

**THE FLORIDA BAR BOARD OF GOVERNORS**

**Regular Minutes**

April 7, 2006

The Biltmore Hotel  
Coral Gables, Florida

Pursuant to notice, the regular meeting of the Board of Governors of The Florida Bar was called to order at 9:00 A.M. on Friday, April 7, 2006, in Coral Gables, Florida, with President Alan B. Bookman presiding.

**1. Roll Call**

Alan B. Bookman, President  
Henry M. Coxe, III, President-elect  
Lawrence E. Sellers, Jr., Second Judicial Circuit  
Dominic M. Caparello, Second Judicial Circuit  
Gregory S. Parker, Third Judicial Circuit  
John J. Schickel, Fourth Judicial Circuit  
Andrew B. Sasso, Sixth Judicial Circuit  
Charles Chobee Ebbets, Seventh Judicial Circuit  
Carl B. Schwait, Eighth Judicial Circuit  
Mayanne Downs, Ninth Judicial Circuit  
Daniel L. DeCubellis, Ninth Judicial Circuit  
Francisco R. Angones, Eleventh Judicial Circuit  
David Rothman, Eleventh Judicial Circuit  
Ervin A. Gonzalez, Eleventh Judicial Circuit  
Jennifer Coberly, Eleventh Judicial Circuit  
Sharon L. Langer, Eleventh Judicial Circuit  
Benedict P. Kuehne, Eleventh Judicial Circuit  
Steven Chaykin, Eleventh Judicial Circuit  
Kimberly A. Bald, Twelfth Judicial Circuit  
Timon V. Sullivan, Thirteenth Judicial Circuit  
William Kalish, Thirteenth Judicial Circuit  
Gwynne Alice Young, Thirteenth Judicial Circuit  
John G. White, III, Fifteenth Judicial Circuit  
Gregory Coleman, Fifteenth Judicial Circuit  
Scott G. Hawkins, Fifteenth Judicial Circuit  
Lisa S. Small, Fifteenth Judicial Circuit  
Edwin Scales, Sixteenth Judicial Circuit  
Alan C. Brandt, Jr., Seventeenth Judicial Circuit  
Nancy W. Gregoire, Seventeenth Judicial Circuit  
Eugene K. Pettis, Seventeenth Judicial Circuit  
Jesse H. Diner, Seventeenth Judicial Circuit  
Frank C. Walker, II, Seventeenth Judicial Circuit  
Clifton A. McClelland, Jr., Eighteenth Judicial Circuit  
Harold G. Melville, Nineteenth Judicial Circuit  
A. Lawrence (Larry) Ringers, Twentieth Judicial Circuit  
Richard Arthur Tanner, Out-of-State  
Ian M. Comisky, Out-of-State  
Gary J. Leppla, Out-of-State  
Brian D. Burgoon, Out-of-State  
Jamie B. Moses, YLD President  
John M. Stewart, YLD President-elect  
Solomon L. Badger, III, Public Member

Board members absent:

Ross M. Goodman, First Judicial Circuit  
S. Grier Wells, Fourth Judicial Circuit  
Denise A. Lyn, Fifth Judicial Circuit  
Murray B. Silverstein, Sixth Judicial Circuit  
Warren W. Lindsey, Ninth Judicial Circuit  
Robert M. Brush, Tenth Judicial Circuit  
Henry T. Courtney, Eleventh Judicial Circuit  
Clifford W. Sanborn, Fourteenth Judicial Circuit  
J. Christopher Lombardo, Twentieth Judicial Circuit  
J. Blair Culpepper, Public Member

Others in attendance:

June McKinney Bartelle, President of Florida Association for Women Lawyers  
Barbara Pittman, President of the Virgil Hawkins chapter of the National Bar Association

Staff attending the meeting:

John F. Harkness, Jr., Executive Director  
Tina Ruffin, Assistant to the President  
Dana Watson, Secretary to the Board of Governors  
Elizabeth Tarbert, Director of Ethics and Advertising  
Gary Blankenship, Senior Editor, Florida Bar News  
Allen Martin, Director Finance and Accounting  
Tony Boggs, Director Legal Division  
Mary Ellen Bateman, Director, Ethics, Advertising and Professionalism Division  
Lori Holcomb, Director of Unlicensed Practice of Law  
Ken Marvin, Director of Lawyer Regulation  
Francine Walker, Director of Public Information

**2. Guests**

Jane Curran, Florida Bar Foundation, Executive Director  
Laird Lile, Incoming member of the Board of Governors  
Ramon Abadin, Incoming member of the Board of Governors  
Miles A. McGrane, Past President of the Board of Governors  
John P. Cardillo, Past member of the Board of Governors  
Jeffrey Wasserman, Council of Sections  
Manny Garcia, President of the Cuban American Bar Association  
Arlene Sankel – Miami Bar Staff  
Barnaby Min - Miami Bar Staff  
Bill Mulligan - Miami Bar Staff  
Vivian Reyes - Miami Bar Staff

**3. Invocation and Pledge of Allegiance**

Invocation and Pledge of Allegiance were led by Sharon Langer.

**4. Welcome by Mayor of Coral Gables**

President-elect designate Frank Angones introduced Don Slesnick, the Mayor of Coral Gables. Mr. Slesnick welcomed the board of governors to Coral Gables. Slesnick told the board members that they were staying in a city owned hotel. He went on to speak to the board of governors about the low number of lawyers involved in local and state governments. He encouraged the board members to get involved in their communities.

### **5. Non-Roll Call Grievance agenda items**

Co-chair David Rothman reported that the non-roll call grievance agenda items were numbers 7, 8, 13, and 21. He also told the board that it would be discussing the "Rice" Rule.

### **6. Non-Roll Call Advertising Appeal agenda items**

Chair Steve Chaykin reported that the non-roll call advertising appeal agenda items were parts of 5b(1) and all of 5b(3).

