APPELLATE PRACTICE SECTION EXECUTIVE COUNCIL MEETING

Thursday, January 19, 2023
12:00 PM – 2:00 PM

https://us02web.zoom.us/j/84708013667?pwd=VjJaMW9ZbnRyNitqUjVjbFZVNlNPQT09
Meeting ID: 847 0801 3667
Passcode: 594556

AGENDA

I. Call to Order – Hon. Carrie Ann Wozniak, Chair

II. Introductions – Hon. Carrie Ann Wozniak

Kansas Gooden, Chair-Elect
Courtney Brewer, Treasurer
Joe Eagleton, Secretary
Kimberly Jones, Immediate Past Chair

Welcome, Paige Dooley-Levy!

III. Chair's Report – Hon. Carrie Ann Wozniak

IV. Approval of Minutes from October 2022 Meeting – Joe Eagleton (Exhibit A)

V. Treasurer & Finance Committee's Report – Courtney Brewer (Exhibit B)

A. Current Financial Statement

VI. Old Business

A. Bylaw Amendments – Nick Shannin (Exhibit C)

B. High School Moot Court Project – Brandon Breslow and Mary Walter

VII. New Business

A. Town Hall – Hon. Carrie Ann Wozniak

B. DCA Judges Conference – Kansas Gooden

VIII. Liaison Reports

A. Appellate Court Rules Committee – Laura Roe

B. Appellate Practice Certification Committee – Duane Daiker

C. Board of Governors – Robin Bresky

D. Council of Sections – Nick Shannin

IX. Section Committee Reports

A. Continuing Legal Education Committee – Elaine Walter

B. Communications Committee – Dineen Wasylik

C. Delegated Reserves Committee – Duane Daiker

D. Diversity and Inclusion Committee – Laura Roe and Hon. Stephanie Ray

E. Fellows Program Committee – Brandon Breslow and Jamie Billotte Moses

F. Advocacy Committee – Thomasina Moore and Karla Ellis

G. Outreach Committee – Mary Walter

H. Pro Bono Committee – Kimberly Berman

I. Programs Committee – Diane DeWolf & Lindsey Lawton

J. Publications Committee – Tom Seider

1. *The Record* – Courtney Fernald

2. Florida Bar *Journal* – Morgan Weinstein

3. Self-Represented Litigant Committee – Chance Lyman

K. Section History Committee – Hon. Carrie Ann Wozniak (update)

X. Announce Next Executive Council Meeting
Florida Bar Annual Meeting – Thursday, June 22, 2023

XI. Adjournment – Hon. Carrie Ann Wozniak

Exhibit A

Appellate Practice Section
Executive Council Meeting

October 10, 2022

The Royal Horseguards
2 Whitehall Court
London, United Kingdom
(And via Zoom videoconference)

MEETING MINUTES

I. Call to Order – Hon. Carrie Ann Wozniak

Judge Wozniak called the meeting to order at 3:12 p.m. GMT, 10:12 a.m. EDT, and welcomed everyone to the Section's first international Executive Council meeting.

II. Introductions – Hon. Carrie Ann Wozniak, Chair

Kansas Gooden, Chair-Elect
Courtney Brewer, Treasurer
Joe Eagleton, Secretary
Kimberly Jones, Immediate Past Chair

Everyone in attendance in London and on Zoom introduced themselves. In total, at least 44 Section members attended the meeting.

Live attendees included: Shamika Askew, Steve Brannock, Courtney Brewer, Duane Daiker, Diane DeWolf, Chris Donovan, Joe Eagleton, Alexis Fields, Kansas Gooden, Tom Hall, Bailey Howard, Kimberly Jones, Heather Kolinsky, Nicholas Lynch, Dayna Maeder, Judge Eric Netcher, Kristin Norse, Jack Reiter, Tom Seider, Nick Shannin, Judge Morris Silberman, Mary Walter, Dineen Wasylik, and Cheri Wright.

Attending via Zoom were: Sam Alexander, Andrew Abramovich, Caryn Bellus, Ceci Berman, Brandon Breslow, Matt Conigliaro, Justice John Couriel, Karla Ellis, Angela Flowers, Judge Alan Forst, Jared Krukar, Sarah Lahlou-Amine, Chance Lyman, Judge Stephanie Ray, Laura Roe, Hala Sandridge, Samuel Walker, Elaine Walter, Morgan Weinstein, and Judge Carrie Ann Wozniak.

