

Approved on 8/2/14  
by Executive Council

**Names of task forces and facilitators for each:**

1. **Technology and Membership Communication**—Mike Bedke; Nicole Kibert; Silvia Rojas
2. **Meeting, Finances, Facilities and Logistics**—Debra Boje, Katherine Frazier; George Meyer
3. **Section Structure, Management, Leadership and Succession Planning**  
—Deborah Goodall; Drew O'Malley; Sandy Diamond
4. **Committee Structure, Leadership and Succession Planning and Training**—Tae Bronner; Art Menor; Steve Mezer
5. **Legislation and Section Official Positions**—Bill Hennessey; Bob Swaine

The roster below shows the assignments made to each of the five task forces. The numbers in the Task Force column corresponds to the numbers above and the names in **bold** are the facilitators.

## 2014 RPPTL STRATEGIC PLANNING MEETING

	Task Force	Probate & Trust	Real Property
Ballaga, Raul	1		X
<b>Bedke, Mike</b>	<b>1*</b>		X
Belcher, Fletch	5	X	
<b>Boje, Debra</b>	<b>2*</b>	X	
<b>Bronner, Tae</b>	<b>4*</b>	X	
Brunner, Dresden	1	X	
Bruton, Burt	5		X
Bucher, Elaine	4	X	
Butters, Sarah	5	X	
Conner, Ted	5		X
<b>Diamond, Sandy</b>	<b>3*</b>	<del>X</del>	
Dribin, Mike	3	X	
<b>Frazier, Katherine</b>	<b>2*</b>		X
Freedman, Rob	4		X
Gelfand, Michael	3		X
Godelia, Vinette	1		X
<b>Goodall, Deborah</b>	<b>3*</b>	X	
Hayes, Travis	1	X	
<b>Hennessey, Bill</b>	<b>5*</b>	X	
Kelley, Shane	4	X	
<b>Kibert, Nicole</b>	<b>1*</b>		X
Kightlinger, Willie	2		X
Lynch, Kristen	2	X	
Madorsky, Marsha	1	X	
<b>Menor, Art</b>	<b>4*</b>		X
<b>Meyer, George</b>	<b>2*</b>		<del>X</del>
<b>Mezer, Steve</b>	<b>4*</b>		X
<b>O'Malley, Drew</b>	<b>3*</b>		X
Price, Pam	2	X	
Robbins, Jim	3		X
<b>Rojas, Silvia</b>	<b>1*</b>		X
Rolando Peggy	3		X
Russell, Deborah	4	X	
Scuderi, Jon	3		X
Shoter, Neil	4	X	
<b>Swaine, Bob</b>	<b>5*</b>		X
Sundberg, Laura	2		X
Weintraub, Lee	3		X
Wright, Cary	1	X	
Whynot, Sancha	2	X	

**TECHNOLOGY AND MEMBERSHIP COMMUNICATIONS**  
**Strategic Planning Meetings Goals and Solutions**  
**April 25-26, 2014**

**1. Membership - Increase the membership of the RPPTL Section including a focus on diversity**

**a. Goal #1: Reach individuals who are not now members or have dropped off membership**

(1) **Active Solicitation of 4 groups.** There are attorneys in other areas of practice that would benefit from membership in the RPPTL Section ("Section") and the existing members of the RPPTL Section would benefit from an influx of new members becoming active members of the Section. Also, as members retire the vitality and strength of the Section weakens without active recruiting and retention procedures in place. Members in practice between 5-15 years should be prime targets for soliciting for membership in the Section. The Membership and Inclusion Committee ("M&I") along with the At-Large Members ("ALMs") and other members of the Executive Committee and Council can set up procedures for maximum growth and retention of active members. There are 4 groups that the Section should focus on for recruitment and retention:

➤ **Attorneys who are not now members of the Section.** To accomplish the goal, the following procedures should be instituted with regards to attorneys who are not now members of the Section, especially those 5-15 years in practice:

- Make a list of all attorneys in the applicable areas of practice of the Section who are not now members. The Florida Bar, given the applicable parameters, can supply a spreadsheet that can be reviewed to check whether an attorney practices in an area covered by the Section, but is not a member of the RPPTL Section. The list can be further organized by Fellows or Law Students working with the M&I. Specific fields such as construction, probate, real estate, etc., can be targeted as well as years of practice.
- Supply the list to the ALMs for dissemination to each of the ALMs judicial circuits per location.
- In circuits included in the list where the attorneys have not joined the Section despite being in the RPPTL areas of practice, the ALMs for that circuit can set up meet & greet events using a CLE inducement or other networking inducement such as a realtor/attorney seminar.
- Form letters of recommendation to join the Section are to be sent to the non-members. M&I will draft the form letters. For non-members that are being solicited, the 5 points contact rule shall apply and the non-member shall receive

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the following during a one year period until he/she joins, letters are exhausted, or contacts the sender with the reason for non-joinder: (1) letter from Chair of Section (2) Letter from Division Director (3) Letter from M&I Chair (4) Letter from ALMs Committee Chair for the particular circuit (5) Letter from a substantive committee Chair [when known what the non-member's interests are).

- The form letters will be sent by M&I to the current Executive Committee Secretary or designee each year no later than the end of August for approval as to form. The form letters are to be approved as is or edited within 30 days from receipt. If not approved or edited within 30 days, they will be deemed approved.
- **Attorneys who are not now members of the Section and belong to minority bar associations.** In order to accomplish greater diversity within the Section, additional procedures should be set in place for recruiting minority group attorneys who practice in the areas covered by the Section but are not members of the Section:
- The ALMs in each circuit can set up a committee or designate a ALM or ALMs for purposes of determining the MBA's in their circuit – each ALM can also give a list to the ALM's Director indicating which local bar organizations they belong to as those could be targeted for recruitment by that particular ALM or several ALMs in that circuit.
  - The ALMs as chosen in each circuit can contact the MBA, and set up a speaking/networking engagement(s) to recommend the Section to members of that MBA whether at a regularly scheduled MBA meeting or otherwise.
  - Feedback: The ALM must give a brief report of the size of the attendance, flyers passed out, speaking engagement focused on the benefits of the Section, or networking opportunity to the ALM's Director who should further run it up to the Executive Committee to determine any follow ups with the organization or any interested MBA members
- **Attorneys who were members of the Section but who have dropped out.** Some members drop out intentionally and some others simply by forgetting to send in their dues. There should be a procedure in place to reinstate their memberships if at all possible.
- M&I will draft letters of recommendation to use during the 3 contact periods with the dropped off members. The form letters will be sent to the Executive Committee Secretary or designee each year no later than the beginning of August. The form letters are to be approved as is or edited within 30 days from receipt. If not approved or edited within 30 days, they will be deemed approved and the M&I will continue with the procedures below. Time is of the essence.