### **7. Approval of Minutes**

- A. Regular Minutes, February 17, 2006 meeting - Approved
- B. Grievance Minutes, February 17, 2006 meeting - Approved
- C. Summary of Executive Committee action taken
  - 1) February 23, 2006 ACRC comments to Rule 9.110(n) and 9.900(f)  
One matter required Executive Committee approval. The Executive Committee was transmitted the information on the items via email. The following members participated: President Alan Bookman, President-elect Hank Coxe, President-elect designate Frank Angones, Kim Bald, Jesse Diner, Nancy Gregoire, Jamie Moses, David Rothman, Grier Wells and Jay White.  
Appellate Court Rules Committee comments  
Comments and suggestions by the Appellate Court Rules Committee pertaining to Rule 9.110(n) and 9.900(f) were due to be filed with the Supreme Court and were submitted to the Executive Committee so that they could be reviewed and approved prior to filing. Also given to the Executive Committee as an exhibit were comments from the Family Law Rules Subcommittee concerning Rule 9.110(n). The Executive Committee approved the comments with a vote of 10-0.
  - 2) February 27, 2006 RJA committee comments  
One matter required Executive Committee approval. The Executive Committee was transmitted the information on the items via email. The following members participated: President Alan Bookman, President-elect designate Frank Walker, Jesse Diner, Mayanne Downs, Nancy Gregoire, Jamie Moses, Grier Wells and Jay White.  
Rules of Judicial Administration Committee comments  
Comments by the Rules of Judicial Administration Committee relating to "Group Two" of the report of the Supreme Court Committee on Privacy and Court Records were given to the Executive Committee for their review and approval prior to the March 1<sup>st</sup> date they are due to be filed. The Executive Committee approved the comments with a vote of 8-0.
  - 3) March 15, 2006 JNC screening committee/Juv Ct. Rules committee  
Members Participating: President Alan Bookman, President-elect Designate Frank Angones, Kimberly Bald, Jesse H. Diner, Nancy Gregorie, Jamie Moses, David Rothman, Grier Wells and Jay White. Also participating were: Screening Committee Chairs Warren Lindsey and Larry Sellers.  
Purpose: (1) To review the JNC Screening Committee's list of highly qualified applicants in order to determine the final JNC nominations to be forwarded to the Board of Governors for approval and ultimately to the Governor for appointment. The Governor will make the appointments from a list of 3 names for each vacancy. The Bar has two vacancies this year; and (2) Consider request from Juvenile Court Rules to amend the Rules of Appellate Procedure.  
(1) Six Screening Committees were set up; Supreme Court, First DCA, Second DCA, Third DCA, Fourth DCA and Fifth DCA, comprised of Board members serving in those areas. Over 400 applications received and reviewed by their respective screening committee. Screening committee members rated each applicant based on criteria that included: length of practice, type of practice, community service, and reputation in the community, previous experience and diversity. A conference call/meeting was set up to determine those applicants deemed highly qualified to send to the Executive Committee for consideration.  
The Executive Committee carefully considered all the Screening Committee's recommendations together with the overall makeup of each JNC. After a thorough discussion, the final list of nominees was agreed upon to go forward to the Board of Governors for approval at its April 7, 2006 meeting in Coral Gables. The following names will be submitted:

**Supreme Court**

Arturo Alvarez, Miami Lakes  
Richard E. Berman, Ft. Lauderdale  
Hugh Cotney, Jacksonville  
Candace Renee Duff, Miami Beach  
Katherine W. Ezell, Coral Gables  
Cynthia Johnson-Stacks, Miami

**First DCA**

Jeptha F. Barbour, Ponte Vedra Beach  
Fred D. Franklin, Jr., Jacksonville  
John D. Jopling, Gainesville  
Rufus Pennington, Ponte Vedra  
Terrance E. Schmidt, Orange Park  
Marcia Parker Tjoflat, Jacksonville

**Second DCA**

William N. Drake, Jr., St. Pete Beach  
Christine H. Greider, Naples  
Ronald S. Holliday, Tampa  
Celene Humphries, Riverview  
Erik R. Matheney, St. Pete  
Barbara Twine Thomas, Tampa

**Third DCA**

William Aaron, Miami  
Jeffrey Scott Bass, Miami  
Edward G. Guedes, Miami  
Abigail Price-Williams, Miami Shores  
Peter Prieto, Miami  
Elliot H. Scherker, Coconut Grove

**Fourth DCA**

David Paul Ackerman, Palm Bch Gardens  
Sonja K. Dickens, Miramar  
Kara Berard Rockenbach, N. Palm Beach  
Peter A. Sachs, Palm Beach Gardens  
Dale R. Sanders, Ft. Lauderdale  
Steven L. Schwarzberg, West Palm Bch

**Fifth DCA**

M. Suzanne Chistolini-Green, Ocala  
Aristides "Kico" Diaz, Winter Park  
James H. Fallace, Satellite Beach  
Daniel Jay Gerber, Winter Park  
George F. Indest, III, Longwood  
David A. Townsend, Brooksville

**First Circuit**

Wanda J. Clapp, Niceville  
Roy M. Kinsey, Jr., Pensacola  
Earl Dion Loveless, Pensacola  
Pamela A. Moine, Gulf Breeze  
Anne M. Patterson, Pensacola  
Christopher L. Rabby, Pensacola

**Second Circuit**

Tammy deSoto Cicchetti, Tallahassee  
William Howard Davis, Tallahassee  
Michael P. Donaldson, Tallahassee  
Michael J. Glazer, Tallahassee  
Gary K. Hunter, Jr., Tallahassee  
Daryl D. Parks, Tallahassee

**Third Circuit**

Angela M. Ball, Perry  
Kathleen M. Bishop, Perry  
John J. Kendron, Lake City  
David A. Phelps, Perry  
Kimberly G. Shelley Sedor, Live Oak  
Ernest A. Sellers, Live Oak

**Fourth Circuit**

Lynn Drysdale, Atlantic Beach  
Craig Gibbs, Jacksonville  
Jeffery B. Morris, Jacksonville  
Robert E. O'Quinn, Jr., Jacksonville  
Ava Lora Parker, Jacksonville  
Thomas F. Slater, Jacksonville

**Fifth Circuit**

Beth E. Antrim, Hernando  
Dawn Ellis, Floral City  
Merrie Meredith Kirste, Leesburg  
Michele L. Lieberman, Inverness  
Pravesh Bobby Rumalla, Ocala  
Keith R. Taylor, Crystal River

**Sixth Circuit**

Denis Michael deVlaming, Clearwater  
Robert J. Lancaster, Seminole  
Frederick T. Reeves, New Port Richey  
Sallie D. Skipper, New Port Richey  
George E. Tragos, Clearwater  
Jack Adam Weiss, St. Petersburg

**Seventh Circuit**

Steven N. Gosney, Ormond Beach  
Steven J. Guardiano, Port Orange  
Frank Bird Gummey, Daytona Beach  
Isabelle Christine Lopez, St. Augustine  
Dawn D. Nichols, Ormond Beach  
Mitchel Novas, Ormond Beach

**Eighth Circuit**

Pamela K. Brockway, Gainesville  
S.E. Cushman, Gainesville  
Brian Stuart Kramer, Gainesville  
Donald A. Niesen, Gainesville  
Peggy Fleming Schrieber, High Springs  
Margaret Mitchem Stack, Alachua

**Ninth Circuit**

Dennis Andrew Chen, Winter Garden  
LaShawnda K. Jackson, Orlando  
Tiffany D. Moore, Orlando  
Mary Ann Morgan, Winter Park  
William E. Sublette, Orlando  
William C. Vose, Orlando

**Tenth Circuit**

Melodie Johnson-Lopez, Winter Haven  
Deborah Lee Oates, Bartow  
Spencer L. Pastorin, Davenport  
Alejandro E. Pujol, Lakeland  
John Marc Tamayo, Bartow  
Donald H. Wilson, Jr., Homeland

