THE FLORIDA BAR
February 6-8, 2019 Meeting of the Board of Governors

Wednesday/Thursday Committee Meetings at
The Florida Bar
651 East Jefferson Street
Tallahassee, Florida 32399
(850) 561-5759
(850) 561-9405 [Fax]

Thursday, February 7, 2019 – Florida Bar Annex Building
Legislative Reception, 5:00 p.m., Senate Chamber in the Old Historic Capitol

REGULAR AGENDA
Friday, February 8, 2019 – commencing at 8:00 a.m.

1. Call to Order – President Michelle Suskauer
   ● Roll Call

DoubleTree by Hilton
101 South Adams Street
Tallahassee, Florida 32301
(850) 224-5000

Wednesday, February 6, 2019
Budget Committee, 8:30 a.m. - 5:00 p.m., Annex 114
Legislative Reception, 5:00 p.m., Senate Chamber in the Old Historic Capitol

Thursday, February 7, 2019 – Florida Bar Annex Building
Legislation Committee, 8:30 – 9:30 a.m., Meeting Room A, 2nd Floor
Citizens Advisory Committee, 8:30 a.m. – noon, Room 114 B/C, 1st Floor
Audit Committee, 9:00 - 10:00 a.m., Room 113, 1st Floor
Disciplinary Procedure Committee, 9:30 a.m. – 11:30 a.m., Meeting Room A, 2nd Floor
Program Evaluation Committee, 9:30 – noon, Meeting Room B, 2nd Floor
Investment Committee, 10:00 - 11:30 a.m., Room 113, 1st Floor
Board Review Committee, 12:30 – 2:00 p.m., Room 113, 1st Floor
Communications Committee, 12:30 – 2:30 p.m., Room 114 B/C, 1st Floor
Disciplinary Review Committee, 1:30 - 3:00 p.m., Meeting Room B, 2nd Floor
Pro Bono Awards Ceremony and Reception, 3:30 - 5:30 p.m., Supreme Court
Florida Supreme Court Historical Society's 2019 Reception 5:30 p.m. and Dinner 7:00 p.m., University Center Club

Friday, February 8, 2019 at DoubleTree Hilton
Executive Committee, 7:15 – 8:00 a.m., Adams Park
Board of Governors Meeting, 8:00 a.m. until 4:00 p.m. (or as necessary), Ballroom Salons A/B
   ● Business Dress
   ● Lunch, noon – 1:00 p.m.

REGULAR AGENDA
Friday, February 8, 2019 – commencing at 8:00 a.m.

1. Call to Order – President Michelle Suskauer
   ● Roll Call

MOST AGENDA ITEMS WILL BE CONSIDERED ON A RANDOM BASIS
● Invocation by Wayne LaRue Smith
● Pledge of Allegiance by Larry Sellers and Melissa VanSickle

2. Greetings and Announcements
   ● President’s Opening Remarks
   ● Announcement of Non-roll call grievance agenda items

3. Section Chair Reports and Other Guest Appearances
   a. Remarks from Chief Justice Canady
   b. Administrative Law Section Report by Judge Garnett Chisenhall, Jr., Chair
   c. City, County and Local Government Law Section Report by Michele Lieberman, Chair
   d. Recognize Local Voluntary Bar Association Presidents

4. Approval of Minutes
   a. Regular Minutes, December 14, 2018 meeting
   b. Grievance Minutes, December 14, 2018 meeting
   c. Summary of Executive Committee Action Taken
      i) January 9, 2019 – Real Property, Probate and Trust Law Section Recommended Appointment of Colleen Sachs to fill the First Appellate District Vacancy on the Florida Realtor-Attorney Joint Committee
      ~ ii) January 25, 2019 – Tax Law Section Amicus Request

5. Consent Calendar
   * a. UPL Circuit Committee Nominations
   * b. Board Review Committee on Professional Ethics
   * c. Rules, Bylaws & Policies
   * d. Legislation Committee
      i) Section & Division Legislative Position Requests
         (1) Real Property, Probate and Trust Law Section
            (a) Condo Arbitration
            (b) Leasehold Cooperative Statute
            (c) Payments to Successor Without Court Proceeding – Language Modification
      * ii) Committee Legislative Position Requests
         * (1) Legal Needs of Children
            * (a) Comprehensive System and Structure for Child Representation
            * (b) Direct File
            * (c) Early Involvement of Dependency Parties
            * (d) Solitary Confinement

