

At its October 5 meeting in Coconut Grove, The Florida Bar Board of Governors:

- Heard a report from the Judicial Ethics Advisory Committee on a proposal from chief circuit judges to amend Canons 4 and 5 of the Code of Judicial Conduct to allow judges to participate in limited fundraising activities for civic, charitable, educational, religious, or similar organizations. The JEAC opposes those changes. The issue was referred to the Bar Executive Committee for study and to report back to the board.

- Heard a report from the Legislative Committee that the board should take no action on a request from the Out of State Practitioners Division that the Bar support its position advocating a change in state law to allow out-of-state Bar members to act as personal representatives in estates. Such an action would effectively repeal a position by the Real Property Probate and Trust Law Section opposing such a change to state law. Bar Counsel Barry Richard advised that the issue is outside the areas where the Bar is constitutionally allowed to lobby.

- Received the final report from the Disability Independence Group on a poll of disabled Bar members and the challenges they face. The Member Outreach Committee is studying the poll results and report.

- Approved a recommendation from the Disciplinary Procedure Committee to amend Bar rules to consolidate rules which provide that failure to comply with a subpoena for trust account records would be considered contempt. The Board also approved DPC recommended amendments to the rules to codify the long standing court practice of assessing costs in discipline cases in the form of a civil judgment. The changes now go to the Supreme Court. The board also got an initial look at several other rule changes that may come to it for approval in December.

- Heard a report from the Communications Committee that Bar members now can list advanced law degrees, all federal court admissions, and more detailed areas of practice on their member pages on the Bar's Web site.

- Heard that the Program Evaluation Committee has approved the recommendation of the Board of Legal Specialization and Education for creation of two new certification areas on education law and adoption law. PEC Chair Ervin Gonzalez said those will come to the board along with recommendations about the minimum number of lawyers needed for a certification area, an issue the committee is working on with the BLSE.

- Upheld the recommendation from the Board Review Committee on Professional Ethics that radio and TV announcers who read lawyer ads, including public service spots, are required by Bar rules to identify

themselves as nonlawyers. BRC Chair Jennifer Coberly also said the committee is studying possible rule changes affecting lawyer-to-lawyer advertising.

- Approved a recommendation from the BRC to change Bar policies to provide that when the Professional Ethics Committee seeks to withdraw an existing ethics opinion that notice must be provided to Bar members.