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- M&I will obtain the information regarding dropped off members from the Bar Administrator by September of each year and supply the form letters for each dropped off member to the Chair of the Section for signature and mailing by September or October of each year.
  - M&I will obtain the information regarding remaining dropped off members who have not reinstated from the Bar Administrator by November, prepare the 2<sup>nd</sup> batch of form letters and the M&I Chair will sign and mail the letters to the dropped off members remaining.
  - M&I will obtain the information regarding remaining dropped off members who have not reinstated from the Bar Administrator by January of the ensuing year, prepare the 3<sup>rd</sup> batch of form letters and the M&I Chair will sign and mail the letters to the dropped off members remaining.
  - M&I will obtain a final list from the Section Administrator of the dropped off members who have not reinstated in order to evaluate the re-application ratio to see if the letters are sufficient inducement and report the information to the Chair of the Section the ALM's Director to determine any further actions to be taken, if any.
- **Law students who are interested in the practice areas covered by the Section.** In order to bring new vitality to the Section, soliciting law students to become affiliate members of the Section before they graduate will assist them in making an informed decision to become active members of the Section after they pass the Bar.
- M&I through its law student liaison members shall prepare a form recommendation flyer (RFlyer events below) setting forth simple bullet points of why join the Section as a law student. Flyer should indicate Section benefits such as the ability to attend mock interviews (with a required resume to enter the mock interview), placements, educational opportunities, adding affiliate Section membership to the resume and availability of Section members for speaking engagements at the law school. The form will be sent by M&I to the current Chair-Elect of the Section in charge of the General Standing committees each year no later than the end of August. The Chair-Elect is to approve or edit the form within 30 days from receipt. If not approved or edited within 30 days, it will be deemed approved and the M&I will continue with the procedures below
  - The form shall be sent to all law schools where there is a RPPTL society formed so that each law student member can be requested by their society president to join the Section at their scheduled meetings or networking events.
  - M&I through its law school liaison members shall contact the Placement Director of each law school with a RPPTL student organization for organizing speaking engagements with the law students.

Ti (3)

- Executive Committee should consider proactively sponsoring events at the law schools for networking and recommending the Section.

(2) **Revitalization of ALMs as the local arm of the Section.** The ALMs are tasked to provide a number of the services above mentioned. ALMs can play a vital role in gaining local support for the Section but only if they are active in growing and providing a benefit to the Section membership: In that regard, the following is necessary: (1) accountability (2) motivation to work on projects and feedback for their work from ALMS chair (3) part of their function should be communication to members as may be requested (4) an ambassador function to non-members by personal appearance at local bar functions to represent the Section and give a short talk on the Section (5) yearly reports from each ALM regarding their activities. If inactivity is indicated in the report, the ALM should not be re-appointed from the ensuing year and it may be an indication that there are too many ALMS and the particular circuit group should be lessened.

**Goal #1 Conclusion:** With procedures set in place as above, recruiting and retaining members should be easier and more effective attracting not just members but active members of the Section. The M&I and ALMs can play important roles in achieving this goal.

**b. Goal #2 - Use Form letters and other templates to recommend Section membership, becoming an active member, and other management of the Section**

(1) In order to expedite use of forms on re-occurring matters, and assisting the new Executive Council Committee and members in efficiently performing their services to the Section, there should be a repository of forms available to use as necessary.

➤ The Executive Committee Secretary or designee is to keep a repository of forms available for use in a number of different situations easily accessible on a password protected webpage on the Section website.

- The forms are to be drafted by the committees designated below (or as thereafter designated by the Executive Committee Secretary or Division Directors) and be available in the repository no later than December 31<sup>st</sup>, 2014. Each new Executive Committee voted in each year shall review and re-assign drafting of the forms, if necessary, each year thereafter so that the forms are current as of December 31<sup>st</sup> of each ensuing year and available in the repository. It is the Executive Committee Secretaries responsibility to confirm current status of the forms as of December 31<sup>st</sup> of each year.
- Any form drafted or modified and submitted to the Executive Committee Secretary, designee or other officer for approval shall be approved within 30 days or the form shall be deemed approved and placed in the repository.

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(2) Each of the following forms/templates should be prepared and/or reviewed and modified by December 31<sup>st</sup> of each year. The list also recommends the committee to work on the list but that can be re-designated by the Executive Committee Secretary, designee or other officer as applicable.

- LR\*/non-member (5 contact form letters) [M&I]
- LR/dropped member [3 contact form letters] {M&I}
- RF\*/non-members: to pass out to non-members at CLE or networking functions. Include website address and/or QR Code to link to "how you join" in Section website to obtain application and additional public side information regarding the Section & its committees [M&I]
- LR/Welcome letter: for first time member. This can be a separate link on the website below the log in "if you are a new member, click here". The link can describe the Section activities, benefits of joining the section, a short mission statement for each committee, where to find list of upcoming events & CLE and/or whatever else you can place on the linked page on our website. --- OR if the website can achieve the functionality for it, an introductory letter like Rohan Kelley's old introduction letter can pop up when first entering the website with a password in addition to the link above [M&I]
- LR/new attorneys: for those who just passed the Bar to be added to the Section website under a separate public link so it is available for those seeking information (to send a letter without knowing their intended area of practice would not be cost effective) [M&I]
- FR/law students: to pass out at law student society events recommending joining the Section as a law student along with form application and a linked website and QR Code for linking to a public side informational message on the Section website about the Section and its committees (LR/law students) for first time member who is a law student [M&I]
- LR/law students: separate link for law students on the Section website describing the benefits of the Section specifically for law students [M&I]
- Application for membership (form already exists) – no need to password protect
- Application for law student membership (form already exists) – no need to password protect
- Annual Committee Report Form [Division Directors and Chair Elect]
- Annual ALMs members report [ALMs Director]
- Executive Committee Officers' Handbook [Executive Committee Secretary]
- Evaluation of Fellow Program form for Fellows to complete [Fellows committee]
- Executive Committee Meeting Planning Form [Executive Committee Secretary]
- Focus group invitation letters/emails [M&I]

T1 (5)

- All Section CLE forms [CLE Coordination Committee]
- White paper forms [Legislation committee]
- Template for committee charters or handbook. Each committee Chair should have a specific charter or handbook geared to that committee to provide as a guide to the committee members and for the incoming chair and vice-chair(s) of the committee. For example, number of vice-chairs and size of committee recommendation, technology officer, secretary, legislation, enrichment, case law, keeper of project log, voting procedures and requirements, attendance requirements, preparer of minutes and agendas, sponsors, snacks, speaker solicitations, and CLE. The template can be provided to the committee chair to select the portions applicable to the particular committee and reviewed each year for any necessary modifications. [TBD]
- Other templates or forms as required

\*(letter of recommendation) \*\* (recommendation flyer)

**Goal #2 Conclusion:** With the forms or templates available online but password protected, each designated user can efficiently and effectively access and use them as is or personalize them further. Each new set of officers and committee chairs will have written guides to assist in a smoother turnover of management each year.

## 2. **Membership & Technology – Determine the activities, technology and methods of communication best preferred or not preferred by members by use of focus groups**

### a. **Goal #1 – The focus group activity should be handled by a professional facilitator.**

It was determined at the Strategic Planning Meeting that a professional facilitator would be the proper party to handle a focus group activity. The M&I will review and solicit information from a number of professional facilitators and report to the Executive Committee the recommendations. The following is a brief description of the procedure to be followed

- (1) Determine the professional to do the focus group: e.g. skills, knowledge, cost, and availability.
- (2) Determine the information that we are trying to obtain by thorough discussions with the Executive Committee and M&I.
- (3) The Executive Committee can review, revise and vote on the event and forward the recommendation back to the M&I that can carry out the event alongside the facilitator
- (4) Set up focus group – the participants should be a broad cross section and should include non-members. Focus should be on the 5-15 years as attorney group.
- (5) Incentivize attorneys for coming to focus group experience.
- (6) Should be done no more than once every three years in a central location

T1 (6)



- (7) Membership Committee should follow up and evaluate the answers for the Executive Committee.