III. Chair's Report – Hon. Carrie Ann Wozniak & Kansas Gooden

Chair Wozniak expressed her excitement for the Section to have the opportunity to spend time in London. She thanked the Retreat Committee

for all their hard work: Kristin Norse, Diane DeWolf, Judge Forst, Courtney Brewer, and Cheri Wright. The Committee kept things going even when Judge Wozniak became unable to travel due to her pregnancy. The Committee came up with the idea to have gift boxes for everyone at the opening reception and with the idea for the speaker gifts. Judge Silberman, who stood in for Judge Wozniak in presenting the gift to the Deputy President of the UK Supreme Court, reported on how well the gift was received.

Chair-Elect Gooden reported on the events in London so far: the first group tours, the welcome reception, the Supreme Court, and afternoon tea. Everyone is looking forward to the remainder of the trip.

IV. Approval of Minutes from June 2022 Meeting – Joe Eagleton

Eagleton reported that the minutes from the Section's last Executive Council meeting, held at the annual Florida Bar convention, were attached to the agenda as Exhibit A and were ready to be approved. Daiker moved to approve the minutes; Donovan seconded. The minutes were approved by unanimous consent.

V. Treasurer & Finance Committee's Report – Courtney Brewer

Brewer reported that the Section's finances remain in good shape, as demonstrated by the report attached to the agenda as Exhibit B. If anyone has specific questions or would like additional details, reach out to her and to Cheri Wright.

VI. Old Business

A. Bylaw Amendments – Nick Shannin

Shannin reported that, due to the creation of the new Sixth DCA, the Section will need to change its bylaws. This change is required due to the composition of the Executive Council, which includes a representative and a judicial liaison from each DCA. The plan is to simply change the "five" to a "six" in the bylaws, and to require geographic representation from all six DCAs. This is not expected to pose any problem over the course of three-year terms. The size of the Executive Council will change from 22 to 23, with the addition of the additional liaison. No quorum or other requirements will be affected. Formal amendments will be presented at the winter meeting. Anyone with questions or suggestions regarding the bylaws should reach out to Shannin.

VII. New Business

A. Website Revisions and Updates – Joe Eagleton

Eagleton reported on the formation, at the Chair's direction, of a new ad hoc website improvement committee. Committee members include Dineen Wasylik, Dimitri Peteves, Nicholas Lynch (APS Fellow), and Dayna Maeder (APS Fellow).

This committee is working to update and modernize the Section's website. For various reasons, the website has fallen a bit behind. The committee's first task has been to ensure that the Section leadership and contact information is properly represented on the website and that the current Chair's message and most recent CLE information are posted. Over the long term, this committee will be working on a plan to redesign the website and to engage the Section's current social media vendor, Tracey Eller, to take on the task of keeping the website updated. Eagleton thanked Wasylik for her assistance with the committee's initial tasks and encouraged anyone interested in joining the committee or with ideas about the website to reach out.

VIII. Liaison Reports

A. Appellate Court Rules Committee – Laura Roe

Roe offered an update on the goings-on of the ACRC. First, she noted that the Workgroup on Improved Resolution of Civil Cases just filed its response to all the comments that were received about the initial report and recommendations. The response is long and comprehensive, and Roe recommends reading it. The Florida Supreme Court is soon expected to decide whether to hold oral argument. Second, ACRC is planning an impending vote on a new Baker Act rule addressing stays, jurisdiction pending appeal, and other special procedures in those cases. Third, a subcommittee is once again considering notices of supplemental authority based on a new opinion from the Second DCA. Stay tuned!

B. Appellate Practice Certification Committee – Duane Daiker

Daiker reported that the appellate certification committee has received ten new applications, about the same as last year, along with a bunch of recertification applications. He reminded everyone that, if you are currently certified, you stay certified until a decision is made by the committee on the recertification, and he thanked everyone for bearing with the committee as it works through all the applications. He said the committee is now operating fully remotely and is still figuring out the best way to accomplish its work in that format.

C. Council of Sections – Nick Shannin

Shannin reported that the Council of Sections is currently in a state of flux with its Florida Bar administrator and that he would likely have more to report once a new administrator has been assigned. Anyone with suggestions on issues they would like to see the Council address should contact him or Judge Wozniak.