**Eleventh Circuit**

Robert M. Klein, Miami  
John W. Kozyak, Miami  
Jason M. Murray, Miami  
Andres Rivero, Key Biscayne  
Mark Anthony Romance, Coral Gables  
Aloyma M. Sanchez, Miami

**Twelfth Circuit**

Kathi B. Halvorsen, Sarasota  
Mark D. Hildreth, Sarasota  
Gary H. Larsen  
Leslie Wulfsohn Loftus, Sarasota  
Henry Roger Lutz, Holmes Beach  
Robert C. Widman, Sarasota

**Thirteenth Circuit**

Pedro F. Bajo, Jr., Tampa  
Edward W. Gerecke, Tampa  
Ronald Patrick Hanes, Tampa  
C. Howard Hunter, Brandon  
Joseph Franklin Kinman, Jr., Tampa  
Anthony Thomas Martino, Tampa

**Fourteenth Circuit**

Richard Kerry Adkinson, Chipley  
Derrick Bennett, Panama City  
William C. Henry, Panama City Bch  
Robert C. Jackson, Panama City  
William Adams Lewis, Panama City  
Robert S. Sombathy, Panama City

**Fifteenth Circuit**

Douglas Duncan, West Palm Beach  
Michael J. Gelfand, West Palm Beach  
Susan F. Kornspan, Boca Raton  
Nancy Lee LaVista, Juno Beach  
L. Louis Mrachek, West Palm Beach  
Denise M. Nieman, Jupiter

**Sixteenth Circuit**

Readvertising – deadline March 29

**Seventeenth Circuit**

Timothy L. Bailey, Pompano Beach  
Anthony J. Carriuolo, Plantation  
Jay Cohen, Hollywood  
Jamie Finzio-Bascombe, Lighthouse Pt.  
Charles M. Rosenberg, Weston  
Catherine W. Zippay, Lauderdale by Sea

**Eighteenth Circuit**

Carsandra D. Buie, Titusville  
Tyrone A. King, Oviedo  
Philip F. Nohrr, Indialantic  
Mark H. Randall, Altamonte Springs  
Dean Andrew Reed, Longwood  
David J. Volk, Satellite Beach

**Nineteenth Circuit**

Cynthia G. Angelos, Ft. Pierce  
Paul R. Berg, Ft. Pierce  
Nicola Boone, Palm City  
F. Shields McManus, Hobe Sound  
Alan S. Polackwich, Sr., Vero Beach  
Richard Kendall Slinkman, Tequesta

**Twentieth Circuit**

Lisa Helaine Barnett, Naples  
Mark A. Ebelini, Ft. Myers  
Sharon Margaret Hanlon, Naples  
Jason Hunter Korn, Naples  
F. Joseph McMackin, III, Naples  
Christopher T. Vernon, Naples

The JNC Screening Committee chairs were thanked for all their hard work.

(2) The Committee had previously been sent the attached comment from the Juvenile Court Rules Committee regarding an amendment to the Rules of Appellate Procedure. The comment passed by a vote of 9-0 and will be sent to the Supreme Court by April 3, 2006. There being no further business to discuss, the meeting adjourned at 11:45 a.m.

## **8. Consent Calendar**

A. UPL Circuit committee nominations  
April 2006

John Sullivan, Public Member, Fifth Judicial Circuit  
Mark Lippman, Attorney Member, Ninth Judicial Circuit  
Kimberly D. Thresher, Attorney Member, Thirteenth Judicial Circuit  
Patricia S. Delgado, Attorney Member, Thirteenth Judicial Circuit  
J. Scott Davis, Public Member, Thirteenth Judicial Circuit

B. Board Review Committee on Professional Ethics

- 1) Advertising Appeals 06-00301, 06-00303, 06-00409, 06-00410, 06-00459, 06-00460, 06-00461, 06-00462, 06-00565, 06-00828, and 06-00829

Advertising Appeals 06-00301, 06-00303, 06-00409, 06-00410, 06-00459, 06-00460, 06-00461, 06-00462, 06-00565, 06-00828, and 06-00829 concern application of Rule 4-7.2(b)(1)(B), prohibiting statements that are likely to create unjustified expectations, and Rule (b)(2), prohibiting false or misleading statements. Based on guidance from the Standing Committee on Advertising, staff rendered an opinion on September 13, 2005 that the firm's domain name and various statements concerning recovery are likely to create unjustified expectations, and that some statements about the firm's fees as compared with other lawyers' fees were misleading, because they misstate what lawyers can charge in certain contingent fee cases and misstate amendment 3 requirements, among other violations. Based on guidance from the Standing Committee on Advertising, bar staff rendered an opinion on September 15, 2005, that the domain name and other statements about recovery contained in a yellow pages advertisement (file number 06-00565) created unjustified expectations, based on the committee's guidance in the prior files. On January 3, 2006, staff rendered an opinion on two television advertisements (file numbers 06-00828 and 06-00829) that the tag line created unjustified expectations based on the committee's guidance in the prior files.

The Standing Committee on Advertising upheld the staff opinions on November 15, 2005 (file numbers 06-00301, 06-00303, 06-00409, 06-00410, 06-00459, 06-00460, 06-00461, 06-00462, and 06-00565) and on February 21, 2006 (file numbers 06-00828 and 06-00829). The attorney subsequently requested Board of Governors review.

(A) The BRC voted 6 to 0 to affirm the Standing Committee on Advertising decision that the following language is misleading in violation of Rule 4-7.2(b)(1)(A) and (b)(2) because it misstates the contingent fee schedule and because statutes limit attorneys fees in some cases (e.g., lawsuits against the state):

(1) "Did you know that lawyers can keep up to 40% of your personal injury settlement, even if your case doesn't go to trial?" (file numbers 06-00409, 06-00460)

(2) "Lawyers can keep up to 40% of your personal injury settlement, but we choose not to." (file number 06-00461)

The board approved the BRC's recommendation on the consent calendar.

(B) The BRC voted 6 to 0 to affirm the Standing Committee on Advertising decision that the following language is misleading in violation of Rule 4-7.2(b)(1)(A) and (b)(2) because it misstates amendment 3:

- “We think last year’s amendment limiting attorney’s fees in malpractice cases didn’t go far enough...On all cases that settle without filing suit, our maximum fee is only 25% not 33 and a third.” (file numbers 06-00410, 06-00459)
- 2) Advertising Appeals 06-01005 and 06-01006  
Advertising Appeals 06-01005 and 06-01006 concern application of Rule 4-7.2(b)(1)(B), prohibiting statements that are likely to create unjustified expectations. Staff rendered an opinion on November 6, 2005, that two television advertisements violated Rule 4-7.2(b)(1)(B) because of their inclusion of the following statements:  
“We have a staff of more than twenty-five (25) who understand the dynamics and mechanics of motor vehicle accidents so we can best represent you” [06-01005].  
“At Maney & Gordon we understand the dynamics and mechanics of motor vehicle accidents, so that we can best represent you “[06-01006].  
The Standing Committee on Advertising upheld staff’s opinion on January 20, 2006. The attorney subsequently requested Board of Governors review. The BRC voted 4 to 2 to affirm the Standing Committee on Advertising that the following statements are likely to create unjustified expectations about results the lawyer can achieve under Rule 4-7.2(b)(1)(B):  
“We have a staff of more than twenty-five (25) who understand the dynamics and mechanics of motor vehicle accidents so we can best represent you” [06-01005].  
“At Maney & Gordon we understand the dynamics and mechanics of motor vehicle accidents, so that we can best represent you” [06-01006].  
The board approved the BRC’s recommendation on the consent calendar.