**Goal #1 Conclusion:** With the information gleaned from a focus group, the Section will be in a better position to service their members.

### 3. Membership – Outreach to other Sections

- a. **Goal #1 – Determine which Section Executive Council members regularly attend other Section meetings and choose a liaison from those.**

Recruiting active members from other Sections *who are also RPPTL Section members* can provide a greater opportunity for a personalized method of recruiting members from other Sections *who are not also RPPTL members*. These new recruits can then provide a broader expertise important when making decisions within some of the committees regarding case law, new legislation and general enrichment. A personalized recruitment process may be more effective in assuring that this type of new member becomes an active member of the Section.

- (1) The Bar administrator can provide a spreadsheet to M&I to indicate which RPPTL members are also members of other Sections and a survey of those members can be prepared by M&I using Survey Monkey or similar program to determine how active those members are in the Sections they belong to.
- (2) The Executive Committee can then choose from the most multi-Section active members and request their approval of an appointment as a liaison.
- (3) Add those liaisons to the general standing committee list.
- (4) The same procedure can be carried out every 3 years and a new liaison appointed.

- b. **Goal #2 - Each liaison is to seek ways to induce the members of the other Section(s) to join the RPPTL Section if they also practice in the RPPTL Section areas.**

A personalized recruitment process may be more effective in assuring that the new member becomes an active member of the Section.

- (1) The ALMs, on an annual basis, working with M&I (see "Membership" 1.a.(1) above) are to obtain a spreadsheet of non-members of the Section who practice in the areas covered by our Section.
- (2) The ALMs in the particular circuit of the prospective member, working together with the liaison with the other Section, can set up networking opportunities with the prospective member at the other section events.

**Conclusion Goal #1 & #2:** By identifying active multi-Section members, recruiting the best to be liaisons and providing them with information plus guidance and assistance from M&I

T1 (7)

and ALMs for further recruitment, the Section can add to the knowledge and talent of its membership.

#### **4. Membership - Number of Section members**

- a. **Goal #1 – Determine with certainty and on a quarterly basis, the number of members of the Section including the number of new members, members who have re-applied after being dropped off and total member count – this should be coordinated with the Bar Administrator for the Section, the M&I and the ALMs by the Executive Committee secretary or treasurer.**

It is necessary to know the number of Section members and when members have dropped off as such dropped off members should not be receiving the benefits of Section membership and should be encouraged to re-apply.

- Once determined, the Executive Committee can then decide on the course of action to further enhance the membership.
- There should be a quarterly list of dropped off members indicated on the ALMs page beginning one quarter after the annual Bar dues dates so that the other committees of the Section can re-check their membership to make sure all are Section members and personally contact the ones that are no longer Section members to let the x-member know that until they re-apply they will be removed from the committee directories, recommend he/she re-apply & to determine why they have dropped off. Any rationale for drop off that is related directly to the Section should be forwarded to the Executive Committee secretary with a copy to the chair of the M&I.
- The LR/dropped members letter should also indicate that the x-member has lost their access to the Section website & other benefits.
- All members who have dropped off should be banned from the use of the private side of the Section website and magazine until they are reinstated. The Section Administrator or M&I should coordinate the information with the ALMs regarding the dropped off members and the ALMs should keep an online list of the dropped off members not re-applying after the 3<sup>rd</sup> contact letter so that the committee chairs can check the names online against their directory of members.
- All members who have dropped off should be banned from participating in or joining a Section committee until they are reinstated.

**Conclusion – Goal #1:** By determining with certainty the number of members, the Executive Committee and Executive Council in general can better arrange planned events and publications, evaluate costs associated with Section activities, and non-members can be dropped from using Section resources without contributing at least the dues

T1 (8)

## 5. Membership & Technology – use of infomercials

- a. **Goal #1 - All sponsoring committees are to use infomercials during breaks in CLE seminars.**  
Many non-members attend our RPPTL sponsored CLE seminars. These attorneys are a captive audience and opportunity to inform them of the benefits of the Section should not be wasted.
- CLE Chair or Vice-Chair is to remind the sponsoring committee of the use of the infomercial and who to contact regarding the equipment (e.g. Bar's Administrator or contractor)
  - Sponsoring committee by use of the Bar's contractor is to make sure that the videos and other equipment is available on site for using the infomercial – whether downloaded on PC or thru internet (latter preferred as it also have the front of the Section website).
  - The infomercial is to be used continually during the breaks to allow for both restroom time and time to watch the video(s).
  - After the last infomercial break, the chair of the seminar is to advise the attendees that a flyer and applications are available at the registration desk and the website of the Section.

**Conclusion Goal #1:** By using free time during Section sponsored CLE seminars to play videos recommending the Section, the Section maximizes the reach to non-members by use of the spoken word and visual aids which aids in retention of information.

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Revision 5-3-2014

Notes: Regarding the format used: Each goal is set forth, the issue is described below the goal, the discussion on how to resolve the issue is described below the issue, and the conclusion regarding the goal or goals finalizes each section.

T1 (9)

I. Goal: Meeting Logistics

A. Issue: Meeting Locations and time.

Proposals:

1. Legislative Update remains at The Breakers as is and Convention at another family friendly resort sometime in May. Other meetings at a business type hotel and related facilities which should reduce the costs.
2. Consideration should be given to time between the meetings and legislative session when scheduling the meeting.
3. Section Leadership should be involved in negotiations from beginning as to ensure and maximizes - getting the best bargains with the Bar negotiations.
4. Meetings should be located in Central Florida in a city or area with easy access by air or rail to maximize attendance. Due consideration should be given to occasional geographic diversification but should not be an annual requirement.

B. Issue: Roundtables Timing.

Discussion:

Survey responses indicated that they liked having the roundtables on Friday afternoon instead of Saturday morning. Note that this cannot be done at Legislative Update and Convention. In most cases, this means that we have to move the committee meetings up to Thursday morning which means coming in Wednesday night or Thursday morning. More travel time and possible more expense to Section (ie: providing a lunch on Thursday.) This may open up more opportunities for sponsorship such as getting sponsors for a more formal Thursday lunch (which is currently only a boxed lunch).

Proposal:

Consider and "test" roundtables on Friday afternoon when possible.

C. Issue: Committee meetings. Need committee meetings schedule more in advance so members can make travel arrangements, etc.

Proposals:

1. Rooms - Section Administrator provides to Chair a binder with the information from the hotel regarding rooms and space available for meetings and a historical record of committee meetings that are held so that we know the space needed and size. The Chair should consider the number and availability of meeting rooms when selecting the venue for the meeting. A template should be prepared for standard committee meetings and sizes. Committees should rotate slots.

T2(1) ↘

2. Equipment - Chair should be provided information regarding cost of the equipment required at committee meetings. Section purchased equipment should be used for the Section and kept apart and secure for Section use so that it is available for the Section meetings and kept in a trunk and sent to each meeting location.

3. Speaker phones at committee meetings - Availability at the discretion of the Division Director if requested by committee chair. Division Director should determine equipment to be provided at each committee meeting.

D. Issue: Executive Council Meetings. "Bleed off" at the EC meetings - Probate does not stay for real estate and real estate does not stay for probate.

Discussion:

Are people burned out? At the EC meeting we have now heard the arguments and debates at the committee meetings and the roundtable.

Proposal:

Committee chairs report to the Division Directors important matters or issues that the other side of the aisle should know about and consider and these can be presented to the whole group at the Executive Council meeting.

