chair Jake Schickel reported that the section, which began operations in the past year, now has more than 700 members, surpassing the requirements for new sections in the Standing Board Policies. The section has electronically published its first newsletter, held its first CLE with more courses planned, and its executive council is meeting monthly. He said the section has been

monitoring the effects of a recent Supreme Court-approved rule which requires that parties attending mediations be fully empowered to settle the case at issue.

9. Out of State Division Report

Chair Ward Griffin said the division's membership has fallen 8 percent because of the economy, but it still has 14,000 members. The division has, like other divisions and sections, been decreasing its live CLE programs and increasing its online offerings. The division offers a free annual ethics course and also provides networking opportunities for its members. The division is expanding its outreach to law students with a new program that is being run in conjunction with the Young Lawyers Division's Law Student Division.

10. Budget Committee Report

Committee Chair William Schifino presented one amendment for the 2011-12 budget, a request from the Trial Lawyers Section to donate \$75,000 from its reserves to The Florida Bar Foundation to preserve the job of a child services attorney. The board unanimously approved the amendment. Schifino announced the committee would begin meeting in January to work on the Bar's 2012-13 budget.

11. Program Evaluation Committee Report

Chair Jay Cohen presented two items on second reading, both of which were approved by the board:

- Bylaws - Health Law Section: Non-substantive edits throughout to conform to the style guide. Article I, Section 2: Adds the adoption of a section logo and tagline. Article II, Section 2: Establishes the new mission statement of the section. Article IV, Section 2: Clarifies that all section recommendations must be approved by the executive council and the board of governors. Section 3: Increases the number of elected members. Adds all former chairs as non-voting ex-officio members of the executive council. Section 4: Implements term limits for service on the executive council. Section 6: Corrects reference to appropriate article/section. Section 8: Changes the requirement from mandatory removal to optional removal when council members have consecutive absences from meetings. Article V, Section 2: Clarifies the duties of the section officers. Section 5: Clarifies that permanent vacancies of the secretary or treasurer will be filled and that permanent vacancies of the chair-elect position will not be filled until the next annual meeting. Article VI, Section 2: Eliminates the requirement that an executive council meeting be held in conjunction with the mid-year meeting of The Florida Bar; grants the chair, the executive council and the program administrator the authority to collectively schedule regular meetings. Requires in-person attendance at executive council meetings for purposes of determining a quorum. Section 3: Recognizes that time constraints may preclude consideration of some matters. Article VII, Section 1: Provides for a slate of nominees. Adds the practice setting as a consideration for identification of nominees. Section 5: Provides for voice or hand vote for election of council members, unless an election is contested. Provides that in a contested election the number of candidates eligible for election receiving the highest number of votes would be elected. Section 6: Provides that vote will be by voice or hand unless nominations have been made by petition or nominations are made to fill a new position or the previous nominee has died or become unable to serve. Article VIII, Section 4: References the appropriate section. Article IX, Section 1: Updates, identifies, and clarifies the section committees and subcommittees; establishes the purpose and function of each committee and subcommittee. Section 3: Added

reference to the standing subcommittees and the appointment of their chairs. Article X: Section 6: Establishes the date the amended bylaws were adopted by the executive council and made them effective upon approval by the Board of Governors.

