I. Call to order and welcome
Roll call and welcome (Att. 1, 2019-20 CPLC Roster)

II. Approval Minutes, Oct. 17, 2019, conference call (Att. 2, 101719 CPLC Minutes)

III. Subcommittees reports
- CLE – Plans seminar CPLC hosts at the Annual Convention.
- Legislation – Monitors legislation of interest to consumers and spearheads efforts to contact lawmakers.
- Outreach and Social Media – Organizes public events and outreach; manages committee’s Twitter account: @FLBarConsumer.
- Judicial – Updates committee’s Bench manual for judges on consumer issues.
- Pamphlets – Updates Florida Bar consumer pamphlets.
- Consumer Protection Lawyer of the Year Award – Seeks nominations; proposes winner for committee to name. (Att. 3, CP Lawyer of the Year Subcommittee Report)

IV. Upcoming meetings:
Dates of conference calls and in-person meetings (which have conference call capability).
All times Eastern (Number: 888-376-5050 Conference Code 6452365715#):
- No December Call
- Feb. 7, 1 p.m., Winter Meeting, Hyatt Regency, Orlando
- Feb. 20, 11:30 a.m.
- March 19, 11:30 a.m.
- April 16, 11:30 a.m.
- May 21, 11:30 a.m.
- June 17-20, Florida Bar Annual Convention; Hilton Orlando Bonnet Creek

V. Adjournment
2019-2020
CONSUMER PROTECTION LAW COMMITTEE
Conference Call
Nov. 21, 2019, 11:30 a.m.

- Lisa Anne DiFranza, Chair
- Victoria Ann Butler, Vice Chair
- Charles G. Geitner, Vice Chair
- Anthony Joseph Palermo, Vice Chair
- Adam Glenn Rabinowitz, Board Liaison
- Barry Seth Balmuth
- Rachel Ann Bentley
- Anthony S. Bradlow
- Robert Graham Clements
- Patrick St. George Cousins
- Carrie Vaughn Cromey
- Carol E. A. DeGraffenreidt
- Lynn Drysdale
- David Jude George
- Shaunda Therese Hill
- Richard Lawson
- Ian Richard Leavengood
- Ruth Jackson Lee
- Jared A. Levy
- Patrice Shannon Malloy
- Alex McClure
- Nicholas Patrick Merriweather
- Derek K. Mountford
- Robert William Murphy
- Robert J. Neary
- Jennifer D. Newton
- Beth A. Norrow
- Daniel Joseph Rheaume
- Taras Rudnitsky
- Steven A. Salzer
- Sarah Shullman
- Jacqueline A. Simms-Petredis
- Kaelyn Steinkraus
- Max Story
- Adam C. Thoresen
- Dennis Joseph Wall
- Janelle Alicia Weber
- Andrea Johnson White
I. Call to Order and Roll Call
Vice Chair Victoria Butler stood in for Chair Lisa DiFranza and called the meeting to order at 10:30 a.m. with 25 attending, five excused and seven unexcused.

II. Candidate for Bar President-Elect
Renee Thompson, who is running for president-elecst of The Florida Bar for the term beginning in 2021-22, stopped by the meeting. She is a mediator and a solo practitioner in Ocala. She works for Upchurch Watson White and Max and has her own practice. She previously worked for a large law firm (Mateer & Harbert in Orlando).

In terms of her Bar service, Thompson served on the Young Lawyers Division Board of Governors for eight years, including a term as president. In 2013, former President Eugene Pettis asked her to serve as the inaugural chair of the Leadership Academy, which she did for two years. The last eight years she has been on the senior Board of Governors. She is the current chair of the Board of Governors Technology Committee. She said now she is running to be president, and members of the Bar will have a chance to vote on who they want to work with and lead the Bar. There is one other candidate and the election is in March.
Thompson said she is passionate about solo and small firm lawyers and helping them get what they need in terms of practice-management resources and technology resources.

Recently the Lawyer Referral Service went through a major revamp, she noted, so that what used to happen over the phone now takes place on a computer platform. Florida has 107,000 lawyers – and the new LRS platform will help connect lawyers with clients and clients with lawyers.

