

**Rules Committee Member  
Information Packet**

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## **RULE 2.140. AMENDING RULES OF COURT**

**(a) Amendments Generally.** The following procedure shall be followed for consideration of rule amendments generally other than those adopted under subdivisions (d), (e), (f), and (g):

(1) Suggestions for court rules, amendments to them, or abrogation of them may be made by any person.

(2) Rule suggestions shall be submitted to the clerk of the supreme court, the committee chair(s) of a Florida Bar committee listed in subdivision (a)(3), or the Bar staff liaison of The Florida Bar in writing and shall include a general description of the proposed rule change or a specified proposed change in content. The clerk of the supreme court shall refer proposals to the appropriate committee under subdivision (a)(3).

(3) The Florida Bar shall appoint the following committees to consider rule proposals: Civil Procedure Rules Committee, Criminal Procedure Rules Committee, Small Claims Rules Committee, Traffic Court Rules Committee, Appellate Court Rules Committee, Juvenile Court Rules Committee, Code and Rules of Evidence Committee, Rules of General Practice and Judicial Administration Committee, Probate Rules Committee, and Family Law Rules Committee.

(4) Each committee shall be composed of attorneys and judges with extensive experience and training in the committee's area of concentration. Members of the Rules of General Practice and Judicial Administration Committee shall also have previous rules committee experience or substantial experience in the administration of the Florida court system. The chair of each rules committee shall appoint one of its members to the Rules of General Practice and Judicial Administration Committee to serve as a regular member of the Rules of General Practice and Judicial Administration Committee to facilitate and implement routine periodic reporting by and to the Rules of General Practice and Judicial Administration Committee on the development and progress of rule proposals under consideration and their potential

impact on other existing or proposed rules. The members of each rules committee shall serve for 3-year staggered terms, except members appointed by a rules committee chair to the Rules of General Practice and Judicial Administration Committee who shall serve at the pleasure of the respective rules committee chairs. The president-elect of The Florida Bar shall appoint sitting members of each rules committee to serve as chair(s) and vice chair(s) for each successive year.

(5) The rules committees may originate proposals and shall regularly review and reevaluate the rules to advance orderly and inexpensive procedures for the administration of justice. The committees shall consider and vote on each proposal. The rules committees may accept or reject proposed amendments or may amend proposals. The rules committees shall prepare meeting agendas and minutes reflecting the status of rules proposals under consideration and actions taken. Copies of the minutes shall be furnished to the clerk of the supreme court, to the board of governors of The Florida Bar, and to the proponent of any proposal considered at the meeting. Each rules committee shall furnish promptly and timely to every other rules committee all meeting agendas and all minutes or other record of action taken.

(6) The Rules of General Practice and Judicial Administration Committee shall serve as the central rules coordinating committee. All committees shall provide a copy of any proposed rules changes to the Rules of General Practice and Judicial Administration Committee within 30 days of a committee's affirmative vote to recommend the proposed change to the supreme court. The Rules of General Practice and Judicial Administration Committee shall then refer all proposed rules changes to those rules committees that might be affected by the proposed change.

(7) Whenever the Rules of General Practice and Judicial Administration Committee receives a request to coordinate the submission of a single comprehensive report of proposed rule amendments on behalf of multiple rules committees, the general procedure shall be as follows:

(A) The subcommittee chairs handling the matter for each committee will constitute an ad hoc committee to discuss the various committees' recommendations and to formulate time frames for the joint response. The chair of the ad hoc committee will be the assigned Rules of General Practice and Judicial Administration Committee subcommittee chair.

(B) At the conclusion of the work of the ad hoc committee, a proposed joint response will be prepared by the ad hoc committee and distributed to the committee chairs for each committee's review and final comments.

(C) The Rules of General Practice and Judicial Administration Committee shall be responsible for filing the comprehensive final report.

**(b) Rules Proposals.**

(1) Each rules committee may report proposed rule changes to the supreme court whenever the committee determines rules changes are needed.

(2) Before filing a report of proposed rule changes with the supreme court, the committee report shall be furnished to the Speaker of the Florida House of Representatives, the President of the Florida Senate, and the chairs of the House and Senate committees as designated by the Speaker and the President, and published on the website of The Florida Bar and in *The Florida Bar News*. Any person desiring to comment upon proposed rule changes shall submit written comments to the appropriate committee chair(s) as provided in the notice. The committee shall consider any comments submitted. Any changes made shall be furnished to the Speaker of the Florida House of Representatives, the President of the Florida Senate, and the chairs of the House and Senate committees as designated by the Speaker and the President, and published on the website of The Florida Bar and in *The Florida Bar News*. Any person desiring to comment thereafter shall submit written comments to the supreme court in accordance with subdivision (b)(6).