- Bylaws - Tax Section: Article I – Revised to encompass section’s interest in international tax matters, reflected in the addition of committee on international taxation in federal tax division. Expands section’s purpose to further tax knowledge and practice of all members of The Florida Bar, and to promote ethical and competent practice by all tax practitioners. Article II – Clarifying distinction made between “regular” and “affiliate” membership. “Conditionally admitted members” of The Florida Bar expressly made eligible for affiliate membership. One year grace period to apply for regular membership added in section 2 as an accommodation to LLM students who may pass Bar exam between JD and LLM programs. Section 4 revised to omit unnecessary language; last sentence in section 4 deleted as redundant of “good standing.” Article III – Expressly permits appointment of more than one director for specified divisions and committees. Reflects elevation of membership recruitment committee to a standing committee in Art. VI. Clarifies nominating process for chair-elect and composition of nominating committee. Allows chair to appoint non-voting members to nominating committee. Accelerates timeframe for nominating process to facilitate appointments by chair-elect and scheduling of meetings. Specifies eligibility criteria for office of chair-elect, applicable to nominations by both committee and petition. Provides for electronic mailing of ballots and candidate statements to regular section members, rather than regular mail, to save costs and avoid unanticipated expenditures that would adversely affect the section’s financial condition. Expressly limits voting to the candidates nominated. Some minor re-ordering for purposes of clarity. Extends maximum service of an individual in any one officer position to three years, for purposes of continuity; however, a policy of two years is encouraged. Clarifies requirement for ratification of chair’s appointments, and expressly provides for delegation of that authority to division directors. Requires authorization from both chair and treasurer to commit or disburse section funds. Article IV – Includes past chairs as ex officio members of directors’ committee, with voting rights, to promote continuity and capitalize on past chairs’ experiences, Clarifying changes. Article V – Clarifying changes. Article VI – Committee structure revised to more accurately reflect current Executive Council alignment. Committee responsibility descriptions streamlined and updated. Reflects elevation of membership recruitment committee to standing committee status, as recommended by long range planning retreat. Ad hoc committees are not included in the bylaws’ standing committee structure (e.g., State Tax Court). Provides for chair of sponsorship committee and make-up of meeting committees in accordance with long range planning retreat recommendations. Article VII – Stylistic changes. Permits only regular section members to be counted for purposes of a quorum Permits electronic meeting notice and proxy, as well as certain meetings to be conducted telephonically and electronically, as cost-saving measures. Article VIII – Revised to conform with mandatory provisions of Bylaw 2-7.5 of The Florida Bar (Legislative Action of Sections and Divisions) and Board of Governors Standing Policies and Procedures 8.10 (Amicus Curiae Filings and Responses to Bar Rules Petitions) and 9.50 (Legislative Activities of Sections). Article IX – Clarifying and updating edits.

Cohen presented four items to the board on first reading:

- Rule 2-7.3 Creation of Sections and Divisions: Adds new Alternative Dispute Resolution Section to the list of approved sections; renumbers accordingly.
- Rule 14-1.2 Jurisdiction: Within subdivision (a), deletes the cap on attorneys' fees

as a requirement for jurisdiction; renumbers accordingly.

- 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.

- 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.

Cohen also presented to the board an amendment to The Florida Bar *Journal* and *News* Editorial Board policies: Amends subdivision II (C) to include language addressing articles that do not discuss issues being resolved by the courts or legislation; Adds language to new subdivision (D) to clarify that internet publication is considered publication. Reletters subsequent subdivisions accordingly. During the discussion some board members questioned whether the change would be needed and if it would prevent articles that attempted a neutral presentation of conflicting appellate court opinions. The board voted to refer the matter back to the Editorial Board for further consideration at the January meeting of the Board of Governors.

The committee is working on several other issues, Cohen reported, including revising the emeritus attorney pro bono plan, enhancing the Rules Committee review program to make it more effective in getting input from sections and committees, evaluating the SCOPE program and looking at ways to broaden its reach, looking at the Random Acts of Professionalism Program, and the proposal to have a nonvoting seat on the Board of Governors for government lawyers, including getting input from the Council of Sections.

The committee also voted to change the name of the Voluntary Bar Liaison Committee to the Local and Specialty Bar Committee. The board discussed that recommendation and the motion to approve the change failed 14-16.

12. Committee to Study the Decline of Jury Trials Report

Co-Chair Jay Cohen said the committee had finished its report and submitted it to the board, and added it will be discussed at the board's January meeting.

13. Executive Session

The board went into executive session to discuss disciplinary, Clients Security Fund, and advertising issues.

