

The Florida Bar Board of Governors
December 8, 2017
Ritz Carlton Hotel
Amelia Island, Florida

1. Roll Call

Michael J. Higer, President
Michelle Renee Suskauer, President-elect
Stephen H. Echsner, 1st Circuit
Lawrence E. Sellers, Jr., 2nd Circuit
Melissa VanSickle, 2nd Circuit
Bruce W. Robinson, 3rd Circuit
Fred D. Franklin, Jr., 4th Circuit
Michael G. Tanner, 4th Circuit
Renée E. Thompson, 5th Circuit
Joshua T. Chilson, 6th Circuit
Sandra Fascell Diamond, 6th Circuit
Sam Nicholas Masters, 7th Circuit
Stephanie M. Marchman, 8th Circuit
Mary Ann Morgan, 9th Circuit
Julia L. Frey, 9th Circuit
Wayne L. Helsby, 9th Circuit
C. Richard Nail, 10th Circuit
Roland Sanchez-Medina, Jr., 11th Circuit
Dori Foster-Morales, 11th Circuit
Deborah B. Baker-Egozi, 11th Circuit
Dennis G. Kainen, 11th Circuit
Steven W. Davis, 11th Circuit
John H. (Jack) Hickey, 11th Circuit
F. Scott Westheimer, 12th Circuit
Thomas Roe Bopp, 13th Circuit
Amy S. Farrior, 13th Circuit
Margaret Diane Mathews, 13th Circuit
Michael S. Hooker, 13th Circuit
John W. (Jay) Manuel, 14th Circuit
Adam T. Rabin, 15th Circuit
Ronald P. Ponzoli, Jr., 15th Circuit
Robin I. Bresky, 15th Circuit
Gary S. Lesser, 15th Circuit
Wayne LaRue Smith, 16th Circuit
Jay Kim, 17th Circuit
Diana Santa Maria, 17th Circuit
Lorna E. Brown-Burton, 17th Circuit
Jay Cohen, 17th Circuit

O. John Alpizar, 18th Circuit
John M. Stewart, 19th Circuit
E. Duffy Myrtetus, Out of State
Ian M. Comisky, Out of State
Eric L. Meeks, Out of State
Zackary T. Zuroweste, YLD President
Christian P. George, YLD President-elect
Lawrence W. Tyree, Public Member
Sharon B. Middleton, Public Member

Members Absent

Leslie J. Lott, 11th Circuit
Adam G. Rabinowitz, 17th Circuit
Laird A. Lile, 20th Circuit
Marcy Lynn Shaw, 20th Circuit
Brian D. Burgoon, Out of State

2. Staff in Attendance

John F. Harkness, Jr., Executive Director
Joshua E. Doyle, Executive Director Designate
John Berry, Director, Legal Division
Patrick L. “Booter” Imhof, General Counsel
Adria Quintela, Director, Lawyer Regulation
Elizabeth Clark Tarbert, Ethics Counsel
Francine Walker, Director, Public Information and Bar Services
Kathy Bible, Disciplinary Procedure Committee Counsel
Terry Hill, Director, Program Division
Rosalyn A. Scott, Assistant to the President
Will Spillias, Unlicensed Practice of Law Counsel
Cynthia Jackson, Director of Administration.
Jim Ash, Senior Editor, Florida Bar News
Gary Blankenship, Senior Editor, Florida Bar News

3. Guests

Jorge Piedra, President-elect, Cuban American Bar Association
Jenny Shoaf Richardson, President-elect, Florida Association for Women Lawyers
Noel Lawrence, President, Virgil Hawkins Florida Chapter, National Bar Association
David Aronberg, Government Lawyer Representative
Andrew Sasso, Board Parliamentarian

4. Pearl Harbor Remembrance

Board member Bruce Robinson noted the previous day was the 76th anniversary of Pearl Harbor day and noted the U.S. casualties and overall fatalities that resulted from the war. He led the board in a moment of silence.

5. Invocation and Pledge of Allegiance

Board member Fred Franklin delivered the invocation and board member Michael Tanner led the board in the Pledge of Allegiance.

6. Welcome by Judge Robert Foster

Judge Foster, the chief administrative judge for the Fourth Circuit, welcomed the board to Amelia Island and gave a brief history of Nassau County and its legal community.