6. President's Report – Michelle Suskauer

7. President-Elect's Report – John Stewart

8. Executive Director's Report – Josh Doyle

9. Young Lawyers Division Report – Christian George

10. Disciplinary Review – Chair Ron Ponzoli
    a. Executive Session
11. Disciplinary Procedure Committee Report – Chair Wayne Smith  
a. Items on Final Action
   i) Rule 1-3.8 Right to Inventory  
b. Items on First Reading
   i) Rule 14-2.1  
   ii) Rule 14-3.1  
   iii) Grievance Mediation Policies Rule II  
   iv) Grievance Mediation Policies Rule IV  
   v) Grievance Mediation Policies Rule VII  

12. Rules Committee Report – Chair Margaret Mathews  
a. Items on Final Action
   i) Rule 1-3.10 Appearance by Non-Florida Lawyer in Florida Court  
   ii) Rule 21-3.1 Continuing Legal Education  
   iii) Rule 4-1.5 Fees and Costs for Legal Services  
b. Items on First Reading
   i) Chapter 7 Clients’ Security Fund Rules  
   ii) Regulations of the Clients’ Security Fund  

13. Program Evaluation Committee Report – Chair Wayne Helsby  
a. Items on Final Action
   i) Animal Law Section Bylaws  

14. Budget Committee Report – Chair Renée Thompson  
   * December 2018 Unaudited Financial Statements (informational)  

15. Investment Committee Report – Chair Ian Comisky  

16. Audit Committee Report – Chair Duffy Myrtetus  

17. UPL Report  
a. Informational Items
   i) Status Report on Pending UPL Circuit Committee Cases  
   ii) Pending Litigation Report  

18. Communications Committee Report – Chair Scott Westheimer  
   * Schwartz Media Strategies Report  

19. Certification Plan Appeals Committee Report – Chair Jack Hickey  
a. Items on First Reading
   i) BLSE Policy 2.08  
   ii) BLSE Policy 2.13  
   iii) BLSE Policy 2.15  

20. Report of Board Review Committee on Professional Ethics – Chair Larry Sellers  
   * Rule 4-7.14 – Response to Comments on Pending Amendments  
   b. Rule 4-7.13 Deceptive and Inherently Misleading Advertisements – First Reading  
   c. Ethics Appeal 38678
21. Legislation Committee Report – Chair Michael Tanner
   a. Florida Bar Legislative Position Requests
   b. Section & Division Legislative Position Requests
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      i) Business Law Section
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      (1) Tenancy by Entireties
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      ii) Elder Law Section
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      (1) Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act
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      iii) Trial Lawyers Section
      ~
      (1) Uniform Depositions and Discovery Act
   c. Committee Legislative Position Requests
   d. Notice of Technical Assistance
   e. Other Business
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      i) Tax Law Section Advisor Contract
   f. Informational Items
      i) Attorneys in the Legislature
      ii) Key Contact Program
      iii) Guidelines for Legislative Action by The Florida Bar & Other Subgroups
      iv) 2018-20 Master List of Bar Legislative Positions
   g. Items on Final Action
      i) Standing Board Policies 900 Series
   * h. Legislative Activity January 21-25, 2019

22. Informational Items
   a. Board of Legal Specialization and Education Annual Report
   * b. General Counsel’s Litigation Report

23. Special Appointments
   a. The Florida Bar Foundation – Board of Directors
      (2 lawyers for 3-year terms beginning July 1, 2019)

24. Special Committee on Trust Accounting Solutions Report by Andy Sasso, Chair

25. Technology Committee Report by Brian Burgoon, Chair

26. Citizens Advisory Committee Report by Larry Tyree, Chair

27. Leadership Academy Committee Report by Anthony Visone, Co-Chair

28. Committee on Technologies Affecting the Practice of Law Report by John Stewart, Chair

29. Old Business

30. New Business

31. Time and place of next meeting
    March 27-29, 2019
    The Willard InterContinental
    Washington, DC
** SPECIAL APPOINTMENTS COMING UP AT THE MARCH MEETING **

a. Judicial Nominating Commissions
   (1 lawyer for each of the 26 JNCs for 4-year terms beginning July 1, 2019)

b. JNC Statewide Nominating Commission for Judges of Compensation Claims
   (3 lawyers – one from 1st, 3rd & 5th DCAs for 4-year terms beginning July 2, 2019)

c. Florida Patient’s Compensation Fund – Board of Governors
   (1 lawyer for 4-year term beginning July 1, 2019)

*denotes new or revised item
~hand carry