(3) After review of comments received and prior to the filing of a report by a committee, the board of governors shall consider the proposals and shall vote on each proposal to recommend acceptance, rejection, or amendment.

(4) The committee and the executive director of The Florida Bar shall file the report of the proposed rule changes with the supreme court. The committee may amend its recommendations to coincide with the recommendations of the board of governors or may decline to do so or may amend its recommendations in another manner. Any such amendments also shall be reported to the supreme court. The report and proposed rule changes must conform to the Guidelines for Rules Submissions approved by administrative order and posted on the websites of the supreme court and The Florida Bar. Consistent with the requirements that are fully set forth in the Guidelines, the report shall include:

(A) a list of the proposed changes, together with a detailed explanation of each proposal that includes a narrative description of how each amendment changes the language of the rule and a thorough discussion of the reason for each change;

(B) the final numerical voting record of the proposals in the committee;

(C) the name and address of the proponent of each change, if other than a member of the rules committee;

(D) a report of the action taken by the committee on comments submitted in accordance with subdivision (b)(2);

(E) a report of the action and voting record of the board of governors;

(F) any dissenting views of the committee and, if available, of the board; and

(G) an appendix containing all comments submitted to the committee, all relevant background documents, the proposed amendments in legislative format, and a two-column

chart setting forth the proposed changes in legislative format in the left column and a brief summary of the explanation of each change given in the report in the right column.

The report and the proposed rule changes shall be filed with the supreme court in an electronic format approved by the supreme court.

(5) If oral argument is deemed necessary, the supreme court shall establish a date for oral argument on the proposals. Notice of the oral argument on the proposals and a copy of the proposals shall be furnished to the affected committee chair(s) and vice chair(s), the executive director and staff liaison of The Florida Bar, all members of the Judicial Management Council, the clerk and chief judge of each district court of appeal, the clerk and chief judge of each judicial circuit, the Speaker of the Florida House of Representatives, the President of the Florida Senate, the chairs of the House and Senate committees as designated by the Speaker and the President, and any person who has asked in writing filed with the clerk of the supreme court for a copy of the notice. The clerk may provide the notice electronically. The recommendations or a resume of them shall be published on the websites of the supreme court and The Florida Bar and in *The Florida Bar News* before the oral argument or consideration of the proposals without oral argument. Notice of the oral argument, if scheduled, shall also be published on the website of the supreme court.

(6) Within the time allowed for comments set by the supreme court, any person may file comments concerning the proposals. All comments and other submissions by interested persons shall be filed with the clerk of the supreme court and served on the chair(s) of the appropriate rules committee, the Bar staff liaison, and on the proponent of the rule change if other than a member of the rules committee. The chair(s) of the rules committee and the executive director of The Florida Bar shall file a response to all comments within the time period set by the court. All comments and other submissions regarding the rule change proposals shall be filed in an approved electronic format with the supreme court. As soon as practicable after the date of filing, the clerk of the supreme

court shall publish on the website of the supreme court all comments and the responses of the chair(s) of the rules committee that have been filed concerning the proposals. All requests or submissions by a rules committee made in connection with a pending rule change proposal shall be filed with the clerk of the supreme court and thereafter published by the clerk of the supreme court on the websites of the supreme court and The Florida Bar.

(7) Rules changes adopted by the court shall be made effective either July 1 of the year of their adoption or January 1 of the year following their adoption or on such other date as may be requested by the committee or set by the court. The supreme court may permit motions for rehearing to be filed on behalf of any person who filed a comment, The Florida Bar, any bar association, and the affected committee.

**(c) Rejected Proposals.** If a committee rejects a proposal, the proponent may submit the proposed rule to the board of governors and shall notify the chair(s) and vice chair(s) of the affected committee of the submission of the proposed rule to the board of governors. Minority reports of committees are allowed and may be submitted to both the board of governors and the supreme court.

**(d) Amendments by Court.** The supreme court, with or without notice, may change court rules, on its own motion, at any time without reference to a rules committee for recommendations. The rule changes must conform to the Rules Style Guide contained in the Guidelines for Rules Submissions approved by administrative order and posted on the websites of the supreme court and The Florida Bar. The change may become effective immediately or at a future time. In either event, the court shall give notice of and fix a date for further consideration of the change. Any person may file comments concerning the change, seeking its abrogation or a delay in the effective date, in accordance with the procedures set forth in subdivision (b)(6). The court may allow oral argument on the proposal or change. Notice of the oral argument, if scheduled, on the change and a copy of the change shall be furnished to the affected committee chair(s) and vice chair(s), the executive director

and staff liaison of The Florida Bar, all members of the Judicial Management Council, the clerk and chief judge of each district court of appeal, the clerk and chief judge of each judicial circuit, the Speaker of the Florida House of Representatives, the President of the Florida Senate, the chairs of the House and Senate committees as designated by the Speaker and the President, and any person who has asked in writing filed with the clerk of the supreme court for a copy of the notice. The clerk may provide the notice electronically. Notice of the change shall be published on the websites of the supreme court and The Florida Bar, and in *The Florida Bar News* either before or after the change is adopted. Notice of the oral argument, if scheduled, shall also be published on the website of the supreme court.