### **9. Budget Committee Report**

Incoming chair Jesse Diner reported that the budget committee had met in February in Tallahassee to work on the 2006-2007 budget. He told the board that the budget is balanced. He told the board that the Bar would be moving reserve funds to update the Bar’s disaster plans and hurricane preparedness. Diner said that lawyer regulation is projected to increase to about \$14.8 million. The board approved the 2006-07 budget.

Chair Mayanne Downs reported that the budget committee recommended the approval of three amendments to the 2005-06 budget. All of the funds will come from the operating reserve account. The board approved the following amendments:

Presidential expenses	\$15,000
Florida Law Related Education Association, Inc	\$5,600
Computer maintenance	\$ 5,000

### **10. Communications Committee Report**

Chair Kim Bald told the board that the committee reviewed the nominations for openings on the Citizens Forum. A subcommittee ranked the 10 nominees and the full committee agreed with their recommendations. President-elect Coxe will appoint at least four new members to the Citizens Forum. The committee is working on a charter change for the Citizens Forum to provide staggered terms and plan to bring it to the board at the next meeting. The committee also discussed the member pages on the Web site. The committee recommended that the Bar expand the informational page of each Florida Bar member on its Web site. Bald told the committee that an example of what would be included on the informational page had been handed out at the meeting. She said that the project would be implemented over the summer. The board approved the recommendation.

### **11. Legislation Committee Report**

Committee member Larry Sellers reported that the legislation committee recommended that the board approve the following section legislative positions and a section lobbyist contract:

- A. Family Law Section  
1) Supports amending §61.30(6) F.S. which would provide that when the parents combined income exceeds the child support guidelines schedule amounts that

the percentages contained at the end of subparagraph (6) not be used as a basis for awarding child support beyond the reasonable needs of the parties' children.

2) Supports amending §61.30 11(a)10 F. S. and §61.30 11(b) F. S. to require mandatory deviation in the calculation of child support and the continuing utilization of the "gross-up" method for child support calculation when the particular parenting arrangement provides that parties' children spend a substantial amount of time with the non-custodial parent. The threshold for determination of "substantial time-sharing" should be reduced from 40% to 20% of the overnights.

3) Supports an amendment to §61.30 11 (d) F.S. which would codify current case law addressing the formula for calculating child support in split custody cases.

4) Strongly opposes any amendment to 61.30 F.S. which would delegate the obligation to review and if appropriate, reconfigure the child support guidelines schedule in Florida Statutes, Chapter 61, to the Supreme Court of the State of Florida or the State of Florida, Department of Revenue.

5) Opposes Senate Bill 1080's incorporation of Family Team Conferencing as an alternative dispute resolution mechanism unless it incorporates the appropriate procedural safeguards by amending proposed §39.01(30) F. S. to incorporate same.

6) Opposes Senate Bill 1080 unless the current definition of parent is amended to be consistent with the definition set forth in Florida Statutes Chapter 63.

7) Supports Senate Bill 1080 with the enhancement of the definition of "incarcerated parent."

8) Supports Senate Bill 2266 with the amendment of §827.03 F. S. to incorporate a fourth category of child abuse provided that the definition of corporal punishment is amended to define excessive corporal punishment as consistent with definitions thereof set forth in § 39.01 (30)(a) 4 a.-k.; as well as the incorporation of the phrases "permanent or temporary" in reference to i. disfigurement and j. loss or impairment of a body part or function.

9) Supports Senate Bill 438 and HB 221 but urges that at the end of subparagraphs (1)(a) and (2)(a) of these bills be amended to include additional limiting language pertaining to fraud or misrepresentation.

10) Opposes Senate Bill 1080 unless the current language intended to amend § 39.407(5) is deleted thereby leaving the authority of the judiciary to order that a child receive developmental disability services intact under Florida Statutes Chapter 39.

B. Section Legislative Consultant Contract

1) Elder Law section – Tom Batchelor

President Bookman shared some excerpts from the weekly legislative report sent to the board by its chief legislative consultant Steve Metz. He told the board that the DNA bills were moving through the legislative process, although there is continuing controversy over whether people who have pled guilty or no contest should qualify for testing. President-elect Hank Coxe spoke to the board about the Innocence Project which assists the incarcerated prisoners in having their DNA tested. Coxe told the board that The Florida Bar Foundation had given the Innocence Project a \$10,000 grant. Bookman went on to discuss the judicial certification bills. Both the House and Senate bills include 66 new judges. The House bill has the new judges appointed and the Senate bill has them elected. Finally, the state court's budget outlook is great this year; they will have a record number of new positions.

**12. Investment Committee Report**

Chair Ian Comisky reported that as of March 31, 2006 the Bar's investments were up by 6.59% for the year, and 3.9% for the first quarter. Comisky told the board that every fund the bar has is performing well. The committee is discussing further diversification. By diversifying further, the Bar could increase its return by about .3%, and significantly reduce risk. He told the board that the committee expected to have a recommendation for the board at its June meeting.



Comisky told the board that the committee recommended that the board approve a new contract between the Bar and Morgan Stanley. He informed the board that there is an arbitration clause for fee dispute included in the contract and that Morgan Stanley insists on including this in all of their contracts. The board approved the contract.

### **13. Audit Committee Report**

Chair Clif McClelland reported that the audit committee continues to look at emergency preparedness. The first action that the Bar needs to take is to spend about \$2,500 per month to improve the back up process used by I.S. McClelland said that the committee is looking at proposals to set up emergency generators. The committee will continue to research this and will be bringing a recommendation to the board later in the year.

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

Chair Steve Chaykin reported that the committee met and discussed the following items:

A Advertising Appeals 06-00301, 06-00303, 06-00409, 06-00410, 06-00459, 06-00460, 06-00461, 06-00462, 06-00565, 06-00828, and 06-00829 concern application of Rule 4-7.2(b)(1)(B), prohibiting statements that are likely to create unjustified expectations, and Rule (b)(2), prohibiting false or misleading statements. Based on guidance from the Standing Committee on Advertising, staff rendered an opinion on September 13, 2005 that the firm's domain name and various statements concerning recovery are likely to create unjustified expectations, and that some statements about the firm's fees as compared with other lawyers' fees were misleading, because they misstate what lawyers can charge in certain contingent fee cases and misstate amendment 3 requirements, among other violations. Based on guidance from the Standing Committee on Advertising, bar staff rendered an opinion on September 15, 2005, that the domain name and other statements about recovery contained in a yellow pages advertisement (file number 06-00565) created unjustified expectations, based on the committee's guidance in the prior files. On January 3, 2006, staff rendered an opinion on two television advertisements (file numbers 06-00828 and 06-00829) that the tag line created unjustified expectations based on the committee's guidance in the prior files.