7. Minutes Approval

The board approved the minutes from its October 6, 2017, meeting. That approval including ratifying the following actions taken by the Executive Committee since that meeting:

- At an October 16, 2017, meeting, the committee voted 11-0 to approve the annual contract between The Florida Bar, the Conference of County Court Judges, and Paul Hawkes for legislative services.
- At an October 30, 2017, meeting, the committee voted 12-0 on the following legislative positions:
 - To allow the Military Affairs Committee to support ABA Resolution 120 to improved legal services for veterans on matters of post traumatic stress, traumatic brain injury, and military sexual trauma before tribunals that adjudicate veterans' rights and for discharge panels. The position also supports increasing the availability of legal services for veterans, including civil legal and pro bono services.
 - Not to prohibit the Elder Law Section supporting legislation providing for injunctions by family or household members for protection of adults from exploitation and providing for asset protection.
 - Not to prohibit the Family Law Section opposing any legislation that authorizes the temporary placement of a child in a nonrelative unlicensed respite home unless a licensed child placing agency conducts a home study, trains the respite family and monitors the child's placement under generally accepted methods implemented to protect the child's best interests.
- At a November 7, 2017 meeting, the committee voted 13-0 not to oppose two legislative positions from the Family Law Section. On the first, the section opposes any legislation that removes, impedes or interferes with the court's ability to enforce any child support obligation, and (B) Opposes any legislation that removes, impedes or interferes with the court's and/or an administrative agency's ability to enforce an order requiring an individual to submit to genetic testing. On the second, the section supports legislation to provide for gender neutrality in marital and family legislation.
- At a November 7, 2017, meeting, the committee voted 13-0 to recommend approval of the Juvenile Court Rules Committee proposed fast-track out-of-cycle amendments to juvenile court rules addressing the enactment of Chapters 2017-8 and 2017-151, Laws of Florida.

8. Consent Agenda Approval

The board approved the consent agenda as presented, including:

- Appointing Thomas Zackary Smith, Robert James Powell, and Thomas Hood Williams as attorney members of UPL Committee 1A; Phillippe Mario R. Reid, Jr., as an attorney member to UPL Committee 4; appointing Mikel Suzanne Bradley as an attorney member and James M. Parrish as a public member to UPL Committee 8; appointing Nikole Hiciano, Joseph Frank Rich, Jarrett Wolf, and Fausto Antonio Rosales as attorney members and Matthew H. Foster and Nelcy

Vicente as public members to UPL Committee 11A; Karen Lungarelli and Lyudmila Kogan as attorney members and Joel II Kruger and Aideen Fernandez as public members to UPL Committee 11B; Cristina Maria Pelaez, Hugo Vincent Alvarez, Jerry Maurice Markowitz, and Melissa Victoria Jordon as attorney members and Andrew H. Work, Miguel Zuhueta, and Carrie Doan as public members of UPL Committee 11C; Antonia Therese Camero and Lance Robert Kiss, Jr., as attorney members of UPL Committee D; Morrie Irwin Levine as an attorney member of UPL Committee 17A; and Becky Bokrand as a public member of UPL Committee 20.

- Final approval of BLSE Policy 5.09 CLER Components Approval Guidelines: Within subdivision (c), adds professionalism guidelines designed to provide continuing legal education educators with clear goals and an understanding of the purpose of the professionalism requirement in order to achieve the desired outcomes from the training experience.

- Not prohibiting the Animal Law Section from supporting legislation that requires animal control shelters and humane organizations to adopt policies and procedures to help return lost dogs or cats to identified owners.

- Not prohibiting the Animal Law Section from supporting legislation that increases the sentencing points for animal cruelty and clarifies that judges may issue no-contact orders to persons convicted of animal cruelty under F.S. §828.12.

9. Public Reprimand

President Higer administered one public reprimand.