E. Issue: Out of State meetings. Do we keep the meetings in the country and how do we handle costs?

Discussion:

1. Location - Survey did not indicate that members preferred out of country over staying within the USA.
2. Costs - Suggestion that the out of state meeting should support itself so that the Section is not subsidizing the out of state meeting. Discussed the separate sponsorship for the out of state meeting. Selling additional sponsorships to our existing sponsors and potential sponsors at the location of the out of state meeting.

Proposal:

Suggest that the out of state meeting should support itself and not be subsidized by general revenue of the Section. Additional sponsors should be obtained to cover the expense of the out of state meeting.

F. Issue: Bar Service and Hospitality Suite. Survey response wanted to keep the suite.

Discussion:

T2 (2)

At receptions and the Suite - full bar vs. beer, wine, and soda. What is the cost of having a full bar? Liquor does not seem to be an overriding concern for most people. Consider a wine sponsor for hospitality suite? Provide the wine; Pay a corkage fee.

Reception - beer, wine, and soda - full bar for Thursday night? Drink tickets vs. open bar?

Proposal:

Full Bar for Thursday night. Wine, Beer, and soda at other dinners/receptions and the hospitality suite. Try to find a wine sponsor for the hospitality suite.

- G. Issue: Off site functions. Do we hit our minimums at the hotels? It is usually more economical to go off site - survey results indicate that members want more events off site. Survey respondents were willing to pay more for the room and have more events off-site.

Discussion:

Off site functions put a greater burden on the chair and the Section administrator. Will you draw more people for Friday night if you move the dinner off site? Will you draw more people for Friday night if you move the dinner off site? Saturday night dinner - smaller, more intimate group - unique event off site. Is this a cost to the Section? If we move Friday night off site, make Saturday a casual reception followed by a "dine around."

Proposal:

Suggest that the Chair consider that if not needed to meet minimum, take the Friday night dinner off site and for Saturday night have the dinner at a smaller interesting location or a reception with a "dine around." For Breakers and Legislative Update, may be more appropriate to have a Saturday dinner at an interesting location and at the other meetings at business locations make Saturday a reception with a dine around.

- H. Issue: Sunday morning breakfast - Do we need it?

Discussion:

Brunch at the hotel on your own may be cheaper. Have the hotel set aside tables for their Sunday brunch?

Proposal:

Consider eliminating the Sunday breakfast or having the hotel set aside tables for its Sunday brunch.

- I. Issue: Meeting Costs.

T<sub>2</sub> (3)

Costs associated with Section members who are not EC members who attend committee meetings and then take boxed lunches, etc. The Survey results indicated that the Section should provide lunches for all attendees.

Discussion:

How do we charge non-EC members who attend committee meetings?

Proposal:

Separate registration and sign up sheet for non-EC members who attend committee meetings. They can sign up for lunch and pay for it and obtain a lunch ticket at registration. Lunch will then need to be set up in a way to monitor.

T2 (4)

## 2014 RPPTL STRATEGIC PLANNING

### MEETING BUDGETS

Goal/Topic: Accurate Financial Reporting and Budgeting.

Proposals:

- We request a ledger (and corresponding timesheets) from the Bar of all disbursements out of our RPPTL account to the Florida Bar for 2014 year to date, including but not limited to those billed by timekeeper, flat fee, piece rate, expense reimbursement, expense reimbursement with override, or whether a result of a Florida Bar mandated charge. Please send us the Florida Bar's policy on billing the RPPTL Section for the foregoing charges, including the explanation and method of calculation and the backup behind the calculation of TFB administrative charge, line item 31433 for the year ending 2014 year to date. By way of example, please see the attached which is our "guess" of the applicable Florida Bar line items for the above requested information. Some of these charges relate to direct reimbursements (like express mail) and may or may not have an override, and others relate to time. We will need the background behind how these charges are calculated of course as well.
- The Florida Bar needs to provide a written budget primer that describes the basic concepts that apply to the RPPTL Section budget (for example, the Florida Bar – mandated charges, CLE vs. Section service, course number sub accounts for Section service, Bar caps on income and charges), together with the line item-by-item text explanation/definitions for each line item budget code to help better educate us and improve consistency of allocations of monies to codes to facilitate the budget process. Need commitment from Florida Bar and protocol for educating the Florida Bar staff about allocation rules as protocol to ensure timely and accurate posting of items.
- The Section Administrator needs to provide to the RPPTL Section Treasurer monthly copies of the Florida Bar financial statements showing the comparison of year to date versus budget by the 10<sup>th</sup> of each month.
- The Section Administrator needs to provide to the RPPTL Section Treasurer 10 days before each Executive Council meeting a RPPTL Section financial summary for review and approval by the RPPTL Section treasurer as well as certain other designated officers in a form of financial summary as approved by the RPPTL Section treasurer. Please see the attached currently approved form of financial summary to be prepared by the Florida Bar and submitted to RPPTL Section treasurer for approval. Once approved, this financial summary will be part of the agenda as Treasurer's Report for most meetings. Please also note that this financial summary shall include an attachment behind it of the most current roll up budget only with a comparison of year to date versus budget.
- The RPPTL Section has to publish and approve our RPPTL budget in order to submit the same to Florida Bar for their publication and year end approval deadline. The RPPTL

T.2 (J)



Section has to start the next budget approval process (2015-16) no later than July of each year. The Section Administrator participates with the Budget Committee and the Budget Committee meets at the Breakers meeting which usually occurs at the end of July. The Section Administrator is responsible for generating the information that is to be circulated to the Budget Committee in advance of the Breakers meeting-which includes year to date actuals compared against the current budget, as well as a comparison of actuals against budget for the preceding 3 years in excel format with a notes column and labeled budget pages and page numbers. The Section Administrator then has to provide the audited Bar actuals compared against budget for the preceding 3 years in excel format with a notes column and labeled budget pages and page numbers in advance of the next Budget Committee meeting which needs to occur no later than mid August each year. The Section Administrator also needs to provide a projected draft budget for that mid-August meeting as well. We need to pin down this exact process, timeline, and deadlines with set details and required information for each year to streamline the process. We usually have to have a second Budget Committee meeting as part of this process. The Budget Committee is expected to submit and publish the draft budget for review and approval at the Fall executive council meeting as we just did this year in order to meet the Bar's yearend deadline. We need to keep in mind that the proposed budget covers not just the roll up budget but also the RPPTL general, the legislative update budget, as well as the convention budget. All of that information is critical to our planning process. Please note that we will also need up to date CLE information and backup as well so that we can estimate our revenue.

- Within 30 days after each Executive Council meeting, the Section Administrator needs to obtain and deliver to the RPPTL Section Treasurer a hotel costs summary sheet after each Executive Council meeting with defined categories (i.e. room, food, equipment and committees).
- We need to confirm and document with the Section Administrator and post the reimbursement process and required information to submit and the timeline for posting and processing of such reimbursements.
- The Florida Bar shall provide a spreadsheet from the Florida Bar of historical annual meeting expenses and meal/event charges for the past six years and work with the Florida Bar to prepare an annual estimated meeting budget based upon estimated budgets with defined categories (i.e. room, food and equipment) with suggested estimated totals for a typical in state meeting and reflecting typical attendance at certain events and suggested rates for event charges. Note Chair needs to know costs before charging for event.
- On a general basis we know that Jamie was undertaking certain cost-saving measures such as purchasing equipment in order to transport the same to meetings. We need to confirm what the process will be for that equipment that was purchased in order to help save us money. We have previously saved a significant amount of sales tax at the last Amelia Island meeting that the hotel inadvertently charged us. We want to verify and determine if we were previously charged for sales tax by any other hotel during 2013. The thought was that even though it is after the fact, if we were charged sales tax by the

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hotel, we may be able to recoup some of those amounts. We would still like someone to investigate that matter.