The Standing Committee on Advertising upheld the staff opinions on November 15, 2005 (file numbers 06-00301, 06-00303, 06-00409, 06-00410, 06-00459, 06-00460, 06-00461, 06-00462, and 06-00565) and on February 21, 2006 (file numbers 06-00828 and 06-00829). The attorney subsequently requested Board of Governors review.

(A) The BRC voted 4 to 2 to reverse the Standing Committee on Advertising, finding that the domain name "youraccidentrecovery.com" is not likely to create unjustified expectations and therefore complies with Rule 4-7.2(b)(1)(B) in file numbers 06-00301, 06-00303, 06-00409, 06-00460, 06-00462, and 06-00565.

The board voted to approve the BRC recommendation to reverse the Standing Committee on Advertising's decision.

(B) The BRC voted 4 to 2 to reverse the Standing Committee on Advertising, finding that 2. the tag line "It's about you – your health, your family and your recovery" is not likely to create unjustified expectations under Rule 4-7.2(b)(1)(B) in file numbers 06-00301, 06-00303, 06-00409, 06-00410, 06-00459, 06-00460, 06-00461, 06-00462, 06-00565, 06-00828, and 06-00829.

The board voted to approve the BRC recommendation to reverse the Standing Committee on Advertising's decision.

B. Advertising Appeal 06-00988

Advertising Appeal 06-00988 concerns application of Rule 4-7.2(b)(1)(B), prohibiting statements that are likely to create an unjustified expectation. Staff rendered an opinion on November 22, 2005, that the statement "the lawyer you choose can help make the difference between a substantial award and a meager settlement" was likely to create unjustified expectations, in violation of Rule 4-7.2(b)(1)(B). The Standing Committee on Advertising upheld staff's opinion on February 21, 2006. The attorney subsequently requested Board of Governors review. The filer's position is that the language has been previously approved by the bar and is a true statement that is "universal to all lawyers."

Note: the language was approved by staff in file number 04-01077, 02-01002 (as revised 3/22/02). Similar language "the lawyer you choose can help make the difference between a large award and a small settlement" was approved by staff in file number 98-01297.

The BRC voted 6 to 0 to reverse the Standing Committee on Advertising decision, finding that the language "the lawyer you choose can help make the difference between a substantial award and a meager settlement" is not likely to create unjustified expectations and therefore complies Rule 4-7.2(b)(1)(B).

The board voted to approve the BRC's recommendation to reverse the Standing Committee on Advertising's decision.

C. REQUEST FOR RECONSIDERATION IN ADVERTISING APPEAL 05-02359

The Standing Committee on Advertising requests that The Florida Bar Board of Governors reconsider the board's decision in advertising appeal 05-02359. Advertising Appeal 05-02359 concerned application of Rule 4-7.2 (b)(1), prohibiting misleading information. Staff rendered an opinion on May 13, 2005, that the advertisement in file number 05-02359 contained misleading information based on the filer's inclusion of the term "Doctor En Leyes." The Standing Committee on Advertising upheld staff's opinion on September 13, 2005. The attorney subsequently requested Board of Governors review. The Board Review Committee on Professional Ethics voted 5-0 to affirm the Standing Committee on Advertising decision that the term "Doctor En Leyes" (Doctor in Laws) is misleading under Rule 4-7.2(b)(1)(A) because it implies the lawyer has qualifications other than a juris doctor degree. The board voted to approve the BRC recommendation on the consent calendar.

On January 20, 2006, the Standing Committee reviewed staff's opinion on a yellow pages advertisement filed by another attorney in file no. 06-00996. The committee voted 4-2 to reverse staff's opinion for all three attorneys, determining that listing "Doctor of Law" in the attorneys' qualifications is not potentially false or misleading under Rule 4-7.2(b)(2)(B) because Mr. McMillen and Mr. Reinhart were each awarded a "Doctor of Law" degree from Emory University and Mr. Voght was awarded a "Juris Doctor" from the University of Florida, which can be translated as "Doctor of Law."

In light of the committee's January 20, 2006 decision, staff requested that the Standing Committee on Advertising seek the board's reconsideration in advertising appeal 05-02359, because it seems inconsistent with the January 20, 2006 decision. The Standing Committee on Advertising voted to request that the board reconsider its decision.

The BRC voted to recommend that the board reaffirm the Standing Committee on Advertising decision that "Doctor in Leyes" is misleading in violation of Rule 4-7.2(b)(1)(A).

After discussion, the board voted to defer a decision on the issue until the next board meeting.

D. ADVERTISING REQUESTS FOR GUIDANCE 06-01401 and 06-01453

The Standing Committee on Advertising requests guidance from The Florida Bar Board of Governors concerning two advertising matters. The Standing Committee on Advertising for many years had determined illustrations or photographs of persons in handcuffs violated the lawyer advertising rules, first under the former rule prohibiting dramatizations, then under Rule 4-7.2(b)(4), stating that "visual or verbal descriptions, depictions, or portrayals of persons, things, or events shall not be deceptive, misleading, or manipulative." In 2003, The Florida Bar prosecuted Florida Bar member Gary S. Ostrow for the use of an illustration of hands in handcuffs in a direct mail as a violation of Rule 4-7.2(b)(4). The referee issued a report on March 11, 2003, that the illustration did not violate any bar rule. The board voted not to contest the referee's report. The court issued an order approving the referee's report on June 26, 2003. Since that order, the Standing Committee on Advertising has discussed the issue of illustrations of hands in handcuffs or handcuffed persons numerous times. At the recommendation of the Legal Division Director, the committee has been treating the board's decision not to appeal the referee report as a board decision on the issue and has been finding that illustrations of hands in handcuffs are permissible. The committee is troubled by the use of that type of

illustration, and a majority of committee members have indicated that they would find that type of illustration in violation of Rule 4-7.2(b)(4) were it not for the board's decision in the *Ostrow* case. The committee therefore voted to request guidance from the board regarding this issue.

(A) The BRC voted 6-0 to recommend that the board inform the standing committee that the board's decision not to appeal the referee's report finding regarding an illustration of hands in handcuffs in a disciplinary case is not precedent that would bind the committee. The board voted to approve the Board Review Committee's recommendation.

(B) The BRC voted 6-0 to refer the issue of whether photographs used in recent advertising filings violate Rule 4-7.2(b)(4) back to the standing committee to make its own determination.

The board voted to approve the Board Review Committee's recommendation.