**(e) Expedited Proposals and Proposals in Response to Legislative Changes by Rules Committees.** If, in the opinion of a committee, a proposal warrants expedited consideration or a rule amendment is necessary due to changes in legislation, and the board of governors concurs, proposals may be made to the supreme court using the committee's fast-track procedures. The report and proposed rule changes may be filed without prior publication for comment and must conform to the Guidelines for Rules Submissions approved by administrative order and posted on the websites of the supreme court and The Florida Bar. The rules committees' fast-track procedures shall be used to address legislative changes to ensure that ordinarily any resulting proposed rule amendments can be adopted by the court before the effective date of the legislation. If the court agrees that a proposal warrants expedited consideration or a rule change is necessary due to a legislative change, the court may publish the rule amendment for comment after adopting it or may set a time for oral argument or for consideration of the proposal without oral argument. Notice of the oral argument on the proposals, if scheduled before or after adoption, and a copy of the proposals shall be furnished to the affected committee chair(s) and vice chair(s), the executive director and the staff liaison of The Florida Bar, all members of the Judicial Management Council, the clerk and chief judge of each district court of appeal, the clerk and chief judge of each judicial circuit, the Speaker of the Florida House of Representatives, the President of



the Florida Senate, the chairs of the House and Senate committees as designated by the Speaker and the President, and any person who has asked in writing filed with the clerk of the supreme court for a copy of the notice. The clerk may provide the notice electronically. Prior to or after their adoption, the recommendations or a resume of them shall be published on the websites of the supreme court and The Florida Bar, and in *The Florida Bar News*. Any person may file comments concerning the changes, in accordance with the procedures set forth in subdivision (b)(6). Notice of the oral argument, if scheduled, shall also be published on the website of the supreme court.

**(f) Request by Court.** The supreme court may refer a specific rules proposal or issue to a rules committee for consideration and may require the committee to report its recommendation with the recommendations of the board of governors. All requests or submissions by a rules committee made in connection with a request under this subdivision shall be filed with or submitted to the clerk of the supreme court as provided in this subdivision.

(1) *Recommended Rule Changes.* A rule change recommended in response to a request under this subdivision shall be reported to the supreme court in accordance with subdivision (b), unless the court directs or the committee determines and the board of governors agrees that a proposed rule change warrants expedited consideration. If a recommended change warrants expedited consideration, the subdivision (e) procedures shall apply. A report filed under this subdivision shall state that it is filed in response to a request by the court under this subdivision.

(2) *No Action Recommendations.* If the court refers a matter to a rules committee for consideration only and does not direct the committee to propose a rule change, and after considering the matter referred the committee determines that no rule change is warranted, the committee shall submit a “no action report” to the court explaining its recommendation that no rule change is needed. A no action recommendation should not be included in a report proposing rule changes filed under any other

subdivision of this rule. After the court considers the recommendation, the clerk shall notify the rules committee chair(s) and the executive director and the staff liaison of The Florida Bar whether any further action is required of the committee.

**(g) Amendments to the Rules of General Practice and Judicial Administration.**

(1) *Amendments Without Referral to Rules Committee.* Changes to the Rules of General Practice and Judicial Administration contained in Part II, State Court Administration, of these rules, and rules 2.310, and 2.320, contained in Part III, Judicial Officers, generally will be considered and adopted by the supreme court without reference to or proposal from the Rules of General Practice and Judicial Administration Committee. The supreme court may amend rules under this subdivision at any time, with or without notice. If a change is made without notice, the court shall fix a date for future consideration of the change and the change shall be published on the websites of the supreme court and The Florida Bar, and in *The Florida Bar News*. Any person may file comments concerning the change, in accordance with the procedures set forth in subdivision (b)(6). The court may hear oral argument on the change. Notice of the oral argument on the change, if scheduled, and a copy of the change shall be provided in accordance with subdivision (d).

(2) *Other Amendments.* Amendments to all other Rules of General Practice and Judicial Administration shall be referred to or proposed by the Rules of General Practice and Judicial Administration Committee and adopted by the supreme court as provided in subdivisions (a), (b), (c), (d), (e), and (f).

**(h) Local Rules Proposed by Trial Courts.** The foregoing procedure shall not apply to local rules proposed by a majority of circuit and county judges in the circuit. The chief justice of the supreme court may appoint a Local Rule Advisory Committee to consider and make recommendations to the court concerning local rules and administrative orders submitted pursuant to rule 2.215(e).