- Within 30 days after each CLE, and every six months and one year thereafter, the Section Administrator needs to obtain and deliver to the RPPTL Section CLE Chair/Co-Chairs a CLE accounting of income and expenses for each such CLE.

## 2014 RPPTL STRATEGIC PLANNING

### SPONSORSHIP PROGRAM

- I. Goal: Increase general sponsorship revenue for the Section.
- A. Topic: Sponsorship revenues have dropped in the last 5-6 years as a result of loss of sponsors and consolidation in the title insurance and banking industry.
- B. Discussion: Since we do not allow competitors to sponsor the same event, we do not have general sponsorship slots available for some industries, such as private wealth management. Moving the roundtables to Friday afternoon may require providing a more formal lunch or a breakfast on Thursday morning which we do not provide at this time, which may open up more sponsorship opportunities. However, the costs of new events will be more than the sponsorship revenue. Thus, we need to be creative and offer more opportunities for sponsorship and market to companies and service providers outside of our typical targets of title insurance companies and banks. Note, some of these proposals have the added benefit of saving the Section money.
- C. Proposals:
- Create new categories for general sponsorship to allow for companies who are interested in general sponsorship but cannot participate because their category is full. (ie: wireless sponsor, electronics, apps, parking sponsor, break/snack sponsor)
  - Create a task force of sponsorship committee members to target companies outside of the typical sponsors such as technology and other service providers.
  - Assign committee members to target real estate industry providers for sponsorship (ie: surveyors, environmental, due diligence services).

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- Recruit sponsors to supply lanyards with their corporate information at the EC meetings and CLEs.
- Recruit sponsors to supply bottled water with their logo at EC meetings and CLEs if allowed by the hotel/location.
- Recruit a winery to provide wine for the hospitality suite at the EC meetings.

II. Goal: Centralize coordination and communication between the Section and all sponsors.

- A. Topic: The Section has a Sponsorship Coordination Committee which handles annual sponsorship. However, there are several CLEs and "one time events" such as the ATO conference and the Construction Law Institute that obtain sponsors as well.
- B. Discussion: There is much confusion in the Section and with Bar administration regarding the responsibility of the Sponsorship Coordination Committee and sponsors for CLEs and other events that currently do not fall under the purview of the Sponsorship Coordination Committee. This creates problems where more than one person may be contacting potential sponsors on behalf of the Section. This is confusing for the sponsors as well. There is a lack of continuity and institutional knowledge since the Section members who are in charge of obtaining the CLE and "one time event" sponsors change every year. This is an untapped source; we may be able to convince CLE and "one time event" sponsors to become Friends of the Section, committee sponsors, or general sponsors.
- C. Proposals:
- Bring exhibitors at the Convention and Legislative Update under the purview of the Sponsorship Committee. A designated Sponsorship Committee member would work with assigned Convention and Legislative Update committee members to coordinate efforts. This could lead to bringing exhibitors into sponsorship.

T<sub>2</sub>(9)

- Assign a Sponsorship Committee member to work as a liaison with the ATO Conference, Construction Law Certification Course, Real Estate and Probate Certification courses, and other Section courses or events that have sponsors that do not currently work with or through the Sponsorship Committee.

III. Goal: Encourage communication between sponsors and Council members.

- A. Topic: One of the benefits of sponsorship is the access that sponsors have to Section and Council members.
- B. Discussion: Sponsors have complained that they do not receive notices of the meetings or the opportunity to sign up for the events unless they are Executive Council members. We should allow for more opportunities for sponsors to communicate with and market to Section members at no cost to Section so that sponsors see more benefit for their sponsorship dollars.

The most loyal sponsors are those who have members on the Executive Council. We should encourage all sponsors who have Florida attorneys on staff to get those attorneys involved in committees and other Section activities.

C. Proposals:

- Reinstigate the "buddy system" and assign ALMs to each sponsor to introduce the sponsor to other Council members and attendees at the sponsor's event (or the event the sponsor is attending if sponsored event is not conducive such as an EC box lunch sponsor).
- Establish a list serve for each category of sponsors to send sponsors information on upcoming meetings and Section event.
- Allow boxed lunch sponsors to provide materials with the lunches (since they cannot address the attendees).

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**III. Topics for Section Structure, Management, Leadership and Succession Planning**  
(Team members: **Sandy Diamond**, Mike Dribin, Michael Gelfand, **Deborah Goodall**, **Drew O'Malley**, Jim Robbins, Peggy Rolando, Jon Scuderi and Lee Weintraub)

**A. Structure**

**1. What is our purpose – Legislation, education, Advocacy, Professionalism?**

Goal: To promote the enrichment of lawyers in the Section (Enrichment in all areas, not just legislation)

The Section's purpose is all four. Legislative activity has increased and it seems legislation drives the Section. While different committees serve different purposes (some more legislation, some education), there needs to be a renewed focus on our other purposes, including creating "take home value" for our members. We should work harder to limit or screen legislation and take the time to properly prepare it before we submit it to the Executive Council. The division directors should educate the committee chairs on our renewed focus on take home value and evaluate the chairs based on their accomplishment of all of the Section's purposes.

**2. Optimal Size of EC/Making most of Saturdays/Staying to end**

Goals: Streamline the EC meeting and develop take home material

The Executive Council consists of approximately 250 people. While the size may limit hotel options and limit expression of viewpoints, the EC is able to get its work done. There should not be any arbitrary limitations on the size of the Council. We should remain flexible; the functions of the Council will dictate its size. We should strive to maintain Council members who are active and productive.

The Saturday Council meetings have grown stale and take too long. Other than the matters to vote on, it seems the same people present the same reports at every meeting. We should strive to streamline the meeting including limiting the presentation of reports. The Council could require general standing committee to submit written reports in lieu of oral reports, abbreviate officer reports, focus on the action and information items, add a brief educational moment for take home value, and eliminate lunch when necessary. The Chair should have flexibility to conduct the meeting in an efficient manner.

Attendance at the Council meeting is important and Section leadership should remind Council members of their responsibilities as Council members.

T3 (1)

**3. At Large members**

Goals: Support the ALMs and integrate into the Executive Council

ALM responsibilities are trending up and include outreach to law schools and voluntary bars, assisting general standing committees, assisting publications, appointing liaisons to standing committees, assisting with Section projects, and communicating to the Section members. We should continue to support the ALM's and provide them with meaningful assignments.

**B. Management**

**1. Relationship with Florida Bar/Administrative support**

Goals: Improve support from the Florida Bar and improve financial reporting (accuracy, timeliness for planning and evaluation) by the Florida Bar.

There has been significant Section Administrator turnover. The compensation for that position is inadequate for the responsibilities assumed. The Section also does not have any input concerning the hiring, firing or evaluation of the Section Administrator.

There is also a profound lack of Florida Bar financial reporting to the Section. The flow of financial information is not predictable and is often untimely. The information provided is insufficient to properly run the Section. The Section must receive timely, transparent and detailed financial reporting including actual bills with charts of accounts information and coding. We should also evaluate alternative support possibilities including outsourcing administrative functions and develop methods so the Section can participate in evaluation of the section administrator (hiring, firing, compensation, etc.)