#### **15. Special Committee on Website Advertising Rules 2005-2006 Report**

Chair Chobee Ebbets gave the board a brief history on the advertising rules. He reminded the board that the advertising task force had concluded last year that a website could not be regulated and that the advertising rules would not apply to them. At that time, the board members voted to approve that recommendation and asked for further study of the issue of lawyer websites. President Bookman appointed a new task force to look at lawyer websites. The task force was divided into 4 subcommittees to study the following topics: technology issues associates with websites, constitutional issues regarding the rules, enforcement-related issues, and other states' and American Bar Association's rules. Ebbets told the board that the task force had voted 6-4 that websites be treated as information on request and, under the bar's most recent proposal to the court, not regulated by advertising rules. The task force is now looking at specific rules proposals to determine if some intermediate position would be appropriate. The task force had no recommendations for the board at this time.

#### **16. Lawyer Action Report**

Chair Manny Morales told the board that the Florida Lawyers Action committee of continuing existence was created about 10 years ago out of the frustration that some of the board members had concerning the legislature. The committee has had both active and dormant years over the last decade. Morales pointed out that he is the committee's president-elect. He told the board that the committee is attempting to collect \$250 from each lawyer. Morales also discussed the absence of lawyers in the legislature. He reminded the board members that they need to be making an impact on their local and state governments, as they have the proper training. He told the board that the committee had met and were working on their website. He said that Steve Metz is working on creating a legislator score card, based on how the legislators voted on issues relating to the judiciary. Finally, Morales suggested that the board members go to the committee website to make a donation.

#### **17. Young Lawyers Division Report**

President Jamie Moses reported that every law school in the state had been visited by the Young Lawyers division at least once, some twice. Moses said that the YLD had held its spring symposium at the University of Florida Law School. The speakers and moderators of the program had lunch with the law students. All of the invited speakers were able to attend and the program was a success.

Moses told the board that the YLD has increased its efforts to expand on the speakers used for the practicing with professionalism and their CLE programs. The YLD has approached and invited lawyers from the minority bars, disabled lawyers and government lawyers to speak. Finally, Moses told the board that Scott Atwood was elected to be the President-elect of the YLD for the 2006-2007 year.

#### **18. Certification Plan Appeals Committee Report**

Chair Nancy Gregoire reported that the Supreme Court had directed that The Florida Bar need file no response because the court is treating the current appeal as a petition or review.

### **19. Disciplinary Procedure Committee Report**

Vice chair Jay White told the board that the committee recommendation is for the board to approve the following standing board policy. The board concurred and approved the following on second reading.

#### **A. Items on second reading**

- 1) SBP 15.76 Policy on Review of Grievance Committee Action by Designated Reviewers

New policy, setting forth allowable actions and guidelines for a designated reviewer in reviewing grievance committee action; specifies timeframes and available materials for such review and the form in which it must be requested.

White told the board that the committee has been working on a fee arbitration rule, the inventory attorney rule and court requested amendments concerning establishing a procedure for waving the constitutional limitation on certain contingency fees that was recently approved by the voting public. The committee determined that it would wait for the Supreme Court to act on the contingency cases rule, before deciding if it should be reviewed. Committee member David Rothman asked the committee to look into the "Rice "rule" concerning lawyer resignation. In the past, when a lawyer would resign, the Bar would review all of the lawyers trust accounts. Now that resignation is considered disbarment by consent, the review is no longer done. Rothman is concerned that the practice of reviewing the lawyers' accounts should be continued.

#### **B. Items on first reading**

- 1) Standing Board Policy 15.45 Policy in Bankruptcy Proceedings

The proposed policy presents direction from the board to staff as to what actions should be undertaken in various bankruptcy proceedings to protect the bar's ability to collect disciplinary costs.

- 2) Rule 1-7.5 Retired, Resigned, Inactive, Delinquent members

Deletes "resigned" members from text that lists those members who shall not practice law until reinstated; revises title likewise. Further consideration of this rule has been transferred to the program evaluation committee.

### **20. Workers Compensation Law Section Report**

Chair Ramon Malca spoke to the board about recent changes in the worker's compensation arena. He told the board that the 2003 Workers Compensation Act reduced the ability of claimants to get to court, both by reducing payments to lawyers and by making it administratively more difficult. Also, the Supreme Court said that Workers Compensation is not a judicial function and that the Bar has no role in rule making that they should be promulgated by the Department of Administrative Hearings (DOAH).

After the brief summary of what is going on with workers compensation in the courts, Malco told the board that the section is looking at how they have been selecting their leaders. They intend to have term limits put into place to encourage young attorneys to go into the field. The section puts on 4 annual CLE courses per year, including a trial advocacy class. Malco said that the section has a newsletter published four times a year. Malco closed his report by reminding the board that the section's main role is to provide a source and an opportunity for an exchange of ideas to enhance the education of our members and to enhance the trial skills of the section members.

### **21. Entertainment, Arts and Sports Law Section Report**

Chair Richard Rappaport told the board that you are only as good as your last picture, and the EASL section had a great last picture. He told the board that the section held a CLE program and entertainment symposium the week prior to the board meeting. The feedback received on the program has been positive. The section honored Henry Casey of KC and the Sunshine band, as well as Henry Stone, and TK Records. Rappaport told the board that the section is in touch with all of the major networks and motion picture companies and are trying to bring more business to

Florida. The section is about 1,000 members strong and is hoping that the board will continue to work with the section to develop the entertainment industry further in Florida.

## **22. Equal Opportunity Law Section Report**

Chair Art Walker told the board that the section has been working to increase the diversity in law schools as well as in the judiciary. The section is working with minority Bars to impress upon them that their members need to apply for appointment or run for election for the judicial openings as they occur. The section wants to see a more diverse judicial bench in Florida. Walker concluded his report by inviting the board members to the upcoming diversity symposium to be held April 28, 2006 in Orlando at the FAMU Law School.

## **23. Unlicensed Practice of Law Committee Report**

Chair Wayne Thomas reported that the committee was asking the board to approve the following amendment to SBP 16.24 to allow for undercover investigations into the unlicensed practice of law. He told the board that going to the sheriffs or state attorneys for help is not helpful, as the penalties for the crime aren't strong enough to warrant the state's help in prosecution. Thomas told the board that they had been contacted by the certified public accountants requesting that they be granted an exemption from being investigated. The DPC voted to not carve out exemptions. Thomas told the board that the committee recommends the approval of SBP 16.34. The board concurred with the committee recommendation and approved the policy.

### **A. Item on second reading (final action)**

- 1) Standing Board Policy 16.24 Undercover Activity in Unlicensed Practice of Law Cases  
New policy – consistent with newly revised rule 4-8.4(c) – to set forth guidelines for conducting undercover activity in unlicensed practice of law cases.

## **24. Special Committee to Study Paralegal Regulation Report**

Committee member Scott Rubin reported that the committee had representatives from all interests and everyone was able to look beyond their own self interest. Rubin said that the committee had worked on a charter that had been approved by the board of governor's budget, program evaluation and the disciplinary procedures committees and would be reviewed by the rules committee.