IX. Section Committee Reports

A. Continuing Legal Education Committee – Elaine Walter

The CLE Committee is chugging along. In August, the Committee spearheaded a free program introducing the Sixth DCA, which garnered almost 500 registrants (a new APS record!). Registration is now open for Practicing Before the Third DCA, which is upcoming later this month in Miami. And the webinar series continues to run smoothly, with the next presentation in a week on *Daubert* motions. If anyone has ideas for programming or an interest in presenting, let Elaine Walter know.

B. Communications Committee – Dineen Wasylik

Wasylik is working with Eagleton on the website redesign discussed earlier and has also recruited new member Shamika Askew to help with social media.

C. Delegated Reserves Committee – Duane Daiker

As always, nothing to report.

D. Diversity and Inclusion Committee – Laura Roe

Nothing to report – keeping things diverse and interesting. Will have an update at the next meeting.

E. Fellows Program Committee – Brandon Breslow

No update as to next year's applications, but happy to report that both current APS Fellows attended the London retreat.

F. Legislative Committee – Karla Ellis

No updates, other than that the Sixth DCA is happening on January 1.

G. Outreach Committee – Mary Walter

Walter reported that the Outreach Committee is continuing to do the same things she discussed at the annual meeting, including checking in with new members like the many who made the trip to London. The committee was also approached by the Law Related Education Committee about restarting the high school moot court project and is looking for insight into how the program used to operate. The committee will be soliciting volunteers to grade briefs and assist with mock OAs at the appropriate time in the future.

H. Pro Bono Committee – Sam Alexander

The Pro Bono Committee is making some changes to old projects and starting on some new projects. One principal focus is on increasing the quality of cases that are circulated to the list-serve. The committee is also planning improvements to the pro bono intake form to reduce the workload on the chair and vice chair, as there are a lot of cases that are screened but never sent out. And the committee is working on outreach to the DCAs and to the federal Eleventh Circuit with the hope of having more cases referred from the courts.

I. Programs Committee – Diane DeWolf

Nothing to report, other than that the Section is in London and had a wonderful London-themed dessert reception at the June Florida Bar convention, which may have been the Section's most well-attended reception, at least in recent years.

J. Publications Committee – Tom Seider, Heather Kolinsky & Chance Lyman

The Publications Committee is seeking volunteers to write for the *Florida Bar Journal* and for *The Record*. The committee is also working to get *The Record* more up to date, starting with writeups about the summer award winners to ensure they receive the recognition they deserve. Morgan Weinstein will be taking over as editor of the *Florida Bar Journal* articles, with the goal of continuing to ensure that there is an APS article in every issue. Finally, the committee is working on revisions to the *Pro Se Handbook*.

K. History Committee – Hon. Carrie Ann Wozniak

The Section is making history in London! Send pictures to the APS Officers so the trip can be featured on social media and on the website.

X. Announcements

A. New Florida Bar Administrator – Cheri Wright

The Section's longtime administrator, Cheri Wright, announced that she has accepted a new position with the Bar and will be leaving APS. She will help with the transition to a new administrator. Judge Wozniak shared the sentiments of all APS members who have worked with Cheri about how much the Section will miss her.

B. Next Executive Council Meeting – Hon. Carrie Ann Wozniak

The next meeting will take place at the Florida Bar winter meeting, on Thursday, January 19, 2022, in Orlando.

C. Adjournment – Kansas Gooden

Gooden solicited a motion to adjourn. Shannin moved to adjourn the meeting; Donovan seconded. The motion was approved by unanimous consent.