14. Board Review Committee on Professional Ethics Report

The Board of Governors met in Executive Session (attorney client), because of attorney-client privilege, to discuss with counsel the television advertisement in advertising appeal 12-00462. The board voted to defer action until after the Supreme Court of Florida issues an opinion on the proposed advertising rules. The board voted to extend a "safe harbor" that The Florida Bar will not prosecute this filer for dissemination of the advertisement unless the Supreme Court of Florida adopts new advertising rules, the board makes an adverse determination regarding this advertisement under the new rules, and the filer continues to disseminate the advertisement after the board's decision. The board also voted that the safe harbor would only apply if the filer changed the disclaimer in the advertisement, leaving to staff's discretion what changes would be necessary. The board also voted to direct staff to review the proposed rules to determine how the issue of use of authority figures in lawyer advertisements is addressed, and whether any changes

to the proposed rules would be appropriate, with any proposed changes to go back to the board at its January 2012 meeting.

15. Investment Committee Report

Chair Ian Comisky reported that the Bar's portfolio had risen about \$1.6 million since the board's October meeting, but overall remained down about 2 percent for the year. He said the Bar had moved much of its money to safe investments such as cash or bond funds because of market volatility. He said the PIMCO investment fund, which handles much of the Bar's short-term portfolio, had improved its performance in the past 60 days. He said the Bar's investment's had been planned to be only 40 percent as volatile as the market but in recent months had proved to be equally volatile. That, and a prediction from PIMCO that markets have fundamentally changed, has prompted the committee to review its investment strategies.

16. Audit Committee Report

Chair Leslie Lott reported the Bar received a clean audit with no issues from its auditors for the 2011-12 fiscal year. A copy of the audit was including in board members' meeting materials and no members raised questions. A summary of the audit is in the January 1, 2012, issue of the *Bar News*.

17. Certification Plan Appeal Committee Report

Chair Norman Vaughn-Birch reported the committee had upheld the Board of Legal Specialization and Education on the revocation of a criminal law certification from a lawyer.

18. Annual Convention Committee Report

Co-Chair Juliet Roulhac and President Scott Hawkins reported that retired U.S. Supreme Court Justice Sandra Day O'Connor has agreed to attend the June convention and will participate in a planned program on merit selection and retention. Roulhac said the committee is bringing in a legal humorist as the main speaker at the Judicial Luncheon.

19. Legislation Committee Report

Co-Chair Ed Scales presented three proposed section legislative positions and reported the committee recommended that the board not prohibit these section actions. The board unanimously agreed. The positions are:

- Criminal Law Section: Supports a comprehensive review of Florida's entire death penalty process by all branches of government.

- Business Law Section: Provide technical input to HB 757 regarding Benefit Corporations.

- Business Law Section: Opposes SB 458/HB 451, as filed, re proposed non-uniform amendments to Uniform Fraudulent Transfers Act, but supports amendments to bills incorporating protections of federal bankruptcy laws--sections 548(a)(2), (d)(3), and (d)(4) into §726.109, F.S.

Scales commended Gov. Rick Scott for proposing a budget that increased state general revenues for the court system and would make it less reliant on filing fees. He also said the proposed budget maintained court funding while reducing the overall state budget by \$2 billion.

Legislative Counsel Steve Metz said the Legislature this year will be preoccupied with reapportionment issues which makes it unlikely there will be a repeat of last year's legislation

that attempted to overhaul the court system and its procedures. There will, though, likely be a bill dealing the judicial nominating commissions. Scales reviewed the new program, developed with the Communications Committee, that will provide weekly updates to Bar members on legislative issues during the upcoming session.

20. Moment of Silence

The board held a moment of silence to commemorate the passing of former Bar Executive Director Marshall R. Cassidy, Sr., and Rosemary Scriven Hairston, the sister of board member Lansing Scriven.

21. Criminal Procedure Rules Committee Report

Board member Dennis Kainen, liaison to the committee, presented four modifications to the earlier submission to the Supreme Court of the three-year-cycle rule changes. The board recommended approval of the changes 33-0.

22. Communications Committee Report

Chair Greg Coleman reported that more lawyers are viewing video messages emailed and posted on the Bar's website from President Hawkins and which discuss Bar activities and issues. The committee also is looking at education programs to help build public support for court funding, and as part of that has distributed a DVD on that subject from 15th Circuit Chief Judge Peter Blanc to local bars. The committee will present the Board of Legal Specialization and Education's proposed board certification promotion program at the governors' January meeting. He presented, and the board approved, a plan for submitting a summary of board actions to Bar members shortly after each meeting.