Thompson said she is on the BOG Members Benefits Committee, which just approved a new software program to do reconciliations in a much easier way. It’s called Trust Books and the committee is working on making the program free to all attorneys. Currently it’s $30 a month, she said, but with a couple of clicks, it allows attorneys to reconcile their trust accounts.

Committee member Bob Murphy had a couple of questions for Thompson, asking her where she stood on the issue of multi-state reciprocity and nonlawyer ownership of law firms.

Thompson said she had voted against reciprocity when it came before the BOG. When asked if she would continue to vote against it, she said the only exception for her was the military spouse rule.

As for nonlawyer ownership, she said she is against it, and said she would continue to oppose it. Being involved with the technology area of the Bar, she said, exposed her to companies such as LegalZoom and she said she doesn’t think that business model translates well to Florida. With a membership of 107,000, Thompson said Florida doesn’t have the issues with not having enough attorneys to meet public need. Rather the issue in Florida is under-employment. The concepts of reciprocity and non-lawyer ownership are not appealing to her until other issues involving lawyers and employment are resolved.

Murphy said he thinks the Bar will have to deal with the issue because large law firms – those with 800, 1000 or more members – are being courted to have some kind of public ownership the way that Clifford Chance went in London and also in the U.K, Canada and Europe. Murphy said some people in the Bar who have a great deal of influence who are looking to do well with an IPO. He said anybody serving on the BOG (with one of those firms) voting to go that way would be a conflict of interest that should force them to withdraw from the issue.

Thompson said her platform is solo and small firm lawyers. Research she has looked at shows investment models benefit the companies more than the attorneys. Florida would be forever changed if that were allowed, she said, adding: It’s fundamental that you don’t share fees with nonlawyers.

III. Minutes
The committee unanimously approved minutes of its Sept. 19, 2019, conference call.
IV. Subcommittee Reports

**CLE**

Bob Murphy speaking for the CLE Subcommittee (which also includes Jennifer Newton, co-chair; Sarah Shullman, co-chair; Richard Lawson; Ruth Jackson Lee; Jared Levy and Derek Mountford) said they’ve had a meeting and are working toward producing an outline and lining up speakers, with a focus on technology. Blockchain (the technology behind Bitcoin had been mentioned. Shullman said the subcommittee has been winnowing down topics but if anybody has ideas for a CLE, please send an email outlining the idea to members of the CLE subcommittee.

(sarah.shullman@myfloridalegal.com; jnewton@kaufmanrossin.com; RPLawson@manatt.com; ruth@jacksonleepa.com; jlevy@dkrpa.com; Derek.Mountford@hklaw.com; rwmurphy@lawfirmmurphy.com)

Butler said the Presidential Showcase application is due at the end of the year (Dec. 31) and should outline the topic and speakers. The showcase comes with $4,000 to go toward costs, plus a showcase seminar receives a lot of convention marketing. The letter invited committees and sections to submit showcase applications said the seminars should be held Wednesday-Friday. Most of the committees recent CLEs have been held on Saturdays.

**Legislation**

Beth Norrow gave the report for the subcommittee (also Barry Balmuth; Rachel Bentley; Robert Clements; Daniel Rheaume; and Dennis Wall, with Vice Chair Chuck Geitner serving as chair). She said the subcommittee had been in touch by email. Bills are still being filed, with a deadline of Nov. 22. Geitner had been in touch with former committee member Alice Vickers of the Florida Alliance for Consumer Protection and is aware of the bills they are following but the subcommittee still plans to come up with a list of their own. The subcommittee’s next conference call is Tuesday, Nov. 19.

**Outreach and Social Media**

Chair Janelle Weber is working on the Twitter account (@FLBarConsumer) and would appreciate input from members. (David George is the other subcommittee member with Vice Chair Anthony Palermo assisting the subcommittee). She said she wanted to provide information that would be helpful to people and do more with the account than retweet articles. She said she wanted to talk to the committee member who previously handled the account (Jennifer Newton). Staff suggested Danny Aller, the Bar’s social media coordinator, as a good contact (daller@floridabar.org.)