**2. Recurring Correspondence Procedures Templates**

Goals: Institutionalize Section's standard forms and correspondence templates

The Section should designate a person to maintain and pass onto the successor officer or chair the standard Section forms and correspondence templates. Due to turnover in the Section administrator position, the Chair or secretary ought to handle this responsibility.

**3. Remote voting**

This topic has been taken under consideration by the Integrity and Awareness Committee. We have deferred taking action on this issue at this time. Cost may be an issue. The concern is not only counting votes, but verifying the presence of a quorum for each vote.

T3(2)

**C. Leadership/Succession Planning**

**1. Responsibility for Updating/Delivery of Officer's Handbook**

See B2 above.

**2. Attracting new talent to EC**

See C3 below.

**3. Review Fellowship Program/Leadership Academy**

The Fellowship program has successfully met its initial objectives. The Section should continue its strong support for this program.

The Bar Leadership Academy is geared towards younger Section members. There is no requirement that a participant be an Executive Council member but he or she should be active in the committees. The Section's continued participation is warranted.

**4. List serves – who should be able to use?**

The Section list serves should be used for Section sponsored events only.

**5. Social-Senior/Affiliate memberships**

Removed from agenda

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## RPPTL 2014-2019 STRATEGIC PLANNING

### COMMITTEE STRUCTURE, LEADERSHIP AND SUCCESSION PLANNING, AND TRAINING

(Task Force Members: Tae Bronner, Facilitator, Art Menor, Facilitator, Steve Mezer, Facilitator, Shane Kelley, Deborah Russell, and Neil Shoter)

- I. Goal: Improve Committee Leadership Structure
- A. Topic or Issue: What is the optimum Committee officer structure and organizational chart?
  - B. Discussion: Current leadership structure of many Committees lacks clear definition of roles. Some Committees have too many Vice Chairs with undefined roles. Vice Chair positions are often used as "parking spots" for people wanted on the Executive Council. We are under utilizing the Vice Chairs. Probate side is not using secretaries but should start to use this position. At least some Probate Committees are underutilizing Vice Chairs. Some Chairs do not effectively delegate in part because of a lack of definition of the Vice Chair role. Other Committee Chairs more actively involve and delegate to Vice Chairs.
  - C. Conclusion or Proposal:
    - 1. Where feasible, Committees should have a Chairperson, Vice-Chair(s), a Secretary, and a Technology Officer. Define the role of each position.
    - 2. Large Committees: use subcommittees and task forces.
- II. Goal: Optimize the Size of Committees
- A. Topic or Issue: When do Committees become too large? To limit size, should we strictly enforce attendance policies? Should Committees be "open" or "closed" or have different classes of voting members?
  - B. Discussion: Is being on a Committee or at least being able to attend Committee meetings to listen in a benefit of being a member of this Section that should not be taken away? Less than 10% of RPPTL members are members of a Committee. Anyone can attend a Committee meeting as a guest or a non-voting member, but to accomplish the Committee's purpose you have to limit membership of larger Committees. We should allow the committees to be as large as we have people who want to be involved, but we need to impose rules to make the Committee productive and accomplish the purpose of the Committee. For the large Committees, especially on the probate side, we should strictly enforce an attendance policy. limit the number of voting members, and create an application to be completed to become a voting member. The attendance policy

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and distinction between voting and non-voting members permits involvement of all members but at the same time encourages educated voting members. Minimum attendance for a voting member should be three meetings per year. People can still attend as a guest or non-voting member, just can't vote. This is really a large Committee problem. Three categories of meeting attendees were discussed: Voting members, non-voting members and guests. To become a voting member, an individual must apply and Committee leadership has the authority to decide who can and cannot be a voting member. A Committee membership application should be developed and used as a universal form. It should be in the discretion of the Committee chair if the limitations on members should be implemented, but continuity should be encouraged. Current members of the Committees should be grandfathered in to prevent everyone from having to file an application each year.

C. Conclusion or Proposal:

1. In general, we should have a policy of inclusion and should foster and promote membership in Committees. This greatly enhances the value proposition of Section membership and promotes involvement in Section activities by new and younger members.
2. This may not work as well with the large probate Committees who have serious issues with voting by members who are not well informed or have voting conflicts. These Committees should consider a three tiered approach as to persons attending meetings: 1) full voting members; 2) non-voting members; and 3) interested guests. These Committees should adopt criteria for voting membership that could include attendance requirements and other criteria to insure well informed decision making on Committee business.
3. Committees should be encouraged to adopt charters spelling out membership requirements, Committee leadership roles, and meeting and voting protocols including whether Roberts Rules of Order should apply, quorum requirements, and the voting requirements (simple majority, super majority) for various Committee actions.

III. Goal: Continue to Use Ad Hoc Committees, but Judiciously.

- A. Topic or issue: Are there benefits to ad hoc and sub-committees? Do we over use these tools?
- B. Discussion: This is a large Committee issue, especially on the probate side. The benefit of these Committees is that they are a better vehicle than a large, diverse Committee for studying a difficult problem or issue and proposing a balanced, well reasoned solution. The problem is that they can engender feelings that issues are not being dealt with transparently and democratically and have been usurped from the Committee that should have addressed them.

- C. Conclusion or proposal: Ad hoc Committees should continue to be used where appropriate but their use should be carefully considered and limited. When an issue falls within the purview of a particular Committee the preference should be to allow that Committee to handle it. The Section should adopt clearer policies on when ad hoc Committees are to be used.

IV. Goal: Mitigate Conflict of Interest Issues in Committee Actions and Establish Clear Practices for Committee Votes.

- A. Topic or Issue: Conflicts of interest in Committee constituencies. Also, different committees follow different rules on how committee action items are passed. Some use 2/3 majority for an item to pass, some use simple majority.

- B. Discussion: There is often among our members, a tug between objectives of greater good of Section and individual interests. This seems to be more apparent in some issues with corporate attorneys who are being asked by their employers to champion a certain issue. We want input from all professionals and want our committees be to inclusive of all attorneys who are section members, but we need to make sure our committee work remains focused on the greater good of the Section.

- C. Discussion: As to voting practices, the bylaws provide that an action item from a committee must pass by a 2/3 vote in the Executive Council to become a section position. This seems inconsistent for items that have passed through committees by a mere majority. Some members felt that committees should be required to pass all votes by a 2/3 vote, but others felt that was not a good idea. The committee membership is determined different than the executive council and even if the item passed by 51/49 in a committee it is thoroughly debated (or the opportunity to be thoroughly debated is given) in the Executive Council. The members felt it might be dangerous to institutionalize something that is not now in our bylaws and it should be handled on a committee by committee basis dependent on the nature of the committee. In addition, there is always the back stop of the Division Director and Executive Committee for any committee action item that is inappropriate.

D. Conclusion or Proposal:

1. Sometimes sponsors feel that the sponsorship makes them entitled to a voting membership for a number of employees on one or more committees. Selection of voting members is separate from sponsorship status. Committee felt that it might be helpful to make clear to sponsors what they will receive in exchange for their sponsorship dollars. If expectations are clear at the onset, we will eliminate problems on the back end.
2. Limit the number of voting members from identified constituencies to prevent voting blocks.

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3. Committee voting practices should be clearly laid out in the committee manual so the practice is consistent but it is up to the committee whether the action items must have a 2/3 or simple majority vote to pass the committee.