Bookman told the board that he and Steve Metz, the Bar's chief legislative consultant, met with both Representative Zapata, a member of the special committee and Senator Argenziano, the sponsors of legislation aimed at giving the paralegals the recognition and regulation that the paralegals were requesting. The legislators determined that it was not necessary to push the legislation, because the paralegals and the Bar had worked together to remedy the situation and the groups would continue to work together. Rubin told the board that the charter does include a grandfathering provision to cover the people working in law offices that have worked many years in law offices but who have not taken any paralegal courses or taken a certification exam. The long term goal is to have both those who are certified and those who are grandfathered using the term paralegal.

## **25. President-elect Report**

President-elect Coxe reported that he had just completed the sentencing portion of a trial in which he had defended someone because a circuit judge had requested he take three years ago. He pointed out that during the implementation of Article V/ Revision 7 the state said that it would control the appointment and funding of court appointed lawyers. A number of Florida lawyers said that they wouldn't take court appointed cases. In the Jacksonville area there are only 4 lawyers taking these cases. Coxe reported that this is a problem in Florida.

Coxe went on to remind the board of the upcoming Diversity symposium on April 28. He told the board that he expected this year to be better than the first 2 years of the symposium.

Coxe told the board that the Coxe commission/lawyer regulation commission will be meeting on April 18, 2006 and hope to provide a final document before the June 2, 2006 meeting in Key West.

Coxe told the board that during the 2006 – 2007 year, the board of governors would not be holding an out of state meeting. The meeting schedule is as follows:

July 26-30, 2006 Orlando, Omni Champion's Gate

Sept. 27-30, 2006 Ponte Vedra Beach, Ponte Vedra Beach Resort

Dec. 6 – 10, 2006 Key Biscayne, Ritz Carlton

January 25 – 27, 2007 Tallahassee

March 28-30, 2007 Tampa Renaissance

May 30 - June 4, 2007 Key West Hilton

Coxe said he would be finished with his committee assignments in the next week.

Coxe went on to tell the board that there had recently been a major improvement concerning attorney client privilege. He reported that the American Bar Association had been working to address what is perceived to be an erosion of the attorney client relationships. The US Department of Justice issued the Thompson memorandum, which said that if a corporation wanted to get credit for cooperation in an investigation, it had to waive the attorney client relationship, which significantly impacts the ability of attorneys to help their clients. The US Chamber of Commerce teamed up with the American Civil Liberties Union to seek repeal. The US Sentencing commission said that it would no longer enforce the provision of credit given for waiving the attorney client relationship.

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

Chair Frank Walker reported that the Program Evaluation committee met, discussed and had the following recommendations for the following items:

- A. Rule 1-3.7 Reinstatement to Membership- Tabled by the board  
Within subdivision (a), revises verbiage so that provision effectively relates to all types of membership delinquencies.
- B. Creation of a Florida Registered Paralegal Program  
Walker said that the committee recommended that the board approve the paralegal program described in the report by the special committee to study paralegal regulation. The board concurred and approved the program.
- C. Excellence in the Promotion of Board Certification Award  
Walker told the board that the committee approved the award. The award will be given to those who consistently promote certification.
- D. Walker told the board that the PEC had received a report from the Animal Law committee. They had requested permission to give a "Compassion Award." The committee voted against the request because the members didn't feel that the award was in synch with the committee's stated goals and objective.
- E. BLSE amendments to Rules Regulation The Florida Bar on **first reading**
  - 1) Rule 6-3.9(a) Manner of Listing Certification  
Within subdivision (a), adds an option for certified lawyers to use the initials "B.C.S." to indicate they are board certified specialists in an abbreviated manner; further specifies appropriate contexts for the use of such initials.
  - 2) Rule 6-16.3(b) Minimum Number of Matters - Standards for Certification  
Consistent with proposed changes in rule 6-16.4(b), adds language within subdivision (b), to allow completion of particular advanced trial advocacy seminars to substitute for 1 of the 8 required matters submitted to the trier of fact for resolution; deletes current reference to "complex" in definition of "protracted adversary proceeding" and adds further clarification that such proceedings are "business litigation" matters.
  - 3) Rule 6-16.4(b) Minimum Number of Matters - Standards for Recertification  
Consistent with proposed changes in rule 6-16.3(b), adds language within subdivision (b), to allow completion of advanced trial advocacy seminars to substitute for 1 of the 5 required matters submitted to the trier of fact for resolution.

**27. Administrative Law Section Bylaws – first reading**

Within Article I, adds title (Description) and creates new Section 3 regarding a balanced executive council membership of both government attorneys and private practitioners; within Article II, Section 3 (Membership – Annual Dues) deletes \$25 cap on dues; within Article III, Section 4 (Officers – Election of Officers) revises nominations process, to require nominations by a nominating committee of the executive council rather than the full council; within Article IV (Executive Council) deletes duplicative provision in Section 1 (Governing Body) regarding council meetings, and creates new Section 5 (Duties) regarding council member participation in section, Florida Bar, or other sections' activities; within Article V (Meetings) adds new title and provisions within Section 1 (Meetings of the Membership) and new Section 2 (Meetings of the Executive Council) specifying revised procedures for calling and conducting both regular and special meetings of the section and executive council, including new quorum and absence provisions for executive council meetings; within Article VI (Committees) revises descriptions of various standing committees, adds new Law School Outreach and Nominating Committees, and allows for establishment of ad hoc committees by the chair; includes other non-substantive edits and revises existing subdivision entries as necessary.

**28. Labor & Employment Law Section Bylaws – first reading**

The change amends Article II, Section 5 (Membership - Annual Dues) to increase the section's annual dues from \$25 to \$40.

**29. Special Appointments**

The board of governors made the following appointments:

- A. Supreme Court's Bar Admission Committee –  
The board of governors appointed the incumbent Jerry Martin Gewirtz for a 2-year term beginning on July 1, 2006

The board determined that the board would re-advertise for the Judicial Nominating Commission Statewide Nominating Commission for Judges of Compensation Claims.

- B. The board of governors nominated the following lawyers for 4-year terms on the Judicial Nominating Commissions beginning July 2, 2006:

**Supreme Court**

Arturo Alvarez, Miami Lakes  
Richard E. Berman, Ft. Lauderdale  
Hugh Cotney, Jacksonville  
Candace Renee Duff, Miami Beach  
Katherine W. Ezell, Coral Gables  
Cynthia Johnson-Stacks, Miami

**Third DCA**

William Aaron, Miami  
Jeffrey Scott Bass, Miami  
Edward G. Guedes, Miami  
Abigail Price-Williams, Miami Shores  
Peter Prieto, Miami  
Elliot H. Scherker, Coconut Grove

**First DCA**

Jeptha F. Barbour, Ponte Vedra Beach  
Fred D. Franklin, Jr., Jacksonville  
John D. Jopling, Gainesville  
Rufus Pennington, Ponte Vedra  
Terrance E. Schmidt, Orange Park  
Marcia Parker Tjoflat, Jacksonville