23. Rules of Judicial Administration Committee Report

Board member Andy Sasso presented two amendments to Rule 2.420 on protecting confidential materials in court filings. One change creates a procedure for oral motions to have material kept confidential and the other modifies the form that must be submitted with a filing that contains confidential information and which could be used to discover that information. The board recommended approval of those changes 27-0.

24. Young Lawyers Division Report

YLD President Sean Desmond reported on the division's upcoming affiliate outreach conference. The YLD has begun its electronic newsletter with each issue highlighting a specific topic such as pro bono, affiliate projects, and similar subjects. The YLD is working on a new CLE course as part of its Basic Skills courses requirement for all new members. This course, set to occur this spring, will be focused on helping new lawyers who can't otherwise find a job and consequently set up their own offices. It will include technology, trust account, time management, and other topics important for new lawyers.

25. Rules Committee Report

Chair Steve Echsner presented four rules on second reading, all of which were approved by the board:

- Rule 4-6.5 Voluntary Pro Bono Plan (responsibilities): Within subdivision (b)(2), adds new subdivision (A) to include "identify, encourage, support, and assist statewide and local pro bono projects and activities" to the responsibilities of the standing committee; reletters accordingly.
- Rule 17-1.3 (Authorized House Counsel) Activities: Adds new subdivision (a)(3) to allow an Authorized House Counsel to provide pro bono legal services if certified under Chapter 12, the Emeritus Attorney rule.
- Rule 20-3.1 (Florida Registered Paralegals) Requirements for Registration: Allows an FRP who was initially registered under the grandfathering provision to reregister under the grandfathering provision.
- SBP 5.10 Standing Committees: Adds the Adoption Law Certification Committee, Education Law Certification Committee, Citizens Forum, and Florida Registered Paralegal Committee to the list of standing committees; deletes the Member Outreach Committee; changes the name of the Committee on Judicial Independence to the Constitutional Judiciary Committee. Echsner presented three items on first reading:
 - 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.
 - Rule 20-2.1(c) (Florida Registered Paralegals) 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.
 - Rule 20-6.1 (Florida Registered Paralegals) Generally (Continuing Education): Amendments require an 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.

Echsner reported that the committee had also reviewed rule changes that were presented to the board earlier in the meeting.

26. Appearance by Governor's General Counsel Charles Trippe

Charles Trippe, general counsel for Gov. Rick Scott, outlined the duties of his office and summarized procedures and priorities for reviewing judicial candidates and selecting judges. He emphasized the importance of judicial restraint in preserving the rule of law. Trippe answered several questions from board members ranging from why the governor had rejected certain slates of judicial nominees to the role of judicial nominating commissions in the process.

27. President-elect Report

President-elect Gwynne Young reported that the Bar had its annual strategic planning retreat in November which resulted in a recommendation to add a fifth goal of promoting diversity to the Bar's strategic plan. The revised plan will come to the board at its January meeting.

28. Member Benefits Committee Report

Board liaison Clay Schnitker presented four additions to the Member Benefits plan, all of which were approved by the board:

- Association Benefits International (abi), which offers discounted attorney websites for mobile devices, online reputation monitoring, search engine optimization, and strategic internet placement.
- AtHomeNet, which offers discounted website design and maintenance for attorneys.
- US Legal Forms Formspass, which offers discounted legal forms for attorneys.
- FTD Flowers, which offers online discounted flowers and gifts (substantially the same as the ABA member benefit).

29. E-Filing Report

Board member Laird Lile reported the Supreme Court is considering rules amendments implementing e-filing and e-service and recently submitted an order seeking more information, including whether e-filing exemptions sought by state attorneys and public defenders are too broad and whether mandatory e-filing and mandatory e-service should occur at the same time. Lile said it is likely that both e-filing and e-service will be mandatory sometime in 2013.

30. Public Member Screening Committee Report

Chair Michael Higer said the committee is on target with its work to nominate replacements for board public member Alvin Alsobrook, who will be term-limited off the board next summer.