## Committee Notes

**1980 Amendment.** Rule 2.130 [renumbered as 2.140 in 2006] is entirely rewritten to codify the procedures for changes to all Florida rules of procedure as set forth by this court in *In re Rules of Court: Procedure for Consideration of Proposals Concerning Practice and Procedure*, 276 So.2d 467 (Fla.1972), and to update those procedures based on current practice. The Supreme Court Rules Advisory Committee has been abolished, and the Local Rules Advisory Committee has been established.

# Supreme Court of Florida

No. AOSC22-78

IN RE: GUIDELINES FOR RULES SUBMISSIONS

## ADMINISTRATIVE ORDER

The Supreme Court of Florida relies on the rules committees appointed by The Florida Bar for the regular review and evaluation of court rules to advance orderly and cost-effective procedures in the administration of justice and for reports identifying and explaining needed rule changes. *See Fla. R. Gen. Prac. & Jud. Admin. 2.140.* The Court relies on the Board of Governors of The Florida Bar and the Florida Board of Bar Examiners for the review and evaluation of their respective bodies of rules and for the submission of needed amendments to those rules. *See R. Regulating Fla. Bar 1-12.1; Fla. Bar Admiss. R. 1-12.*

The Florida Bar staff provides an invaluable service by assisting the rules committees in preparing their reports and proposed rule changes for submission to the Court. Similarly,

Office of the State Courts Administrator (OSCA) staff, who support the Supreme Court committees and commissions that are authorized to submit proposed rule changes to the Court, provide an equally important role in relation to those committees and commissions.


In 1999, in recognition of the importance of consistency in form and style among the bodies of rules, the Court approved the Rules of Procedure Style Guide developed by Bar staff to govern format and stylistic elements of court rules. *See In re Rules of Procedure for Courts*, Fla. Admin. Order (Dec. 14, 1999) (on file with Clerk Fla. Sup. Ct.). Then, in 2006, the Court formally recognized the importance of receiving thorough, comprehensive committee reports of proposed court rule changes and petitions from The Florida Bar seeking amendments to the Rules Regulating The Florida Bar and, through its Central Staff, worked with Bar staff to develop the Guidelines for Rules Submissions (Guidelines). *See In re Guidelines for Rules Submissions*, Fla. Admin. Order No. AOSC06-14 (June 14, 2006) (on file with Clerk Fla. Sup. Ct.). To ensure the adequacy of reports and petitions seeking rule changes

and to promote consistency in the format of the proposals, the Court approved the Guidelines. Since 2006, the Guidelines have governed all reports and petitions seeking rule changes submitted by The Florida Bar's court rules committees, The Florida Bar, the Florida Board of Bar Examiners, and Supreme Court committees or commissions authorized to submit proposed rule changes to the Court.

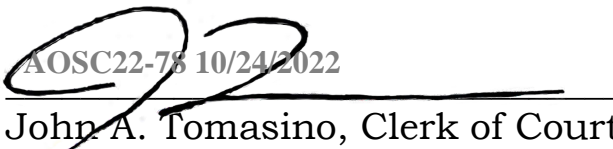
In 2006, the Court also authorized Bar staff liaisons to the rules committees and OSCA support staff to Supreme Court committees and commissions to make purely editorial changes to proposed rule amendments before their submission to the Court, in conformity with Part I, Rules Style Guide, of the Guidelines for Rules Submissions. The Court also authorized Bar staff liaisons and OSCA support staff to work with committee chairs to ensure that reports and petitions seeking rule changes comply with the Guidelines. The Court directed The Florida Bar and the Florida Board of Bar Examiners to ensure that petitions to amend their respective bodies of rules also comply with the Guidelines.

In light of the amendments to Florida Rule of General Practice and Judicial Administration 2.140 (Amending Rules of Court) made in *In re Amendments to Florida Rule of Judicial Administration 2.140*, 289 So. 3d 1264 (Fla. 2020), which did away with the set schedule for rules committee reports, and the need for refinements to the Guidelines governing rules submissions, the Court, through its Central Staff, has worked with Bar staff to update the Guidelines for Rules Submissions. The Court approves the updated Guidelines, which are attached to this administrative order. The Court also reaffirms the directives and authorizations concerning rules submissions previously approved by the Court and restated in this administrative order.

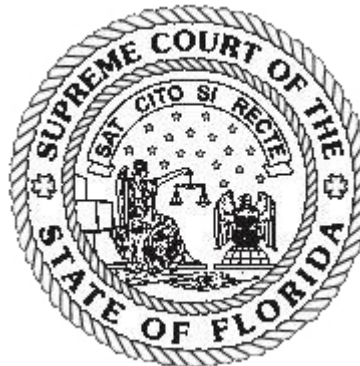
DONE AND ORDERED at Tallahassee, Florida on October 24, 2022.

