

ACRC Guidelines for Subcommittees

I. Setting up Subcommittee meetings

Within three weeks of a referral, the Subcommittee Chair should convene a meeting of the Subcommittee. The meeting may be in person or by conference call. If by the latter, the Subcommittee Chair, in consultation with Bar Liaison, should choose at least three alternate dates/times in which the conference call number is available, because there is only one conference call number for the ACRC. The Subcommittee Chair should poll the Subcommittee as to preference, notify the Bar Liaison of the choice, and circulate to the Subcommittee the calling instructions. If subsequent meetings are necessary, they should be scheduled no more than 30 days apart. The Committee Chair should be kept apprised of the work schedule of the Subcommittees.

II. Subcommittee reports and exhibits

A. As a preliminary matter the Subcommittee must first determine if the referral should be addressed at all, and answer the question whether the referral is an appropriate rules matter, or rather, is instead either a substantive matter, or should be considered by another rules committee.

B. These reports may be included as back-up materials to the Supreme Court Reports on rule amendments, and, therefore, they should be somewhat formal and should also be consistent in format. To help ensure consistency:

1. The reports should not be in an email message, but rather emailed, as an attachment, in Word; the file name indicative of the Subcommittee and month and year of the meeting that they're prepared for, e.g., Civil Law Subcommittee Report June 2007. (NB: No commas or apostrophes in file name.) The Bar Liaison only needs to have the report once it is finalized for inclusion in the pending ACRC's agenda. Subcommittee chairs may cc drafts to the Bar Liaison, for a specific reason, if they wish. Otherwise minutes and draft reports should only be circulated among Subcommittee members, unless the Chair wants to have input on drafts.

2. Exhibits to the reports, *i.e.*, minutes of meetings, memos, should attached to the report file, unless they are too large for one file in which case they should be numbered the way that they're referred to in the report, and labeled. The agenda packet must be an ADA compliant PDF, so do not print the report and scan it as a whole. You may send the liaison the report in word and the referrals as attachments. Do not put the referral into the subcommittee report more than once. Do not submit a report with amendments indicated through "track changes." Whether in the report file or in a separate file, they should be easily identified, e.g., Civil Law Subcommittee Report Exhibit A 5-16-07 Minutes.

3. The report should include: the rule proposal charge; the name of the person who made the referral (John Tomasino on behalf of the Court, or the name of the person who requested the ACRC Chair to examine whether a change was needed); dates the Subcommittee met; a summary of the results of each meeting the Subcommittee had to discuss the referral; *a detailed summary of the analysis as to why a rule amendment was, or was not,*

recommended; a list of names of folks who attended the meeting; the vote tally to amend; a summary of reasons for the minority position/dissenting views; if a proposal is recommended, the rule in legislative format; if a proposal is not included why it isn't; references in the report, as appropriate, to the attached exhibits - the minutes of each Subcommittee meeting discussing the proposal and, if drafted, memoranda. Do not submit a report with amendments indicated through "track changes."

Please remember that the report will be the best source of information if the Supreme Court, or anyone else, asks for details about why a rule change was proposed.

4. If the Subcommittee is proposing an amendment, and the referral is in response to a statute or court opinion, the statute or opinion must be attached as an exhibit. If the Subcommittee is making a recommendation to amend a rule, the Subcommittee meeting minutes and memoranda prepared in response to the referral should also be attached as exhibits. If there is no proposal in the report, these materials should not be attached.

5. See attached suggested Subcommittee report form.

III. Time Limits

A. Barring exceptional circumstances, every submission to a Subcommittee should be reported for action to the full committee by the next meeting that takes place after the item was referred to the Subcommittee.

B. It is the responsibility of the Subcommittee Chair to report on the progress of the work of the Subcommittee at intervening meetings of the full committee, or to delegate another Subcommittee member to present the report.

IV. Outcome Letters

A. Within 30 days of each meeting, each Subcommittee Chair should draft a letter to the proponent of each proposal, for the ACRC Chair's signature (and on the ACRC Chair's letterhead), which summarizes the outcome by the full ACRC of each proposal referred to that Subcommittee. **The letter must be copied to Bar Liaison and, if to the Supreme Court, to The Florida Bar Executive Director.**

B. There's no need for a letter if the proponent is a then-current ACRC member.

V. Other Communications

A. Outgoing Subcommittee Chairs should forward to the incoming Subcommittee Chairs all emails, etc. of pending work.

B. **All ACRC communications - emails, letters to others - must be copied to Bar Liaison and, if to the Supreme Court, to The Florida Bar Executive Director.**