V. Goal: Improve the in Person Committee Meeting Experience.

- A. Topic or Issue: Optimal room configuration and methods of participation for Committee meetings.
- B. Discussion: Room configuration (hollow square, diamond shape, separate seating for visitors). Committee felt strongly about the need with larger Committees for seating for non-voting and guest members that is separated from the voting members. General sense was that the hollow square works well. Classroom set up does not work as well. It is too difficult to see people behind you. For the larger Committees microphones are needed to help everyone hear the discussion.
- C. Conclusion or Proposal: The hollow square configuration should continue to be used with separate seating along the walls for non-voting members and guests. Multiple microphones should be available within the room to ensure that all present in person and by telephone can be heard. Committees should consider using name plates for voting members to help everyone relate names to faces and to easily allow the chair to distinguish a voting from a non-voting member.

VI. Goal: Use Technology Effectively to Increase Participation in Committee Meetings.

- A. Topic or Issue: Participation in meetings by conference phone or video conferencing or webcasting of meetings.
- B. Discussion: With larger Committees, attendance must be in person. Again, smaller Committees have different rules and can allow telephone attendance. Not knowing who is on the phone is an issue. Committee members tend to limit discussion because you do not know who is listening. Keep in mind disabled and special needs members. Video conferencing and web casting should be explored but are probably not feasible yet in most situations because of cost and availability. There are problems with hold music and back ground sounds interfering with call quality.
- C. Conclusion or Proposal: Like many issues there is a split between the circumstances of the large Committees, particularly on the Probate side, and the smaller Committees. Generally, use of conference calling should be permitted in smaller committees but not larger committees. Utilization of a conference calling system that maximized the experience for all callers by allowing automatically muting all callers or otherwise addressing the hold music issue should be explored

VII. Goal: Optimize Dissemination of Materials to Committee Members.

- A. Topic or Issue: Should we set a deadline to email and post agendas to allow educated participation by Committee members? Inspirationally this is a good idea but sometimes just is not possible.
- B. Discussion: Committee chairs run into problems with subcommittees not timely submitting reports and then having to do multiple addendums to the agenda. Ideally, all chairs would have the agenda out a week in advance, but in reality sometimes does not happen. Main issue is having the agenda completed in time to post on website before the meeting so guests may access the meeting materials to make their committee experience more valuable.
- C. Conclusion or Proposal: With new website, look into chairs posting their own agendas to make sure they are posted before the meeting. Try to have agendas out at least the Friday before the week of the meetings.

VIII. Goal: Improve the Transition Process of New Committee Chairs.

- A. Topic or Issue: Orientation of new Committee Chairs.
- B. Discussion: Often new Chairs do not receive orientation or other assistance in learning Committee protocols. Sometimes the environment is not conducive to a transfer of power from an outgoing to an incoming chair and the institutional knowledge of the Committee workings is not effectively passed on.
- C. Conclusion or Proposal: Consider creating a **Committee chair manual** on such things as how to run a meeting, create an agenda, and deal with legislation. This manual should include Roberts Rules of Order, passwords to google attendance records, list serves, rosters, and procedures for updating web pages, editing Committee rosters, and coordinating with Section officers and staff. Something to transmit knowledge from one chair to the next chair. The big bar has this that they give to their standing Committee chairs.

IX. Goal: Promote Better Leadership and Succession Planning.

- A. Topic or Issue: Should there be "term limits" for Committee Chairs? How do we promote good succession planning to ensure a pipeline of Committee leaders?
- B. Discussion: Should be methods for identifying future leaders and grooming them by involving them in the Committee's agenda. Should provide a path for progression of interested members through the Committee leadership ranks: chair of subcommittee or task force, Technology Officer, Secretary, Vice Chair. Maintain attendance roster to identify commitment and consistency. Consider using Google attendance, a supported Google document system, more for telephone meetings.

C. Conclusion or Proposal:

1. At least aspirationally, there should be term limits 3 to 5 years for Committee Chairs, probably shorter in larger Committees and longer in smaller Committees. (Larger committees have a deeper pool of candidates for leadership so committee leadership terms might be shorter in those committees.)
2. Obtain the names of people who apply for fellow, ALM, and leadership programs as each must express Committee interest and most have leadership aspirations.
3. Use the committee members below the Chair as a succession planning tool. Identify the Secretary and Technology positions as stepping stones to the Committee Chair position. Include detailed descriptions in the new committee manual.
4. Consider requiring serving as Secretary of Committee as prerequisite to Vice Chair or Chair position. Consider having one Vice-Chair to serve as Vice Chair of Enrichment and one as Vice Chair of CLE and allow them to run that part of the agenda.
5. Place continued emphasis on end of year reports by committee chairs on performance of vice-chairs. Executive Committee relies heavily on those reports in making appointments for Vice-Chairs or Chairs of committees. Executive committee looks to Chair for feedback of performance of those under them. Also, realize the placement of a new Vice-Chair may be a signal by the Executive Committee that the committee needs to take a new direction.

X. Goal: Improve the Training of Future Committee Leaders.

- A. Topic or Issue: How can we better train the future leaders of our Committees to make them more effective?
- B. Discussion: Every contact can be a training experience. Encourage attendance and participation. Delegate, delegate, delegate.

C. Conclusion or Proposal:

1. Use the positions of CLE Chair, Legislative Chair, and Technology Officer as training opportunities.
2. Encourage subcommittee participation. This should include non-voting members as a step to become a voting member. This will encourage

younger members to become involved and established Committee members.

3. Consider Section-wide mandatory training. We feel the material presented in website training, legislative drafting training, and CLE training has been extremely valuable to Committees.
4. Chairs should delegate more to Vice Chairs and utilize them more effectively.

XI. Goal: Balance the Agendas for Committee Meetings:

A. Topic or Issue: Should Committee agendas be focused on legislation proposals, CLE for members, or other topics.

B. Discussion: What is purpose of Committee meeting? Public Service (Legislation) vs Membership Service (CLE).

1. CLE – Tool to be used by Committees. Smaller Committees offer CLE as a way to build membership but does this would work for a larger Committee? Larger Committee's CLE focus becomes CLE program creation. Time is too much of an issue to get through the agenda of issues that need to be addressed.
2. Legislation – This should be looked at more of a service to the Section. Need to be responsive to the problems with statutes and proactive but not just for the sake of creating legislation.
3. New term the committees should look at is **Thought Leadership**. Keep material on cutting edge. One selling point for our committee membership is that members are always working on the cutting edge; they are focusing on issues that place them at the front line of their specialties. Important for committees not to lose sight of this.

C. Conclusion or Proposal:

1. Each meeting should include relevant topics of interest to existing members and to attract new members (especially in the case of smaller Committees.)
2. Have list serve for people to ask questions.
3. Provide **Thought Leadership**.

XII. Goal: Optimize Committee Meeting Frequency and Locations.

A. Topic or Issue: When, how often, and where should meetings be held?

B. Discussion: Should meetings only be held in conjunction with Executive Council meetings or is it more productive to meet "off schedule"? This should be left to the individual Committees. Ad hoc Committees may function better off schedule but established Committees may find it better to meet with EC. Should we do a better job of rotating schedules of meeting times at Executive Council Meetings? The conflict chart so meetings don't overlap has been working well. Rotation of times has been working well. We should continue present practice.