10. Special Committee on the 2017 Constitution Revision Report

Governor Diamond gave a brief presentation on the launch of “Protect Florida Democracy,” the Bar’s education campaign regarding the CRC. An October 17th ceremony at the Old Capitol in Tallahassee featured President Higer as well as “Alexander Hamilton,” and “Frederick Douglass.” She reported that the event generated widespread print and broadcast coverage and was live-streamed on the Bar’s website. A digital media campaign is working well, with 18.7 million advertising impressions, nearly 50 percent of the 38-million impression goal. There have been 140,000 site visits, surpassing the 123,000-visit goal. She said the Bar’s social media sites are also generating a growing following. The Committee is following 17 CRC proposals related to Article V issues, with the bar’s lobbying team predicting that between 4 and 10 proposals will reach the ballot.

11. Legislation Committee Report

Legislation Committee Chair Gary Lesser reported that the committee recommended that the Bar ratify as Bar Legislative positions support for proposals 27 and 28 being considered by the Constitution Revision Commission. President Higer had earlier, under Bar rules, added Bar support for both proposals to the Bar’s legislative positions. Proposals 27 and 28, which dealt, respectively, with cross assignment of county judges to other counties within a multi-county circuit and maintaining court records. The board debated the recommendation, and taking note that the Bar was already in support of the proposals took no further action. Lesser reported the Bar would be having a legislative reception on January 24, 2018, at the Old Capitol in Tallahassee. Bar outside legislative consultant Jim Daughton informed board members that his team is following bills effecting the Bar’s participation in the JNC process and will be keeping an eye out for any joint resolutions regarding judicial term limits.

12. Elections Committee Report

Committee Chair Miles McGrane presented the board with changes to Standing Board Policies 2.20, 2.21, and 2.22 that set out aspirational goals for candidates in Bar elections. He said those would be discussed and possibly acted on at the next two board meetings. He said the goals were voluntary only and the Bar would not enforce them, but candidates would be free to point out if their opponents failed to follow the guidelines. President Higer asked for a straw vote on whether board members were interested in pursuing election guidelines and by a show of hand a majority of the board favored considering the guidelines.

13. Executive Session

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

14. UPL Litigation Report

The board approved the recommendation of the Unlicensed Practice of Law (UPL) Committee to file litigation with the Supreme Court of Florida to determine whether the conduct of TIKD, a nonlawyer company, constitutes the unlicensed practice of law. Board member Larry Sellers was recused from the vote.

15. Budget Committee Report

Budget Committee Chair Steve Davis presented two amendments for the 2017-18 Bar budget: \$5,036 rolled over from the previous judge for Justice Teaching grants and \$35,000 for a legislative consulting contract with Steve Metz for representing the Bar before the Constitution Revision Commission. The board unanimously approved the amendment. Davis reported the committee is still considering an amendment for a proposed member benefit with the FitBit fitness tracking company.

16. Investment Committee Report

Chair Ian Comisky reported the Bar's long-term portfolio continues to have excellent returns because of the rising stock market with strong earnings for the calendar year and since the start of the fiscal year on July 1 with earnings up 5.7 percent since the latter date. The amount of the long-term fund stood at \$52 million, an all-time high despite two recent transfers to the Bar's short-term operating fund. With the strong performance, the committee looked at rebalancing the portfolio and recommended taking 1 percent from the Vanguard Index FDS S&P 500 fund and putting 0.7 percent into ACL Alternative, a managed future account, which performs better in a volatile market, and the remaining 0.3 percent into Galliard Fixed Income Bond Fund. The board unanimously approved those changes.

17. Audit Committee Report

Chair Duffy Myrtetus reported the board got a clean audit from the Bar's audit firm for the 2016-17 fiscal year with no management concerns found by the auditors. The Bar's total net assets increased by \$1.8 million for the year, largely due to investment earnings, he said. The committee's information technology review is ongoing and the committee has responded to six recommendations made by the auditors.

18. Program Evaluation Committee Report

Chair Renée Thompson presented two items on first reading:

- Bylaws- Administrative Law Section: Within Article I, Section 2(b), adds promoting and encouraging professionalism among members of the section to its purposes. Within Article IV, Section 1, adds past chairs of the section to the executive council. Within Article IV, Section 2, deletes “voting council” from the first sentence. Within Article VI, Section 1, adds subsections (h) and (i), which create the Young Lawyers Committee and Technology Committee as standing committees of the section.