Exhibit B

THE FLORIDA BAR

Appellate Practice Section Rollup

For the Six Months Ending December 31, 2022

	December	YTD 2023	YTD 22-23 Budget	YTD/YTD Budget Variance ($)	FY 22-23 Budget	Prior Year December	YTD 2022	FYE Actual 2022
3001-Annual Fees	183	59,928	55,625	4,303	55,625	263	60,660	61,190
3002-Affiliate Fees	-	40	50	(10)	50	-	50	50
Total Fee Revenue	**183**	**59,968**	**55,675**	**4,293**	**55,675**	**263**	**60,710**	**61,240**
3301-Registration-Live	-	-	50,000	(50,000)	50,000	-	-	-
3331-Registration-Ticket	-	56,950	45,500	11,450	45,500	-	-	-
Total Registration Revenue	**-**	**56,950**	**95,500**	**(38,550)**	**95,500**	**-**	**-**	**-**
3351-Sponsorships	-	20,000	45,000	(25,000)	45,000	-	2,500	13,250
3391-CLE Profit Split	(664)	37,605	85,000	(47,395)	85,000	5,977	36,812	50,040
3392-Section Differential	1,040	2,750	6,000	(3,250)	6,000	110	1,390	3,910
Other Event Revenue	**376**	**60,355**	**136,000**	**(75,645)**	**136,000**	**6,087**	**40,702**	**67,200**
3401-Sales-CD/DVD	-	-	5,700	(5,700)	5,700	-	-	-
3411-Sales-Published Materials	-	-	300	(300)	300	-	-	-
Sales, Rents & Royalties Revenue	**-**	**-**	**6,000**	**(6,000)**	**6,000**	**-**	**-**	**-**
3901-Eliminated InterFund Revenue	-	40	-	40	-	-	-	-
Other Revenue Sources	**-**	**40**	**-**	**40**	**-**	**-**	**-**	**-**
3899-Investment Allocation	6,125	32,119	37,784	(5,665)	37,784	24,192	37,130	(88,466)
Non-Operating Income	**6,125**	**32,119**	**37,784**	**(5,665)**	**37,784**	**24,192**	**37,130**	**(88,466)**
Total Revenue	**6,683**	**209,432**	**330,959**	**(121,527)**	**330,959**	**30,542**	**138,542**	**39,973**
4134-Web Services	-	1,580	29,000	(27,420)	29,000	1,120	8,870	13,721
4311-Office Supplies	-	60	150	(90)	150	-	-	184
Total Staff & Office Expense	**-**	**1,640**	**29,150**	**(27,510)**	**29,150**	**1,120**	**8,870**	**13,905**
5031-AV Services	-	-	4,500	(4,500)	4,500	-	-	-
5051-Credit Card Fees	5	108	1,210	(1,102)	1,210	5	343	2,572
5121-Printing-Outside	-	-	8,250	(8,250)	8,250	-	-	-
Total Contract Services	**5**	**108**	**13,960**	**(13,852)**	**13,960**	**5**	**343**	**2,572**
5501-Employee Travel	-	2,783	7,082	(4,299)	7,082	-	1,394	1,394
5531-Board/Off/Memb Travel	-	2,441	6,500	(4,059)	6,500	-	-	204
5561-Judges Travel	-	700	4,900	(4,200)	4,900	-	1,800	2,402
5571-Speaker Travel	-	-	10,000	(10,000)	10,000	-	-	-
Total Travel	**-**	**5,924**	**28,482**	**(22,558)**	**28,482**	**-**	**3,194**	**4,000**
6001-Post 1st Class/Bulk	11	39	220	(181)	220	-	236	236
6251-Promotion Sponsorship	-	1,000	5,500	(4,500)	5,500	-	1,000	1,290
6301-Mtgs TFB Annual Meeting	-	-	35,000	(35,000)	35,000	-	-	43,155
6311-Mtgs General Meeting	800	800	4,700	(3,900)	4,700	-	-	-
6319-Mtgs Other Functions	-	150,775	185,000	(34,225)	185,000	-	474	474
6321-Mtgs Meals	-	-	15,500	(15,500)	15,500	-	-	-
6331-Mtgs Room Rental	-	-	6,604	(6,604)	6,604	-	3,302	3,302
6451-Committee Expense	-	1,800	4,800	(3,000)	4,800	-	61	61
7001-Grant/Award/Donation	-	-	2,050	(2,050)	2,050	-	503	2,178
7999-Other Operating Exp	-	-	1,000	(1,000)	1,000	-	214	239
Total Other Expense	**811**	**154,414**	**260,374**	**(105,960)**	**260,374**	**-**	**5,790**	**50,936**
8021-Section Admin Fee	131	33,495	32,973	522	32,973	144	32,001	32,267
8101-Printing In-House	-	55	15	40	15	8	8	87
8141-Journal/News Service	-	-	850	(850)	850	-	-	-
8171-Course Approval Fee	-	-	-	-	-	-	150	150
8901-Eliminated IntEnt Exp	-	-	-	-	-	-	-	1,000
Total Admin & Internal Expense	**131**	**33,550**	**33,838**	**(288)**	**33,838**	**152**	**32,159**	**33,504**
9692-Transfer Out-Council of Sections	-	500	500	-	500	-	500	500
Total InterFund Transfers Out	**-**	**500**	**500**	**-**	**500**	**-**	**500**	**500**
Total Expense	**947**	**196,136**	**366,304**	**(170,168)**	**366,304**	**1,277**	**50,855**	**105,417**
Net Operations	**5,737**	**13,295**	**(35,345)**	**48,640**	**(35,345)**	**29,265**	**87,686**	**(65,444)**
2001-Fund Balance, Beginning	-	793,159					858,603	858,603
Fund Balance, Ending	**-**	**806,455**					**946,289**	**793,159**

