

At its July 17 meeting in Naples, The Florida Bar Board of Governors:

- Approved the “judicial candidate voluntary self-disclosure statement” as proposed by the Judicial Administration and Evaluation Committee and slightly modified by the Program Evaluation Committee. The statement will be given to all trial court candidates in future elections and their answers posted on the Bar’s website. The approval included providing copies of the self-disclosure statement to candidates in Creole and Spanish, but it will be up to candidates to provide translations of their answers.

- Approved, on the recommendation of the Member Benefits Committee, an agreement with Affiniscap Merchant Solutions, which provides credit card services for law firms. Affiniscap, when attorneys accept credit card payments for retainers, will automatically deposit the retainer in the attorney’s trust account but take the expenses related to the transaction from the law office operating account, as required by Bar rules. Under the agreement, Affiniscap, which has similar arrangements with 40 other state and local bars, will offer discounted rates for Bar members.

- Endorsed, on the recommendation of the Legislation Committee, the ABA position opposing the Federal Trade Commission’s efforts to include lawyers and law firms in its Red Flag regulations requiring extra efforts by creditors to protect debtors from identity theft. The ABA argues that existing ethical rules protect client information and that providing legal services to clients does not make lawyers creditors.

- Heard a report from Florida Bar Foundation President Adele Stone that Foundation IOTA revenues have been declining, from \$44 million three years ago, \$24 million two years ago, and \$11 million last year to an anticipated \$5.7 million in the coming year. The Foundation is pushing to increase lawyer pro bono efforts and also to get more private donations, she said.

- Received on first reading proposed rule amendments that would impose additional requirements on lawyers who are suspended and have not been reinstated for a period of three years or longer. The proposed rule amendments will come back to the board for final reading at its September meeting. Among the proposed new requirements, lawyers would have to show that they have taken 10 hours of CLE for each year or part of a year during which they are ineligible to practice, show familiarity with the law, and if they waited more than 5 years to seek reinstatement retake the MPRE and Florida portions of the bar exam.

- Heard President Jesse Diner announce what he sees as the major issues confronting the Bar this year. Those include: Working to implement electronic filing for the courts; continuing to advocate for adequate funding for the courts; defending SB 2108 which passed this year and put the funding of court-related functions of elected clerks of the court under legislative oversight; pushing to address the legal needs of children, especially carrying out recommendations from the Commission on the Legal Needs of Children; and helping lawyers address the current difficult economic conditions.