- Rule 6-10.3 Minimum Continuing Legal Education Standards: amends the rule to require that 1 hour of the 5 hours of required CLE credit in ethics, professionalism, bias elimination, substance abuse or mental illness awareness be in professionalism. This is not an increase to the 33 credit hour requirement.

Thompson presented the recommendations from a joint review with the Communications Committee of the Bar’s Journal and News operations. The board unanimously approved the six recommendations, which will reduce the print presence and increase the online presence of the publications:

- Reduce the number of Bar *Journal* issues from 10 to six at the start of the 2018-19 Bar fiscal year.
- Continue to publish all 24 issues of the Bar *News* online, but reduce the printed editions to once a month, also beginning July 1.
- Set a July 2021 target for ending all printed editions of both the *Journal* and *News* with both continuing with electronic versions. The Communications and Program Evaluation committees will analyze the transition beginning 24 months ahead of that date and set transitional procedures no later than 12 months prior to that date.
- Increase marketing efforts by Bar staff to law firms and other companies to acquire more digital advertisers.
- In the next annual membership fee statement sent to all Bar members, ask them if they want to receive both publications only electronically and forego printed copies.
- The Communications Committee should review advertising rates, media kits, and other items related to advertising in the *Journal* and *News*.

President Higer said he will discuss the *Journal* and *News* changes with the Supreme Court to ensure there are no concerns about communicating official notices and other messages from the court to the membership with the reduction of printed the printed editions.

19. Member Benefits Committee Report

Board member Renée Thompson, liaison to the committee, proposed three additions to the Bar’s Member Benefits Program, all of which were approved by the board:

- Frames4Diplomas.com, a division of Vibrant Photo and Electronics, Inc. Frames4Diplomas will offer, “high-quality, custom-crested, American hardwood frames,” and discounted certificates through a website that will be customized for Florida Bar members.
- Orlando Employee Discounts, an exclusive program offered by Affordable Travel of Orlando, Orlando Area Discounts will offer participants up to 35 percent discounts for theme park tickets and Orlando area vacation packages.
- HMC Healthworks and Wellbeing Coaches will offer participants discounted telephone and online mental health counseling and other preventative health care and wellness services.

Thompson said the committee is continuing to work on a program with FitBit Health Solutions, makers of wearable fitness monitoring devices.

20. Criminal Procedure Rules Committee Report

Committee member Judge Roberto Arias presented additional amendments for the committee's regular cycle report, which respond to comments received on the original proposed amendments and discussion at the committee's October meeting. The board voted 35-0 to recommend approval of the amended rules.

21. Traffic Court Rules Committee

Committee Vice Chair Anne Marie Gennusa presented additional changes to the committee's regular cycle report based on comments received after the amendments were initially published for review. The board voted 34-0 to recommend approval.

22. Trial Lawyers Section Report

Chair Joseph "Scooter" Kinman noted the section will be holding its Chester Bedell Mock Trial Competition at the Bar's Winter Meeting, and the following week it will have its annual Law School for Teachers, with more than 100 teachers from round the state attending. The section picks up all expenses and provides materials, lesson plans, and other resources and the program continually gets high marks from teacher participants. The section is also updating its discovery handbook for judges this year and its advance trial advocacy seminar will be held in May.

23. Solo and Small Firm Section Report

Chair Sean Desmond said the section has its annual small firm tech show coming up. He said the section addresses the interest of 62 percent of practicing Bar members who are in firms of five lawyers or less. The section is focused on helping lawyers transition into practices and making their lives easier with technology and training. Desmond said the section has begun a regular podcast to help small firm lawyers and continues to offer annual seminars on ethics and on Florida law.

24. Communications Committee Report

Chair Scott Westheimer said the committee is working on a health and wellness webpage for Bar members and noted the Bar's efforts to address lawyers' mental health and wellness have received extensive media coverage. The committee is looking at selling advertising for its FloridaBar.TV segments and is working with the Technology Committee on overhauling the Practice Resource Institute's website and marketing, including perhaps a new name for the service. The registration portal and committee pages on the Bar's website have been overhauled, Westheimer said, and should be a big improvement. The Bar is well along on meeting its communications-related strategic planning goals for the year, he said.