  
AOSC22-78  
\_\_\_\_\_  
Chief Justice Carlos G. Muniz  
AOSC22-78

ATTEST:

  
AOSC22-78 10/24/2022  
\_\_\_\_\_  
John A. Tomasino, Clerk of Court

AOSC22-78 10/24/2022



# **GUIDELINES FOR RULES SUBMISSIONS**

## **PART I. RULES STYLE GUIDE**

### **(a) General Style Guidelines.**

#### *(1) Capitalization.*

(A) Lower case generic terms; *e.g.*, supreme court, district court of appeal, circuit court, chief judge, judge, state attorney, state, department, rules, rules of civil procedure, bar, board of governors, young lawyers division.

(B) Capitalize proper names; *e.g.*, State of Florida, Supreme Court of Florida, Department of Children and Families, Florida Rules of Civil Procedure, The Florida Bar, The Florida Bar Board of Governors, Young Lawyers Division of The Florida Bar. Use proper names if a generic term is ambiguous. Generally, a generic term can be used on subsequent reference in a subdivision; *e.g.*, “department” after “Department of Children and Families.”

(2) *Commas.* In a series, use a comma before “and” or “or”; *e.g.*, this, that, and those.

(3) *Numbers in Text.* Use Arabic numbers in the text of rules. Do not spell out numbers and, in particular, do not use both; *e.g.*, five (5). When it is necessary to begin a sentence with a number, spell out the number; do not use Arabic.

(4) *Gender Neutrality.* All rules must be gender neutral.

#### *(5) Lists.*

(A) If items in a list could stand alone as sentences, begin each with a capital letter and end with a period. Insert needed language into the introduction to ensure clarity on whether all items in the list apply or whether any one of the items apply; *e.g.*, “The court must consider all of the following:” or “The court may do any of the following:”. *See, e.g.*, Fla. R. Gen. Prac. & Jud. Admin. 2.140(a).



(B) If items in a list cannot stand alone and if they complete the thought of the lead-in sentence, begin each item with a lowercase letter and end with a semicolon. Insert “and” or “or” before the last item in the list to indicate whether all items apply or whether any one of the items may apply. *See, e.g.*, Fla. R. Civ. P. 1.442(c)(2). End the last item of the list with a period, unless the sentence continues after the last item. If items are followed by 1 or more sentences, begin with a lowercase letter and end with a period. *See, e.g.*, Fla. R. Gen. Prac. & Jud. Admin. 2.236(b).

(C) If items are not part of the lead-in sentence, use initial capitals and end with a period, even if the items are sentence fragments.

(D) Do not repeat a word or phrase at the beginning of items in a list; move the word or phrase to the sentence introducing the list.

(E) Follow general rules of parallelism.

(6) *Word Choice.* In general, rules should be written in simplified language, not “legalese.” Avoid use of words such as “therein,” “wherefore,” and “in lieu of.” Use “on” rather than “upon,” “to” rather than “in order to,” “under” rather than “pursuant to,” “before” rather than “prior to,” “use” rather than “utilize,” and “must” rather than “is required to” or “shall.”

(7) *Forms.*

(A) Use a 10-dot line to indicate blanks in the form in which information is to be inserted. A description may be placed in the middle of the dotted line with the type of information to be inserted in parentheses [*e.g.*, .....(name).....]. If the dotted line falls at the end of a sentence, add an additional dot for the period.

(B) Use a solid line for the blanks if the form is intended to be printed and used “as is” (*e.g.*, the family law forms).

(C) Signature blocks for attorneys must include lines for the name, address, telephone number, e-mail address(es), and Florida Bar number.

(D) Family law forms must follow prior specific styles developed for them.

(E) Notice of hearing forms must contain ADA language.

**(b) Citations.** Citations should be in the style mandated by Florida Rule of Appellate Procedure 9.800. For example:

(1) *Statutes.* [*e.g.*, § 61.13, Fla. Stat. (Supp. 1990)];

(2) *Case Law.* [*e.g.*, *State v. Smith*, 123 So. 2d 123 (Fla. 4th DCA 1995)]; and

(3) *Rules of Procedure.* (*e.g.*, Fla. R. Civ. P. 1.010).

When a citation is used as part of a sentence, however, use “section 61.13, Florida Statutes (Supp. 1990).” Consider using “as required by law” rather than citing a specific statute in a rule to avoid the need to amend the rule if the statute is renumbered.

**(c) Subdivisions.**

(1) *Reference to Parts of a Rule.* Refer to parts of a rule as “subdivisions,” not sections, subsections, paragraphs, subparagraphs, or divisions, *e.g.*, “as required in subdivision (b)(1),” not “as required in subparagraph (b)(1).”