Weber said the Animal Law Committee is active with its social media account and has a lot of fun Tweets, which she said is easier for them to do with animals, but she said she was sure there are ways that the committee can increase engagement.

Weber said she could use help with Tweeting. She has been the only person handling the account but would rather share duties with someone else. A volunteer is needed.
Member Ian Leavengood suggested using the program Adobe Spark to make more engaging Tweets. The program, he said, is easy to use. (Starter plan is free.) Weber said she had been using Canva.

Staff said she would work with Weber to create Tweets linking to the consumer pamphlets. Weber is asking folks to let her know (Janell.weber@outlook.com) of events coming up that she could Tweet about. Butler said the Attorney General’s Office would be in contact with her about that.

Weber said the account could also be used to highlight different members.

- **Judicial**
  Chair Anthony “Tony” Bradlow said he was still working on incorporating all the changes in the Bench Manual done over the summer into one redline and assigning out proof-reading of citations to subcommittee members (Nicholas Merriweather, Robert Neary, Kaelyn Steinkraus, Taras Rudnitsky and Andrea White). They still have a goal of having a final draft ready by year’s end. Staff said she would go through the manual to make sure formatting is the same in all sections.

- **Pamphlets**
  Subcommittee Chair Alex McClure (Lynn Drysdale and Adam Thoresen are also on the subcommittee) said all was going well with pamphlet updates. A couple are already underway, and a plan is place thanks to member Jacqueline Simms-Petredis to get the Spanish pamphlets updated. McClure said if members have ideas for new pamphlets, and the expertise to put one together, they should get in touch with him. His email address is amclure@amclurelaw.com. The consumer pamphlets can be viewed on the Bar website at [https://www.floridabar.org/public/consumer/](https://www.floridabar.org/public/consumer/).

- **Consumer Protection Lawyer of the Year Award**
  Subcommittee Chair Carol DeGraffenreidt gave the report. The nomination form (attached to the agenda) for 2020 has been updated. If anybody has suggestions, send them to her by the end of the week (carol.degraffenreidt@myfloridalegal.com). The deadline is Feb. 28, 2020, for submissions. (The nomination form will be posted on the committee’s webpage.)

DeGraffenreidt hopes the Outreach and Social Media subcommittee will get the word about the nomination and where the form can be found. Attached to the agenda is the subcommittee’s report with a list of agencies from which the committee might get nominations.

Please look at the list, she asked committee members, and if members have additional groups that could be added, let her know. The goal is to get a good pool of nominees from which to pick the award winner. She thanked subcommittee members Steve Salzer and Patrice Malloy.
On the award presentations, Butler said a new attorney general was elected and was not familiar with the practice of having a ceremony to present the award to The Florida Bar Consumer Protection Lawyer of the Year. She said it might be good to look at other ways to bestow the award, perhaps at the Bar meeting.

She said years ago, when the award first started, the committee had a reception at the Bar convention after the CLE for bestowing the award. It was a good way to network and highlight the winner, too. There were some generous sponsors that helped with that effort.

Patrice Malloy said the subcommittee had a robust conversation about the low response in nominations. It is such an honor, she said. The overall goal is to increase the number of nominations.

Bob Murphy said he had previously served on the subcommittee and understood the problem of drawing in good nominations. We can do a better job getting people to participate, he said. He wanted to know if there were a consensus to have a cocktail party for the award presentation.

DeGraffenreidt said the subcommittee hadn’t made that decision yet. She had reached out to the Annual Conventions Committee to see if there were a way to incorporate the presentation into one of the major events at the Convention, such as one of the luncheons. She hasn’t heard back. Another idea was to invite a consumer reporter to make the presentation (thus ensuring coverage!) or see if Commissioner of Agriculture and Consumer Services Commissioner Nikki Fried could be involved.

She urged members to look over the report attached to the agenda and let her know of her agencies/groups from which nominations could be recruited.