31. Special Appointments

The board chose:

- Julie Sneed of Tampa for a four-year term on the 11th Circuit Judicial Conference.
- Mark A. Perry of Delray Beach for a three-year term on the Florida Rural Legal Services, Inc., Board of Directors.

For the Florida Realtor-Attorney Joint Committee, the board appointed:

- Richard D. Sneed, Jr., of Ft. Pierce at the statewide representative.
- Denise L. Hutson of Gainesville for the First District Court of Appeal area.
- Julie A. Horstkamp of Tampa for the Second DCA territory.
- John R. Banister of Palm Beach Gardens for the Fourth DCA territory
- Frederick W. Jones of Winter Garden for the Fifth DCA territory.

The board deferred until its January meeting making an appointment for the Third DCA area.

32. Special Committee on Lawyer Referral Services Report

Chair Grier Wells noted the committee has held two public hearings and subsequently met to begin making its recommendations. The panel has found evidence that lawyers or their representatives are showing up unsolicited at some medical clinics to sign up clients and are improperly conferring with doctors and helping decide the course of treatment. Tentative recommendations include having lawyers who join a referral service register with the Bar instead of relying on the referral service to report its attorney members, having better education of the public about referral services and choosing lawyers, and mandating that the initial contact for legal services through a LRS must be made by the client, not the law firm.

33. Commission on the Review of the Discipline System Report

Co-chair Eugene Pettis reported the commission has divided into three subcommittees and will meet again on January 9. He said the commission hopes to have a preliminary report in the spring.

34. Time and Place of Next Meeting

There being no further business before the board, President Hawkins adjourned the meeting at 3:55 p.m. The next board meeting is January 27, 2012, at the Hotel Duval in Tallahassee.

SUBJECT INDEX

| | |
|--|----|
| APPEARANCE BY GUBERNATORIAL GENERAL COUNSEL CHARLES TRIPPE | 9 |
| ANNUAL CONVENTION COMMITTEE REPORT | 7 |
| ALTERNATIVE DISPUTE RESOLUTION SECTION REPORT | 3 |
| AUDIT COMMITTEE REPORT | 7 |
| BOARD REVIEW COMMITTEE ON PROFESSIONAL ETHICS REPORT | 6 |
| BUDGET COMMITTEE REPORT | 4 |
| CERTIFICATION PLAN APPEAL COMMITTEE REPORT | 7 |
| COMMISSION ON THE REVIEW OF THE DISCIPLINE SYSTEM REPORT | 11 |
| COMMUNICATIONS COMMITTEE REPORT | 8 |
| CONSENT AGENDA APPROVAL | 3 |
| CRIMINAL PROCEDURE RULES COMMITTEE REPORT | 8 |
| DECLINE OF JURY TRIALS COMMITTEE REPORT | 6 |
| ELECTRONIC COURT FILING REPORT | 10 |
| EXECUTIVE SESSION | 6 |
| GUESTS | 2 |
| INVESTMENT COMMITTEE REPORT | 7 |
| INVOCATION AND PLEDGE OF ALLEGIANCE | 2 |
| LEGISLATION COMMITTEE REPORT | 7 |
| MEMBER BENEFITS COMMITTEE REPORT | 10 |
| MINUTES APPROVAL | 2 |
| MOMENT OF SILENCE | 8 |
| OUT OF STATE DIVISION REPORT | 4 |
| PRESIDENT-ELECT REPORT | 9 |
| PROGRAM EVALUATION COMMITTEE REPORT | 4 |
| PUBLIC MEMBER SCREENING COMMITTEE REPORT | 10 |
| PUBLIC REPRIMANDS | 3 |
| ROLL CALL | 1 |
| RULES COMMITTEE REPORT | 8 |
| RULES OF JUDICIAL ADMINISTRATION COMMITTEE REPORT | 8 |
| SPECIAL APPOINTMENTS | 10 |
| SPECIAL COMMITTEE ON LAWYER REFERAL SERVICES REPORT | 10 |
| STAFF IN ATTENDANCE | 2 |
| TIME AND PLACE OF NEXT MEETING | 11 |
| YOUNG LAWYERS DIVISION REPORT | 8 |