(2) *Paragraphs.* Each subdivision should have only 1 paragraph and subject. If a subdivision is proposed that contains more than 1 paragraph, create new subdivisions for each paragraph. Alternatively, the paragraphs can be combined into 1 paragraph.

(3) *Numbering.* Subdivisions within a rule must be as follows, even when enumerating items in a list:

**(a)**

(1)

(A)

(i)

a.

(4) *Titles.*

(A) Major Subdivisions within Rules. If groups of rules are given a title, the title must be in all capital letters, with no punctuation at the end, *e.g.*:

## PART II. DELINQUENCY PROCEEDINGS

### A. PRELIMINARY PROCEEDINGS

(B) Rules. The title of each rule must be in bold type and all capital letters with no punctuation at the end of the title, *e.g.*:

#### **RULE 8.000. SCOPE AND PURPOSE**

#### **RULE 3-6.1. GENERALLY**

(C) Subdivisions. Each word in subdivision titles must have initial capital letters, except for prepositions (“to,” “for”), conjunctions (“and,” “but”), and articles (“a,” “an,” “the”), unless that preposition, conjunction, or article is the first word in a subdivision title.

(D) Major Subdivisions. Major subdivisions [those designated by lower case letters (*e.g.*, **(a)**)] must have a title in bold type, including the letter designating the subdivision, and be followed by a period [*e.g.*, **(a) Notice.**].

(E) Subsequent Subdivisions.

(i) The title of each second-level subdivision [those designated by numbers (*e.g.*, (1))] must be in italics, use initial capital letters, and be followed by a period. The number designating the subdivision, however, is not italicized, [*e.g.*, (1) *Notice of Appearance.*].

(ii) The title of each third or fourth-level subdivision [those designated by capital letters (*e.g.*, (A))] must be in standard type, use initial capital letters, and be followed by a period, [*e.g.*, (A) Appearance in Court.].

(F) Committee Notes, Court Commentary, and Comments within Court Rules. All committee notes, court commentary, and comments following a court rule of procedure must include the year and action adopted, in initial capital letters, bold type, and be followed by a period [*e.g.*, “**2020 Adoption.**”, “**2020 Amendments.**”, or “**2020 Comment.**”].

**(d) Read Against.**

(1) All rules and forms must be read against the most recent edition of Thomson Reuters’ *Florida Rules of Court*. If there has been an interim amendment, the rule or form should be read against the version contained in the opinion issued by the court adopting the amendment. If there are discrepancies between the submitter’s most recent version of the rules and the *Florida Rules of Court* or the opinion:

(A) errors on the submitter’s part must be corrected in the submission; and

(B) errors in the *Florida Rules of Court* must be corrected in the submission and an editor’s note inserted into the legislative and 2-column format identifying the error and citing the opinion with the correct rule or form.

(2) The 2-column chart must be compared with the legislative format version of the proposed rule changes to ensure that all changes are reflected in both versions. Do not include forms in the 2-column chart.

**PART II. REPORTS & PETITIONS**

**(a) No Action Report.** A report recommending that no amendments are warranted in response to a request for consideration from the court must be submitted to the court in the form of a letter to the clerk of court.

**(b) Report or Petition to Amend Court Rules or Bar Rules.** A report or petition recommending amendments must comply with the following.

(1) *Caption.*

(A) Court Rules.

(i) Except for proposals in response to recent legislation and proposals that warrant expedited consideration, all reports and petitions must begin with a caption as follows:

**IN THE SUPREME COURT OF FLORIDA**

**IN RE: AMENDMENTS TO THE CASE NO.**  
**.....(name of rule(s)).....**

**REPORT (or PETITION) OF THE ...(name of committee(s) or  
workgroup(s)).....**

(ii) Proposals in response to recent legislation and proposals that warrant expedited consideration must begin with a caption as follows:

**IN THE SUPREME COURT OF FLORIDA**

**IN RE: AMENDMENTS TO THE CASE NO.**  
**.....(name of rule(s)).....**

**FAST-TRACK REPORT OF THE .....(name of committee(s)).....**

(B) Rules Regulating The Florida Bar. The petition must begin with a caption reflecting the issue or affected rule or chapter that is the subject of the filing, as follows:

**IN THE SUPREME COURT OF FLORIDA**

**IN RE: AMENDMENTS TO RULE(S) REGULATING THE FLORIDA BAR .....(name of rule(s)).....** **CASE NO.:**

**PETITION TO AMEND RULE(S) REGULATING THE FLORIDA BAR .....(name of rule(s)).....**

(2) *Contents.* The report or petition must contain the following.

(A) Jurisdictional Statement. The following are possible variations of the jurisdictional statement:

(i) “The ..... committee files this report, under Florida Rule of General Practice and Judicial Administration 2.140(b) proposing amendments to [list rules with titles].”