25. Disciplinary Procedure Committee Report

Chair Bruce Robinson said the committee voted unanimously to recommend the Bar oppose a member-generated petition to amend Bar rules to provide for automatic disciplinary diversion when a state or federal appellate court finds a Bar member has filed a frivolous proceeding as defined in Bar Rule 4-3.1, F.S. § 57.105, or federal civil Rule 11. The committee also recommended that Bar staff be directed to file a response with the Supreme Court giving the Bar's position. Both suggestions were unanimously approved by the board.

Robinson also presented one item on first reading – Rule 3-7.11(h) General Rules of Procedure: Within subdivision (h), amendments make the rule consistent with changes to the standing board policy on disqualification and Unlicensed Practice of Law rules on disqualification.

26. Rules Committee

Vice Chair Ron Ponzoli presented one item on second reading and said the committee recommended its adoption 7-0:

- Rule 4-8.4 Misconduct: Within the comment to Rule 4-8.4, adds that subdivision (d) prohibits lawyers from bullying and intimidating other lawyers.

After discussion, board members by a voice vote rejected the amendment with some members saying it would be hard to defining bullying and intimidation.

Ponzoli presented five items on first reading. The first three were proposed changes to Standing Board Policies related to the Elections Committee report:

- Standing Board Policy 2.20: Deletes the entirety of existing standing board policy 2.20 and replaces with new policy. Adds new subdivision (a), establishing an intent by the Board of Governors to adopt best practices for individuals campaigning for election to bar offices. Adds new subdivision (b), identifying an elections committee to oversee the conduct of candidates for election and provide guidance on best practices. Adds new subdivision (c), providing applicable definitions. Adds new subdivision (d), identifying specific best practices including campaign communication, advertisements, phone banks, bar approval, endorsements, and membership data. Adds new subdivision (e), allowing a candidate to point out an opponent's failure to follow the best practices.

- Standing Board Policy 2.21: Deletes the entirety of existing standing board policy 2.21 and any content is moved to Standing Board Policy 2.20.

- 2.22 Elections - Count of Ballots: Renumbers from 2.22 to 2.21 in light of changes to 2.20 and 2.21.

- Bylaw 2-9.4 Ethics: Within subdivision (e), changes "party" to "person or entity" throughout and adds that lawyers may make ethics inquiries on their own behalf.

- Rule 4-1.19 Collaborative Law Process In Family Law: Within subdivisions (a) and (c) and the comment, deletes the word "prospective" and clarifies that the informed consent must occur before beginning the collaborative law process. Deletes subdivision (a)(3) as duplicative of subdivision (a)(1).

27. Board Review Committee on Professional Ethics

Chair Michael Hooker reported on three items:

- The BRCPE voted 9-0 to recommend that the Board of Governors make no changes to and take no action on Proposed Advisory Opinion 17-1. The opinion was written by the Professional Ethics Committee at the direction of the Board of Governors as requested by the Vision 2016 commission Bar Admissions Subgroup. The opinion concludes that Florida Bar members may divide fees with out-of-state lawyers in law firms that have nonlawyer owners in matters where the Florida Bar member is co-counselling a case with the out-of-state lawyers, the out-of-state lawyers are authorized by law to provide legal services to the client, the out-of-state law firm is in compliance with rules of its own jurisdiction, and the division of fees complies with Florida Bar rules. Washington, D.C. and Washington state are the only U.S. jurisdictions that allow nonlawyer ownership of law firms; Canadian provinces Ontario, British Columbia and Quebec; England; Wales; Scotland; Germany; the Netherlands; Brussels; and New Zealand also

allow nonlawyer ownership of law firms under varying circumstances. Proposed Advisory Opinion 17-1 notes that nonlawyers are not permitted to own law firms in Florida, and that the opinion does not address Florida Bar members joining firms with nonlawyer ownership. No member of the Board of Governors requested to amend or withdraw the opinion, so it became final as written.

- The BRCPE reviewed written comments from four interested persons in response to publication of its intent to consider adopting a proposed advisory opinion (which would be numbered 17-2) on the issue of how lawyer referral services may be paid; heard presentations from Timothy P. Chinaris on behalf of lawyer referral service 411-Pain and General Counsel Josh King of Avvo, who also sent written comments; began discussion of the issue; and deferred the item due to lack of time at its December 7, 2017, meeting.

