

The Florida Bar Board of Governors
November 8, 2021
By Videoconference
10:00 a.m.

1. Roll Call

Michael G. Tanner, President
Gary S. Lesser, President-Elect
Jeremy C. Branning, 1st Circuit
Lawrence E. Sellers, Jr., 2nd Circuit
Melissa VanSickle, 2nd Circuit
Kris B. Robinson, 3rd Circuit
W. Braxton Gillam IV, 4th Circuit
Michael Fox Orr, 4th Circuit
Gordon J. Glover, 5th Circuit
Joshua T. Chilson, 6th Circuit
Sandra Fascell Diamond, 6th Circuit
Philip J. Bonamo, 7th Circuit
Stephanie M. Marchman, 8th Circuit
Thomas P. Wert, 9th Circuit
Julia L. Frey, 9th Circuit
Tad A. Yates, 9th Circuit
C. Richard Nail, 10th Circuit
Roland Sanchez-Medina, Jr., 11th Circuit
Nikki L. Simon, 11th Circuit
Jordan A. Dresnick, 11th Circuit
Jorge L. Piedra, 11th Circuit
Judge Leslie B. Rothenberg, 11th Circuit
Alice Sum, 11th Circuit
Jeffrey Rynor, 11th Circuit
F. Scott Westheimer, 12th Circuit
Kenneth G. Turkel, 13th Circuit
Amy S. Fariior, 13th Circuit
J. Carter Andersen, 13th Circuit
Paige A. Greenlee, 13th Circuit
Clifford C. Higby, 14th Circuit
R. Sia Baker-Barnes, 15th Circuit
Ronald P. Ponzoli, Jr., 15th Circuit
Robin I. Bresky, 15th Circuit
Michael J. Gelfand, 15th Circuit
Wayne LaRue Smith, 16th Circuit
Jay Kim, 17th Circuit
Diana Santa Maria, 17th Circuit
Lorna E. Brown-Burton, 17th Circuit

Hilary Creary, 17th Circuit
James G. Vickaryous, 18th Circuit
Gregory S. Weiss, 19th Circuit
Laird A. Lile, 20th Circuit
John D. Agnew, 20th Circuit
E. Duffy Myrtetus, Out of State
Donald A. Workman, Out of State
Eric L. Meeks, Out of State
Brian D. Burgoon, Out of State
Todd L. Baker, YLD President
Iris A. Elijah, YLD President-Elect
Joseph “Jody” D. Hudgins, Public Member
Linda Goldstein, Public Member

Members Absent

Adam G. Rabinowitz, 17th Circuit

2. Staff in Attendance

Joshua Doyle, Executive Director
Gypsy Bailey, General Counsel
Elizabeth Tarbert, Director, Legal Division
Terry Hill, Director, Program Division
Leslie Reithmiller, Assistant to the President
Gary Blankenship, Senior Editor, Florida Bar News

3. Guests

President Tanner recognized the following guests:
Michael Davis, President, Virgil Hawkins Florida Chapter, National Bar Association
Karen Ladis, Legal Aid Representative
Miriam Ramos, President-Elect, Cuban American Bar Association
Jenny Scavino Sieg, President, Florida Association for Women Lawyers
Andrew Sasso, Parliamentarian
Nicholas Shannin, Chair, Council of Sections

4. Report of the Special Committee to Improve the Delivery of Legal Services

The board took several votes on items in the special committee’s final report, as follows:

- The board voted 34-10 to accept the special committee’s recommendation that The Florida Bar promote a better understanding of Rule 4-1.2(c) of the Rules Regulating The Florida Bar.
- The board voted 46-0 to reject the special committee’s recommendation to amend The Rules Regulating The Florida Bar within the proposed Legal Practice Innovation Laboratory Program (the “Lab”) and potentially thereafter, to permit nonlawyers to have a non-controlling equity interest in law firms with restrictions, as described in Appendix B to the special committee’s report.

- The board voted 45-0 to reject the special committee’s recommendation to amend the Rules Regulating The Florida Bar, within the proposed Lab and potentially thereafter, to eliminate the restriction on fee sharing with nonlawyers.

- The board voted 40-4 to postpone consideration of the special committee’s recommendations to amend Bar Rules to allow not-for-profit legal service providers to organize as corporations and to allow non-lawyers to serve on the boards of directors of non-for-profit legal service providers.

- The board voted 43-0 to reject the special committee’s recommendation to amend The Florida Bar’s advertising rules and the comments to the rules, as proposed in Appendix C to the special committee’s report.

- The board considered the recommendation of the special committee to allow qualified Florida Registered Paralegals to provide certain limited legal services, within the proposed Lab and within a law office or legal aid organization, as described in Appendix D to the special committee’s report. A motion was made to reject that recommendation. A motion was then made to amend the motion to reject. The amendment would limit the pilot program to legal aid organizations only and not require it be tested in the Lab; limit the authorized areas of law in the pilot program to residential landlord/tenant law on behalf of the tenant and debt collection defense; and remove “assistance with court proceedings” from the list of permissible activities. The board then voted 24-15 in favor of the motion to amend. Following further discussion, the board voted 30-8 to postpone further discussion and action on the amended motion.

5. Time and Place of Next Meeting

Noting the board had run over its scheduled meeting time, President Tanner announced another meeting would be scheduled to finish consideration and voting on the recommendations of the special committee. President Tanner adjourned the meeting at 12:21 p.m.