Murphy said three years ago when he got the award, which was supposed to be presented by the attorney general, she did not show up for the Tampa ceremony! Butler said it is difficult arranging events for the AG’s schedule. She said it would be good to work toward finding other presenters than elected officials but leaving space open for that if it becomes a possibility.

Murphy said about that long-ago reception, he had asked Benny Davis of American Legal Claims to sponsor and said that he would be happy to ask him again.

V. New Business
Bob Murphy asked what were the committee’s thoughts about having a member spotlight or practice spotlight during committee meetings, spending about five to 10 minutes during which someone on the committee can discuss what they do that is novel or a different area of law so that we can become familiar with what members do. He said he thought it would be helpful – both as a way to market and network. Perhaps it could create more of a sense of community.
Murphy suggested Victoria Butler would be a good one to be the first presenter. Butler said the committee would need to vote on the idea.

Murphy made the motion that going forward, at the end of committee meetings, there be an opportunity for a member or a guest to speak about an area of law that pertains to consumer protection, and that it would not have to be from the plaintiff’s perspective: example, standing under article 3. Obviously, he said, it would be a neutral presentation.

The motion was seconded and the committee adopted it unanimously. Murphy suggested having the speakers lined up by the CLE subcommittee, but that determination was tabled until Chair Lisa DiFranza could weigh in on the idea.

Murphy mentioned that on Oct. 29, there was going to be a webinar through the Public Interest Committee of the Public Interest Law Section – Pride, Prejudice, Zombies and Fair Credit Reporting. Members can find out about it on the PLS website or email him – rwmurphy@lawfirmmurphy.com. Additionally, the National Consumer Law Center conference is scheduled in Boston 13-16, to be followed by the Class Action Symposium on Saturday - Sunday, Nov. 16-17, with a reception following at Fenway Park.

VI. Old Business
Lynn Drysdale, chair of the Consumer Protection Lawyer of the Year subcommittee from last year, has been working to find a suitable venue for the presentation for Janet Varnell, 2019 Consumer Protection Lawyer of the year. The ceremony now appears to be set for Orlando, on Nov. 1, with Commissioner Nikki Fried doing the honors. They are still looking for a venue – perhaps the Florida A& M University College of Law or one of the legal services organizations downtown. If anybody has an idea for a location, contact Lynn Drysdale at lynn.drysdale@jaxlegalaid.com. Butler said she would try to attend.

Murphy said he and others at received news from Alice Vickers, a former committee member, that the organization she heads in Tallahassee, the Florida Alliance for Consumer Protection, is scheduled to dissolve at the end of the year. Drysdale said she is on the FACP board and that news was accurate.

Murphy said it would be a real loss – that an organization representing the interests of consumers needed to be heard in Tallahassee.

VII. Upcoming meetings:
▪ Nov. 21, 11:30 a.m., conference call
▪ Dec. 19, 11:30 a.m., conference call
▪ Winter Meeting, Feb. 7, in Orlando

VIII. Adjournment
With no further business, the committee adjourned at 11:17 a.m.
Florida Bar Consumer Protection Committee
Attorney of the Year Sub-Committee Report for
November 21, 2019 Consumer Protection Committee Monthly Meeting

The subcommittee requests that committee members continue forwarding the names and contact information of possible nominees and agencies to which nominations may be sent to assist the subcommittee in obtaining a wide range of nominees by the **February 28, 2020** nomination deadline. The Committee plans to begin sending applications, along with a letter from Lisa, to the agencies/law firms/individuals already suggested in December, 2019 and continue until the deadline.

The subcommittee additionally requests that committee members continue providing suggestions regarding possible presenters of the 2020 CP Attorney of the Year. Note that this subcommittee contacted the Chair of the 2020 Annual Convention Committee to ask if that committee would consider incorporating the presentation of the 2020 CP Attorney of the Year award (possibly along with one award recipient per other Bar Committee) at one of the larger 2020 Annual Bar events, such as a breakfast or luncheon; however, no response has yet been received.

Respectfully submitted,

/s/

Carol E. A. DeGraffenreidt, Chair (Carol.DeGraffenreidt@myfloridalegal.com)
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2020 Consumer Protection Attorney of the Year Committee