**Fourth DCA**

David Paul Ackerman, Palm Bch Gardens  
Sonja K. Dickens, Miramar  
Kara Berard Rockenbach, N. Palm Beach  
Peter A. Sachs, Palm Beach Gardens  
Dale R. Sanders, Ft. Lauderdale  
Steven L. Schwarzberg, West Palm Bch

**Second DCA**

William N. Drake, Jr., St. Pete Beach  
Christine H. Greider, Naples  
Ronald S. Holliday, Tampa  
Celene Humphries, Riverview  
Erik R. Matheny, St. Pete  
Barbara Twine Thomas, Tampa

**Fifth DCA**

M. Suzanne Chistolini-Green, Ocala  
Aristides "Kico" Diaz, Winter Park  
James H. Fallace, Satellite Beach  
Daniel Jay Gerber, Winter Park  
George F. Indest, III, Longwood  
David A. Townsend, Brooksville

**First Circuit**

Wanda J. Clapp, Niceville  
Roy M. Kinsey, Jr., Pensacola  
Earl Dion Loveless, Pensacola  
Pamela A. Moine, Gulf Breeze  
Anne M. Patterson, Pensacola  
Christopher L. Rabby, Pensacola

**Second Circuit**

Tammy deSoto Cicchetti, Tallahassee  
William Howard Davis, Tallahassee  
Michael P. Donaldson, Tallahassee  
Michael J. Glazer, Tallahassee  
Gary K. Hunter, Jr., Tallahassee  
Daryl D. Parks, Tallahassee

**Third Circuit**

Angela M. Ball, Perry  
Kathleen M. Bishop, Perry  
John J. Kendron, Lake City  
David A. Phelps, Perry  
Kimberly G. Shelley Sedor, Live Oak  
Ernest A. Sellers, Live Oak

**Fourth Circuit**

Lynn Drysdale, Atlantic Beach  
Craig Gibbs, Jacksonville  
Jeffery B. Morris, Jacksonville  
Robert E. O'Quinn, Jr., Jacksonville  
Ava Lora Parker, Jacksonville  
Thomas F. Slater, Jacksonville

**Fifth Circuit**

Beth E. Antrim, Hernando  
Dawn Ellis, Floral City  
Merrie Meredith Kirste, Leesburg  
Michele L. Lieberman, Inverness  
Pravesh Bobby Rumalla, Ocala  
Keith R. Taylor, Crystal River

**Sixth Circuit**

Denis Michael deVlaming, Clearwater  
Robert J. Lancaster, Seminole  
Frederick T. Reeves, New Port Richey  
Sallie D. Skipper, New Port Richey  
George E. Tragos, Clearwater  
Jack Adam Weiss, St. Petersburg

**Seventh Circuit**

Steven N. Gosney, Ormond Beach  
Steven J. Guardiano, Port Orange  
Frank Bird Gummey, Daytona Beach  
Isabelle Christine Lopez, St. Augustine  
Dawn D. Nichols, Ormond Beach  
Mitchel Novas, Ormond Beach

**Eighth Circuit**

Pamela K. Brockway, Gainesville  
S.E. Cushman, Gainesville  
Brian Stuart Kramer, Gainesville  
Donald A. Niesen, Gainesville  
Peggy Fleming Schrieber, High Springs  
Margaret Mitchem Stack, Alachua

**Ninth Circuit**

Dennis Andrew Chen, Winter Garden  
LaShawnda K. Jackson, Orlando  
Tiffany D. Moore, Orlando  
Mary Ann Morgan, Winter Park  
William E. Sublette, Orlando  
William C. Vose, Orlando

**Tenth Circuit**

Melodie Johnson-Lopez, Winter Haven  
Deborah Lee Oates, Bartow  
Spencer L. Pastorin, Davenport  
Alejandro E. Pujol, Lakeland  
John Marc Tamayo, Bartow  
Donald H. Wilson, Jr., Homeland

**Eleventh Circuit**

Robert M. Klein, Miami  
John W. Kozyak, Miami  
Jason M. Murray, Miami  
Andres Rivero, Key Biscayne  
Mark Anthony Romance, Coral Gables  
Aloyma M. Sanchez, Miami

**Twelfth Circuit**

Kathi B. Halvorsen, Sarasota  
Mark D. Hildreth, Sarasota  
Gary H. Larsen  
Leslie Wulfsohn Loftus, Sarasota  
Henry Roger Lutz, Holmes Beach  
Robert C. Widman, Sarasota

**Thirteenth Circuit**

Pedro F. Bajo, Jr., Tampa  
Edward W. Gerecke, Tampa  
Ronald Patrick Hanes, Tampa  
C. Howard Hunter, Brandon  
Joseph Franklin Kinman, Jr., Tampa  
Anthony Thomas Martino, Tampa

**Fourteenth Circuit**

Richard Kerry Adkinson, Chipley  
Derrick Bennett, Panama City  
William C. Henry, Panama City Bch  
Robert C. Jackson, Panama City  
William Adams Lewis, Panama City  
Robert S. Sombathy, Panama City



**Fifteenth Circuit**

Douglas Duncan, West Palm Beach  
Michael J. Gelfand, West Palm Beach  
Brian B. Joslyn, Tequesta  
Nancy Lee LaVista, Juno Beach  
L. Louis Mrachek, West Palm Beach  
Denise M. Nieman, Jupiter

**Sixteenth Circuit**

Michael R. Barnes, Key West  
James S. Lupino, Key Largo  
Hal G. Schulmacher, Marathon  
R. Bruce Wallace, Key West  
Val Ellsworth Winter, Key West  
Donald E. Yates, Key West

**Seventeenth Circuit**

Timothy L. Bailey, Pompano Beach  
Anthony J. Carriolo, Plantation  
Jay Cohen, Hollywood  
Jamie Finzio-Bascombe, Lighthouse Pt.  
Charles M. Rosenberg, Weston  
Catherine W. Zippay, Lauderdale by Sea

**Eighteenth Circuit**

Carsandra D. Buie, Titusville  
Tyrone A. King, Oviedo  
Philip F. Nohrr, Indialantic  
Mark H. Randall, Altamonte Springs  
Dean Andrew Reed, Longwood  
David J. Volk, Satellite Beach

**Nineteenth Circuit**

Cynthia G. Angelos, Ft. Pierce  
Paul R. Berg, Ft. Pierce  
Nicola Boone, Palm City  
F. Shields McManus, Hobe Sound  
Alan S. Polackwich, Sr., Vero Beach  
Richard Kendall Slinkman, Tequesta

**Twentieth Circuit**

Lisa Helaine Barnett, Naples  
Mark A. Ebelini, Ft. Myers  
Sharon Margaret Hanlon, Naples  
Jason Hunter Korn, Naples  
F. Joseph McMackin, III, Naples  
Christopher T. Vernon, Naples

**30. Time and Place of Next Meeting**

The Florida Bar Board of Governors will meet May 31 – June 3, 2006 at the Hilton Resort in Key West, Florida.

There being no further business, the board adjourned at 2:53 PM.

Respectfully Submitted,

Dana M. Watson

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