(ii) “The ..... committee files this fast-track report requesting amendment(s) to rule(s) .....[include rule title]....., under Florida Rule of General Practice and Judicial Administration 2.140(e).”

(iii) “The ..... committee files this request for amendment(s) to rule(s) .....[include rule title]..... in response to the court’s order/request of .....(date)....., under Florida Rule of General Practice and Judicial Administration 2.140(f).”

(iv) “This petition is authorized by The Florida Bar Board of Governors under Rule Regulating The Florida Bar 1-12.1.”

(v) “The Workgroup on ..... files this petition to amend .....[list rules with titles or list of rule sets]..... under *In re:* ....., Fla. Admin. Order No. AOSCXX-X (.....date.....).”

(B) Discussion of Proposed Amendments. The discussion of proposed amendments must include:

(i) the committee's or workgroup's (and board of governors', if applicable) voting record for each amendment if no list of votes accompanies the report as an appendix;

(ii) a detailed description of how each amendment changes the language and application of the rule;

(iii) the purpose and detailed reasons for each proposed change as well as a discussion of relevant background information, such as:

a. whether the proposal is in response to a referral from the court;

b. the source of the proposal;

c. a discussion of relevant legislation, with references to all applicable sections of session laws, and effective date(s) of the legislation; and

d. a discussion of relevant rule history or case law interpreting the rule;

(iv) identification of and service to the proponent of a rule amendment in the following manner:

a. if the proponent of a rule amendment is a current or previous committee member, list the name and committee status within the report but do not serve the individual with the report; or

b. if the proponent of a rule amendment is a non-committee member, include the name of the proponent of each proposed rule change within the report and each proponent's name and address in the service list;

(v) the names of any committees or individuals that the committee or workgroup consulted about the proposed amendment;

(vi) if applicable, a statement of when and where notice was published (see Fla. R. Gen. Prac. & Jud. Admin. 2.140(b)(2); R. Reg. Fla. Bar 1-12.1(g));

(vii) if applicable, an explanation of any changes made after the initial notice;

(viii) for proposals to amend the Rules Regulating The Florida Bar, a discussion of any dissenting views from the board of governors, any changes made after the board's review, and the board's voting record for each amendment; and

(ix) for proposals to amend court rules (if applicable), a discussion of any significant dissenting views from members of the committee, workgroup, or board of governors.

(C) Effective Date. The report or petition may suggest an effective date for the proposed amendment (*e.g.*, a specific date; 30 days from the date of the court's opinion; effective immediately).

(D) Reports of the Code and Rules of Evidence Committee of The Florida Bar. The committee must include all recommendations concerning legislative changes to the Florida Evidence Code, chapter 90, Florida Statutes, that were enacted. This includes both recommendations that the court adopt changes to the extent they are procedural and recommendations that the court not adopt changes.

### (3) *Signature Blocks.*

(A) Rules Committees of The Florida Bar. The report must end with signature blocks for each rules committee chair who is participating in the report and for the executive director of The Florida Bar.



(B) Bar Rules Petitions. The petition must end with a signature block for the executive director of The Florida Bar.

(C) Non-Bar Committees, Commissions, or Workgroups. The report or petition must end with a signature block for the chair who is participating in the report or petition.

(4) *Certificate of Read-Against*. The report or petition must contain a statement certifying that the rules or forms contained in the report have been read against the most recent edition of Thomson Reuters' *Florida Rules of Court* or, if there has been an interim amendment, against the version of the rules or forms in the court's opinion adopting the amendment.

(5) *Appendices*.

(A) List of Rules and Votes. Submit an appendix listing the rules impacted, including the voting record of the committee/workgroup (and board of governors, if applicable) for each rule proposal within the report. For example:

RULE 8.010 SCOPE AND PURPOSE  
Committee vote: 30-0-0  
Board of Governors vote: 30-0-0

However, the list may be omitted if the voting records are clearly noted in the report or petition.

(B) Legislative Format. Submit an appendix that contains the full-text copy of all rules and forms being amended in full-page, legislative format (deleted language stricken-through followed by new language underlined), with committee notes included. Do not use "track changes."

(C) Two-column Chart. Submit an appendix that contains the extracted text (only the pertinent subdivisions included) of the rules being amended, added, or deleted in 2-column landscape format using the table tool in Microsoft Word.

(i) The left column must contain the proposed amendment in legislative format.

a. Display the title and number of the rule at the top of the left column.

b. Within a rule, include everything that is in a major subdivision being amended [*i.e.*, **(a)**], up to the change, unless inclusion of the entire rule or subdivision is needed to understand the amendment. For example, if an (i) level subdivision is being amended, the language from the **(a)**, (1), and (A) level subdivisions leading up to the (i) level amendment must be included.

c. Identify subdivisions without changes by letter and title only and mark them “[NO CHANGE].”

d. Include new committee notes in the left column. Old notes should be included in the 2-column chart only when needed to understand the amendment.