Exhibit C

AMENDMENT #1: ARTICLE III SECTION 1
Article III- Officers and Executive Council. Section 1.
Amend by substitution.

CURRENT WORDING	PROPOSED AMENDMENT	IF ADOPTED, WILL READ
Section 1. The officers of the section are the chair, chair-elect, vice-chair, secretary/treasurer, and the immediate past chair.	**Section 1.** The officers of the section are the chair, chair-elect, ~~vice-chair~~, treasurer, secretary, and the immediate past chair.	**Section 1.** The officers of the section are the chair, chair-elect, treasurer, secretary, and the immediate past chair.

Proposed by: Nicholas Shannin, Bylaws Chair
Rationale: The new language will revise the titles of the officers to comport with current section practice of having one officer serving the overlapping roles originally served by both the "chair-elect" and the "vice chair," while separating the duties of the secretary and treasurer as individual officer positions.
Note: Adoption of this bylaw amendment is inclusive of amending all references to these offices throughout the bylaws to maintain consistency with this Amendment.
Bylaws Committee Recommendation: Amendment **BE** adopted.
Section Approval: Unanimously approved, June 2021
Ratified:
Board of Governors Approval:

AMENDMENT #2: ARTICLE IV SECTION 1
Article IV- Duties and Power of Officers. Section 1.
Amend by substitution.

CURRENT WORDING	PROPOSED AMENDMENT	IF ADOPTED, WILL READ
Section 1. The chair (or successively, the chair-elect or vice-chair, in the absence of the chair) presides at all meetings of the section and of the executive council. …. The chair is an ex-officio member of each committee of the section.	**Section 1.** The chair ~~(or successively, the chair-elect or vice-chair, in the absence of the chair)~~ (or chair-elect, in the absence of the chair) presides at all meetings of the section and of the executive council. …. The chair is a member of the standing Nominating Committee and is an ex-officio member of each committee of the section.	**Section 1.** The chair (or chair-elect, in the absence of the chair) presides at all meetings of the section and of the executive council. …. The chair is a member of the standing Nominating Committee and is an ex-officio member of each committee of the section.

Proposed by: Nicholas Shannin, Bylaws Chair
Rationale: The duties of the chair description is revised to account for elimination of the "vice chair" position, pending adoption of Amendment #1 above, and to clarify service on the standing Nominating Committee.
Bylaws Committee Recommendation: Amendment **BE** adopted, pending adoption of Amendment #1 above.
Section Approval: Unanimously approved, June 2021
Ratified:
Board of Governors Approval:

AMENDMENT #3: ARTICLE IV SECTION 3
Article IV- Duties and Power of Officers. Section 3.
Amend by removal.

CURRENT WORDING	PROPOSED AMENDMENT	IF ADOPTED, WILL READ
Section 3. The vice-chair aids the chair and the chair-elect in the performance of their responsibilities in the manner and to the extent as either requests. The vice-chair performs other duties and has other powers as usually pertain to the office of vice-chair or as designated by the executive council or the chair. The vice-chair is an ex-officio member of each committee of the section.	~~**Section 3.** The vice-chair aids the chair and the chair-elect in the performance of their responsibilities in the manner and to the extent as either requests. The vice-chair performs other duties and has other powers as usually pertain to the office of vice-chair or as designated by the executive council or the chair. The vice-chair is an ex-officio member of each committee of the section.~~	N/A

Proposed by: Nicholas Shannin, Bylaws Chair
Rationale: Removes language made obsolete by the deletion of the "vice chair" office, pending adoption of Amendment #1 above.
Bylaws Committee Recommendation: Amendment **BE** adopted, pending adoption of Amendment #1 above.
Section Approval: Unanimously approved, June 2021
Ratified:
Board of Governors Approval:

AMENDMENT #4: ARTICLE IV SECTION 4
Article IV- Duties and Power of Officers. Section 4.
Amend by substitution.