- The BRCPE voted 9-0 in advertising inquiry 35636 to recommend that the Board of Governors advise the inquirer that Avvo Advisor meets the definition of a lawyer referral service under Rule Regulating The Florida Bar 4-7.22 when it: offers to connect a consumer directly to a “top-rated” lawyer for advice; allows the consumer to either choose a lawyer from a list of participating lawyers or have Avvo choose the lawyer for them; the lawyer is connected directly with the prospective client; and there is a \$39 charge for a 15-minute consultation with a participating lawyer, in which the full \$39 is paid to the lawyer, who then pays \$10 of this fee to Avvo as a "marketing fee." The Board of Governors approved the recommendation on voice vote.

28. Technology Committee Report

Chair John Stewart said work is continuing to modernize the Bar’s Lawyer Referral Service which could enhance its revenues and also help lawyers get more clients. The committee is continuing its study of artificial intelligence and the law. Work is continuing on developing incubators to help lawyers setting up their practices, but Stewart said difficulties are being encountered. He said the committee still hopes to have an incubator model developed with a law school that will help lawyers use technology to serve traditionally underserved consumers and still make money. The committee is also continuing its study of privacy and security issues.

29. Citizens Advisory Committee Report

Chair Lorna Brown-Burton said the Citizens Advisory Committee has reviewed the carrying out of Program Evaluation Committee recommendations that have been approved by the Board of Governors and received an update on Bar legislative activities. Several committee members serve as speakers for the Bar’s Protect Florida Democracy speakers bureau.

30. Strategic Planning Report on Diversity and Inclusion Goals

Board member Lorna Brown-Burton said a survey has been conducted of law firms and that will lead to action items to promote diversity and inclusion in the profession, including a toolkit for law firms to use for improving their diversity.

31. Special Committee on Child and Parent Representation

Board member Jay Cohen, a member of the committee, said the panel’s focus is on the needs of children in dependency proceedings. The committee members include judges, lawyers, former officials of the Department of Children and Families, and it is chaired by former Attorney General Bob Butterworth. The committee seeks to improve the quality of lawyer representation,

and the panel is looking at both procedural rules and legislation to further that goal, as well as working with both the Bar and The Florida Bar Foundation.

32. Special Committee on Trust Accounting Solutions

Parliamentarian Andrew Sasso, chair of the committee, reported that an agreement has been worked out with FISTM and TMI Trust Company that will allow lawyers to print checks at their offices during the proposed pilot project for the Bar's automated trust accounting program for members. He said final details were still being working out. He said the final agreement likely would be presented to the Executive Committee before the board's January meeting.

33. Certification Plan Appeal Committee

Chair Dori Foster-Morales noted the rule amendment presented on first reading during the Program Evaluation Committee report which requires one of the 33 CLE hours Bar member complete every three years to be devoted to professionalism. The one credit would be part of the five credits required in ethics, professionalism, mental health and substance abuse. The amendment was suggested by the Supreme Court's Commission of Professionalism and Civility and endorsed by PEC and CPAC.

34. Special Committee on Mental Health and Wellness

Chair Dori Forster-Morales said the committee is working to carry out the goals in the Bar's Strategic plan. She noted the January edition of the Bar *Journal* is devoted to health and wellness issues. The committee is also working to get feedback from members through four town hall meetings. The committee is also doing a 90-minute CLE on attorney wellness during the Winter Meeting. Another session featuring speakers on wellness is being planned for the Annual Meeting. The committee is also working on a website so all health and wellness resources are in one place and on a hotline for lawyers to get wellness and mental health resources.

35. Parental Leave Workgroup Report

Board member Margaret Mathews, chair of the workgroup, reported the panel met with a committee from the Rules of Judicial Administration Committee and worked out a joint board/RJAC response to the Supreme Court's order in *In re: Amendments to the Florida Rule of Judicial Administration — New Rule 2.570*, Case No. SC17-1611, concerning a proposed rule on parental leave motions. The response was filed with the court on November 9, 2017.