C. Conclusion or Proposal:

1. There is no "one size fits all" answer for Committee meeting schedules. Each Committee should determine for itself the optimal schedule of meetings.
2. The conflict chart currently being utilized to coordinate meeting schedules at Executive Council meeting venues to minimize overlaps of related Committees has been working well. Rotation of times has been working well. We should continue present practice.



## Legislation and Official Section Positions

(Team Members: Bill Hennessey and Bob Swaine, Facilitators,  
Rob Freedman, Sarah Butters, Fletch Belcher, and Ted Conner)

**Goal #1: Improve the quality of the Sections' legislative initiatives and work product through better education, better internal communication, and deliberative process**

A. The RPPTL Section should endeavor to improve the work product produced and submitted by our subcommittees, reduce the number of corrective "glitch" bills, avoid legislative redrafting that inadvertently changes a proposal's effect, and to encourage collaboration among the Divisions of the RPPTL Section on legislative initiatives.

B. This goal can best be accomplished through the following steps:

(1) Vice Chairs for Legislation: Each RPPTL substantive committee Chair should be encouraged to select one or more of the appointed Vice Chairs of the substantive committee as "Vice Chair(s) of Legislation". The Vice Chair of Legislation will assist with all bill drafting by their respective committees and will regularly update the Legislation Committee on the status of each committee's legislative projects.

(2) Annual Education to Committee Leadership: The Legislation Committee should hold an annual seminar for the new substantive Committee Chairs and Vice Chairs of Legislation for each substantive committee focusing on the: (a) applicable elements of the current bill drafting guides for the text and format of legislation; (b) time deadlines to have proposed legislation approved by the committee and ultimately the Executive Council; and (c) the necessity for clear and concise legislation, white papers and legislation position request forms. Further, the Legislative Committee should educate the Chairs and Vice Chairs on effective approaches for facilitating discussion on legislation and best practices for structuring debate on legislative initiatives.

(3) Vetting of Legislation: Absent extenuating circumstances, all legislation should follow a standard vetting process. That process includes:

(A) When a substantive committee has determined that new legislation is needed and has fully vetted the policy rationale underlying the proposed legislation, the Chair and Vice Chair of Legislation for the substantive committee will prepare the legislative proposal consisting of a white paper and proposed bill text so that each document is technically sound and internally consistent. Once these documents are prepared, the Chair of the proponent committee will refer the proposal to the Legislation Committee and the applicable Division Director for editorial review *before the proposal is approved by final vote of the substantive committee*. The purpose of this referral is to allow the Legislative Committee and Division Directors to vet the legislation with other committees and persons who may have an interest in the legislation to solicit comments on the proposal *before a final vote is taken within the substantive committee*.

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(B) Deadlines should be set and published for providing proposed legislation to the Division Directors and Legislative Committee to provide adequate time to solicit comments and provide input. We recommend that the proposal be referred to the Legislation Committee no later than 45 days before the substantive committee is scheduled to vote on the proposal unless the appropriate Division Director determines that circumstances otherwise warrant expedited consideration.

(C) After the proposed bill text and white paper are approved by the Chairs of the Legislation Committee, the proposed bill text and white paper will be referred back to the proponent committee. The proposed bill text and white paper may then be vetted and voted on by the proponent Committee.

(D) The applicable Division Directors should endeavor to include legislative initiatives as an information item to be vetted and discussion at the roundtable, or, in the discretion of the Chair of the Section at the Executive Council, one full meeting before they are presented to the Executive Council for a vote. For example, if a substantive committee votes to support a legislative position at the Convention in May, the Division Director should (ideally) have that item on the agenda to be discussed and vetted at the roundtable at the Convention, or the next meeting (presumably the Legislative Update Meeting), before it is listed as an action item in the Executive Council Agenda. This goal would be similar to a "publication" rule wherein comments are solicited well in advance of a final vote.

(E) The process undoubtedly needs some flexibility. Thus, the Division Director and Chair should always have discretion as it relates to timing and the ultimate deliberative process.

**Goal #2: Improve communication of Section positions and work product through Legislative Committee communication on the Section website and through email to Section Membership.**

A. Organize and make available records of Section's historic legislative activity. A great deal of work goes into the preparation of white papers in connection with Section legislative proposals. These are important tools for explaining the issues underlying a legislative proposal and, in many cases, are one of the best (if not only) sources of legislative history. To the extent issues come up in subsequent years as a result of proposals to amend a Section initiative, the historic background again becomes important. The study team recommends the establishment of an online, indexed database of white papers, legislative proposals and related final bills, as follows:

(1) Scan existing Position Requests, Proposed Bills and White Papers for 2014 into electronic format (Swaine and Hennessey)

(2) Design database fields (Rob Freedman) - Preliminary thoughts on database fields:

Short name

Summary of proposal

Legislative year introduced

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Contact person/committee

"White paper" (notation should be made as to portions of bill which were changed during the legislative process)

Legislative Position Request

Proposed bill

Final bill

(3) Prepare indexes and summaries (Section Fellows/ALMs)

(4) Include links to final bills (Section Fellows/ALMs)

B. Improve communication with and between substantive committees. The Legislative Chairs should send out reminder notices of the deadlines to circulate proposed legislation to other committees and facilitate communication among the impacted committees.

**Goal #3: Improve the functioning of the Legislative Committee through identification of key Section leaders who are able to assist in reviewing and responding to Section and Non-Section Legislative initiatives.**

A. The Composition of Legislative Committee. The Committee should be revised in order to achieve the following three goals:

1. To have subject matter experts on tap to address legislative proposals and avoid delays in gathering feedback and advising the Section's legislative consultants.

2. To provide greater exposure to the legislative process within the Section, thereby demystifying the process.

3. To provide additional leadership and training opportunities and exposure to how the Section works to younger members with leadership potential. This committee should be viewed as a training and leadership conduit.

B. Legislative Committee Work Flow. The workload of the Legislative Committee breaks down into three categories.

(1) Coordinating the movement of Section proposed legislation.

(2) Identifying and evaluating legislative proposals by others, coordinating the evaluation of those by the appropriate experts, and determining and coordinating appropriate responses to those positions.

(3) Providing technical guidance to legislators, staff and others sometimes in the context of fine-tuning other legislative proposals.

The Committee needs to better utilize its members and reporters to address each of the above categories. Too much of the workload is being carried by too few individuals. The Section's legislative success has led to a dramatic increase in legislative proposals, and our own initiatives are the only area in which the Legislative Committee can meaningfully control its

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work load. The bulk of the Committee's work in recent years has been "playing defense" - responding to non-RPPTL legislative proposals and to requests from legislators and staff. Training other talented members to leaders assist in responding to legislative requests will allow for more timely responses and continue leadership development.

**Goal #4: The RPPTL Section should endeavor to place Section members in positions of leadership within the Florida Bar, including on the Board of Governors and on Florida Bar Committees which impact our areas of practice.**

In particular, Section leadership should seek to place persons on the following committees:

(a) Probate Rules (The RPPTL Section should provide active input in the selection of the Chair and Vice Chairs for this Committee. We have been successful in doing so for the past few cycles. It is critical that this continue.)

(b) Other committees of interest where we should try to have our membership represented because Section Positions touch on these areas and advocacy is sometimes required:

- Appellate Rules
- Professional Ethics Committee
- Appellate Court Rules
- Civil Procedure Rules
- Code & Rules Of Evidence
- Rules Of Judicial Administration
- Unlicensed Practice Of Law

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