(ii) The right column must contain a brief summary of the reasons for change contained in the report. When possible, the reasons should appear directly across from the language being amended.

(iii) Do not include forms in the 2-column chart. Forms should be included in the full-page legislative format only.

(D) Background Appendices. Submit an appendix with background documents, including (when applicable and available):

(i) letters from the referring source, including referral letters from the court (but not copies of court opinions);

(ii) relevant administrative orders;

(iii) relevant legislation in session law format (including the section of the law containing the effective date of the legislation);

(iv) any written comments received by the committee or workgroup, as a separate appendix;

(v) reports or other documents relied on in developing the rule amendment; and

(vi) a copy of any notice published online or in *The Florida Bar News*.

(6) *Submissions*. File each report or petition and appendices in the electronic format approved by the supreme court and specified in the Florida Rules of General Practice and Judicial Administration. Remove all electronic editor's notes, revision marks, or comments (annotations) before submission to the court. Also submit to the clerk's office the report or petition, rules and forms in full-page legislative format, and 2-column chart in Microsoft Word.

(7) *Formatting*.

(A) Draft proposed amendments in accordance with Part I. Rules Style Guide.

(B) The report/petition and full-page legislative format must be single-spaced, formatted in Bookman Old Style 14-point font. The 2-column chart and all forms (other than family law forms which may require a smaller point size) must be formatted in Bookman Old Style 12-point font.

(C) Do not number the paragraphs of the report or petition.

(D) Number all pages in the report or petition sequentially. Identify appendices by appendix letter and page number (*e.g.*, Appendix A, page 1; Appendix B, page 1).

(E) Use left justification (not full justification) for the report/petition, the rules in full-page legislative format, and the 2-column chart. Forms may be fully justified.

(F) All rules must be formatted consistently. Do not use embedded codes, styles, or automatic outlining features in rules.

(G) Do not use track changes in Microsoft Word.

**(c) Comments.** The committee's, the bar's, or the workgroup's comments must begin as follows: "The .....(name of committee or workgroup or Florida Bar).....files these comments to the amendment(s) to rule(s) [include rule title] ....."

**(d) Responses.** A response to comments must begin as follows: "The .....(name of committee or workgroup or Florida Bar)..... files this response to comments to the amendment(s) to rule(s) [include rule title] filed by....." A response is not required if no comments were filed.

## **BYLAW 2-9.6 RULES OF ORDER**

The current edition of Robert's Rules of Order is the parliamentary authority that governs the conduct of all meetings of The Florida Bar, its board of governors, its sections, divisions, and committees, except for Robert's Rules of Order that are inconsistent with these bylaws and the bar's Special Rules of Order as set forth in the Standing Board Policies or in section or division bylaws.

Amended March 2, 1988; July 23, 1992, effective Jan. 1, 1993 (605 So.2d 252); amended Jan. 4, 2019, effective March 5, 2019 (267 So.3d 891).

**THE FLORIDA BAR STANDING BOARD POLICY**  
**1.65 APPEARANCES ON DOCUMENTS FILED WITH COURTS**

The executive director, or designee, must sign all petitions, responses, briefs and other legal documents filed with the Supreme Court of Florida or documents filed with other courts on behalf of the bar. The bar president or president-elect's name may be added to a filing.

The chair or designated representative of the bar unit that sponsored or prepared the document may be added as additional counsel.

Pleadings in disciplinary and UPL cases may be signed by bar counsel unless otherwise required by the Rules Regulating The Florida Bar or these policies.

## THE FLORIDA BAR STANDING BOARD POLICY

### 5.20 COMMITTEE STRUCTURE, MEMBERSHIP AND TERMS

**(a) Committee Groups.** Bar committees are divided into 6 groups: substantive law committees, public service committees, bar services committees, certification committees, court rules committees, and special committees.

**(b) Structure.** Each committee will have a chair, a vice chair, and a sufficient number of members to meet the needs of the committee. The bar president may establish an executive committee for any committee. The executive committee is authorized to act on all matters that must be acted on before the next meeting of the committee.

**(c) Membership.**

(1) Committee members who are Florida bar members must be active and in good standing.

(2) An inactive member may not be appointed until active and in good standing before the start date of the appointment term. If a member elects inactive status during an existing term, the member may complete the existing term but may not be reappointed.

(3) The bar president, on consultation with the committee chair, may remove and replace a committee member at any time if the member is no longer a bar member in good standing or no longer demonstrates an interest in the committee.

(4) This policy will be published in a manner accessible to all present or prospective committee members.

**(d) Terms.** A committee member may not serve on the same committee more than 6 years continuously. A member may not be reappointed to that committee for at least 3 years after the 6 -year term has ended. This provision does not apply to substantive law committee memberships as defined in these policies.