36. Special Appointments

The board made the following appointments:

- Suzanna M. Johnson of Tampa to a three-year term on the Florida Rural Legal Services Board of Directors.
- Stephen H. Echsner of Pensacola to a four-year term on the 11th Circuit Judicial Conference.
- For two-year terms on the Realtor-Attorney Joint Realtor Joint Committee, the board chose Denise L. Hutson of Gainesville, Denise H. Rowan of Panama City, Julie A. Horstkamp of Venice, Jalel "Jay" Shehadeh of Coral Gables, Scott A. Marcus of Ft. Lauderdale, and Frederick W. Jones of Winter Park. The appointees represent one lawyer from the jurisdiction of each of the five district courts of appeal plus one at-large appointee.

37. Executive Director's Report

Executive Director Joshua Doyle submitted a written report summarizing his transition in succeeding retiring Executive Director John F. Harkness, Jr., and detailing some minor administrative changes, mainly to help facilitate his knowledge of the organization. Harkness thanked the board and board members for the support he has received over his 37 years as the Bar's executive director. He reported that he and Vicki Brand, who has been his secretary since he worked as the State Courts Administrator, are working on a history of The Florida Bar.

38. President's Report

President Higer submitted a written report that touched on recruiting applicants for judicial nominating commission nominations to the governor, seeking applicants for the next Leadership Academy, promoting the Bar/ABA Free Legal Answers program, and discussing preparations and conduct for the December meeting to get through the busy agenda.

39. Florida Bar/ABA Free Legal Answers Report

Board member Jack Hickey noted since the start of the program a few months earlier, Florida lawyers had provided answers to 1,028 from Florida residents. He noted that Tallahassee attorney Leah Wiederspahn had answered 230 questions and Seminole County attorney Dennis Fountain had answered 108 questions.

40. Time and Place of Next Meeting

There being no further business before the board, President Higer adjourned the meeting at 4:06 p.m. The next board meeting is January 26 at the DoubleTree Hotel in Tallahassee.

SUBJECT INDEX

AUDIT COMMITTEE REPORT	5
BUDGET COMMITTEE REPORT	5
BOARD REVIEW COMMITTEE ON PROFESSIONAL ETHICS	8
CERTIFICATION PLAN APPEALS COMMITTEE REPORT	10
CITIZENS ADVISORY COMMITTEE REPORT	9
COMMUNICATIONS COMMITTEE REPORT	7
CONSENT AGENDA APPROVAL	3
CRIMINAL PROCEDURE RULES COMMITTEE REPORT	7
DISCIPLINARY PROCEDURE COMMITTEE REPORT	7
ELECTIONS COMMITTEE REPORT	5
EXECUTIVE DIRECTOR'S REPORT	11
EXECUTIVE SESSION	5
FLORIDA BAR/ABA FREE LEGAL ANSWERS REPORT	11
GUESTS	2
INVESTMENT COMMITTEE REPORT	5
INVOCATION AND PLEDGE OF ALLEGIANCE	3
LEGISLATION COMMITTEE REPORT	4
MEMBER BENEFITS COMMITTEE REPORT	6
MINUTES APPROVAL	3
PARENTAL LEAVE WORKGROUP REPORT	10
PEARL HARBOR REMEMBRANCE	2
PRESIDENT'S REPORT	11
PROGRAM EVALUATION COMMITTEE REPORT	5
PUBLIC REPRIMAND	4
ROLL CALL	1
RULES COMMITTEE REPORT	8
SOLO AND SMALL FIRM SECTION REPORT	7
SPECIAL COMMITTEE ON THE 2017 CONSTITUTION REVISION REPORT ...	4
SPECIAL APPOINTMENTS	10
SPECIAL COMMITTEE ON CHILD AND PARENT REPRESENTATION	9
SPECIAL COMMITTEE ON MENTAL HEALTH AND WELLNESS	10
SPECIAL COMMITTEE ON TRUST ACCOUNTING SOLUTIONS REPORT	10
STAFF IN ATTENDANCE	2
STRATEGIC PLANNING REPORT ON DIVERSITY AND INCLUSION	9
TECHNOLOGY COMMITTEE REPORT	9
TIME AND PLACE OF NEXT MEETING	11
TRAFFIC COURT RULES COMMITTEE	7
TRIAL LAWYERS SECTION REPORT	7
UPL LITIGATION REPORT	5
WELCOME BY JUDGE ROBERT FOSTER	3