CURRENT WORDING	PROPOSED AMENDMENT	IF ADOPTED, WILL READ
Section 4. The secretary/treasurer consults with and assists the chair, chair-elect, and vice-chair of the section on the work of the section generally, in the manner and to the extent as they may request. The secretary/treasurer is the custodian of all books, papers, documents, and other property of the section. The secretary/treasurer keeps a true record of the proceedings of all meetings of the section and of the executive council, whether assembled or acting under submission. The secretary/treasurer also monitors all accounts, reports, and other documents prepared on section funds, revenues, and expenditures to make certain that all accounts, reports, and other documents are accurate, and confers with employees of The Florida Bar in the proper disbursements of section funds. The secretary/treasurer reports on the section's present and projected financial condition on request of the chair or other members of the executive council. The	**Section 3.** The ~~secretary/~~treasurer consults with and assists the chair~~,~~ and chair-elect~~, and vice-chair~~ of the section on the work of the section generally, in the manner and to the extent as they may request. The ~~secretary/~~treasurer also monitors all accounts, reports, and other documents prepared on section funds, revenues, and expenditures to make certain that all accounts, reports, and other documents are accurate, and confers with employees of The Florida Bar in the proper disbursements of section funds. The ~~secretary/~~treasurer reports on the section's present and projected financial condition on request of the chair or other members of the executive council. The ~~secretary/~~treasurer, in conjunction with the chair, as authorized by the executive council, attends to the business of the section. The ~~secretary/~~treasurer is the chair of the standing Finance Committee; a member of the standing Nominating Committee; and is an ex-officio member of ~~each~~ any	**Section 3.** The treasurer consults with and assists the chair and chair-elect of the section on the work of the section generally, in the manner and to the extent as they may request. The treasurer also monitors all accounts, reports, and other documents prepared on section funds, revenues, and expenditures to make certain that all accounts, reports, and other documents are accurate, and confers with employees of The Florida Bar in the proper disbursements of section funds. The treasurer reports on the section's present and projected financial condition on request of the chair or other members of the executive council. The treasurer, in conjunction with the chair, as authorized by the executive council, attends to the business of the section. The treasurer is the chair of the standing Finance Committee; a member of the standing Nominating Committee; and is an ex-officio member of any committee of the section that generates revenue or impacts the section finances, such as

secretary/treasurer, in conjunction with the chair, as authorized by the executive council, attends to the business of the section. The secretary/treasurer is an ex-officio member of each committee of the section.	committee of the section that generates revenue or impacts the section finances, such as the CLE Committee or the Designated Reserve Committee. **Section 4.** The secretary~~/treasurer~~ consults with and assists the chair~~,~~ and chair-elect~~, and vice-chair~~ of the section on the work of the section generally, in the manner and to the extent as they may request. The secretary~~/treasurer~~ is the custodian of all books, papers, documents, and other property of the section. The secretary~~/treasurer~~ keeps a true record of the proceedings of all meetings of the section and of the executive council, whether assembled or acting under submission. The secretary shall be a member of the standing Nominating Committee, and shall serve as an ex-officio member of any Bylaws Committee convened by the chair.	the CLE Committee or the Designated Reserve Committee. **Section 4.** The secretary consults with and assists the chair and chair-elect of the section on the work of the section generally, in the manner and to the extent as they may request. The secretary is the custodian of all books, papers, documents, and other property of the section. The secretary keeps a true record of the proceedings of all meetings of the section and of the executive council, whether assembled or acting under submission. The secretary shall be a member of the standing Nominating Committee, and shall serve as an ex-officio member of any Bylaws Committee convened by the chair.

Proposed by: Nicholas Shannin, Bylaws Chair
Rationale: The revised language is intended to provide the delineated and separated duties for the office of treasurer and the office of secretary, pursuant to the division of those officers, pending adoption of Amendment #1 above.
Bylaws Committee Recommendation: Amendment **BE** adopted, pending adoption of Amendment #1 above.
Section Approval: Unanimously approved, June 2021
Ratified:
Board of Governors Approval:

AMENDMENT #5: ARTICLE IX SECTION 2
Article IX- Committees. Section 2.
Amend by revising standing committees.

CURRENT WORDING	PROPOSED AMENDMENT	IF ADOPTED, WILL READ
Section 2. Standing committees of the section shall be: (A) Nominating; (B) Continuing Legal Education; (C) Programs; (D) Legislation; (E) Communications (F) Outreach (G) Pro Bono; and (H) Pro Se Handbook. Any of these committees may work jointly.	**Section 2.** Standing Committees of the section shall be: (A) Nominating; (B) Continuing Legal Education; (C) Programs <u>& Outreach</u>; (D) ~~Legislation~~ <u>Advocacy</u>; (E) Communications; (F) ~~Outreach~~ <u>Publications</u>; (G) Pro Bono; (H) ~~Pro Se Handbook~~ <u>Finance; and</u> (I) <u>Diversity & Inclusion.</u> Any of these Committees may work jointly.	**Section 2.** Standing Committees of the section shall be: (A) Nominating; (B) Continuing Legal Education; (C) Programs & Outreach; (D) Advocacy; (E) Communications; (F) Publications; (G) Pro Bono; (H) Finance; and (I) Diversity & Inclusion. Any of these Committees may work jointly.

Proposed by: Nicholas Shannin, Bylaws Chair
Rationale: The new language will allow for the inclusion of the Finance and Diversity & Inclusion Committees in the list of standing committees of the section. It also merges the former Programs Committee with the former Outreach Committee; updates the Legislation Committee to be identified as the Advocacy Committee; and returns Publications to its prior standing Committee status, inclusive of the former Pro Se Handbook Committee.
Bylaws Committee Recommendation: Amendment **BE** adopted.
Section Approval: Unanimously approved, June 2021
Ratified:
Board of Governors Approval:

AMENDMENT #6: ARTICLE III SECTION 2
Article III- Officers and Executive Council. Section 2.
Amend by substitution.

CURRENT WORDING	PROPOSED AMENDMENT	IF ADOPTED, WILL READ
Section 2. The officers, together with the immediate past chair, the editor of the section's newsletter, 22 members (comprising 1 attorney representative from each of Florida's 5 judicial districts, 1 judicial representative from each of Florida's 5 district courts of appeal, 1 judicial representative from the Supreme Court of Florida, 1 judicial representative from the United States Court of Appeals, Eleventh Circuit, plus 10 at-large members) to be elected by the section or appointed by each judicial representative's respective court, as hereinafter provided, and any past chairs requesting appointment, as hereinafter provided, shall comprise the executive council. The president and president-elect of The Florida Bar shall be ex-officio members of the executive council.	**Section 2.** The officers, ~~together with the immediate past chair, the editor of the section's newsletter,~~ 23~~2~~ members (comprising 1 attorney representative from each of Florida's ~~5~~ 6 judicial districts, 1 judicial representative from each of Florida's ~~5~~ 6 district courts of appeal, 1 judicial representative from the Supreme Court of Florida, 1 judicial representative from the United States Court of Appeals, Eleventh Circuit, plus 9 ~~10~~ at-large members) to be elected by the section or appointed by each judicial representative's respective court, as hereinafter provided, and any past chairs requesting appointment, as hereinafter provided, shall comprise the executive council. The president and president-elect of The Florida Bar shall be ex-officio members of the executive council.	**Section 2.** The officers, 23 members (comprising 1 attorney representative from each of Florida's 6 judicial districts, 1 judicial representative from each of Florida's 6 district courts of appeal, 1 judicial representative from the Supreme Court of Florida, 1 judicial representative from the United States Court of Appeals, Eleventh Circuit, plus 9 at-large members) to be elected by the section or appointed by each judicial representative's respective court, as hereinafter provided, and any past chairs requesting appointment, as hereinafter provided, shall comprise the executive council. The president and president-elect of The Florida Bar shall be ex-officio members of the executive council.

Proposed by: Nicholas Shannin, Bylaws Chair
Rationale: The substituted language will allow for the updated bylaws to be consistent with Florida's now-existing six District Courts of Appeal, as well as maintain consistency with current Section practice for establishment of its Executive Council.
Bylaws Committee Recommendation: Amendment **BE** adopted.
Section Approval:
Board of Governors Approval: