

Administrative Law Section Executive Council
Long Range Planning Retreat Meeting Minutes
May 30, 2014
Hotel Duval, Tallahassee

I. CALL TO ORDER – Daniel E. Nordby, Chair-Elect

Members Present: Honorable F. Scott Boyd, Francine Ffolkes, Robert Hosay, Clark Jennings, Bruce Lamb, Patti Nelson, Brian Newman, Daniel Nordby, Jowanna Oates, Honorable Lynn Quimby-Pennock, Linda Rigot, Amy Schrader, Richard Shoop

Members Absent: Andrew Bertron, Michael Cooke, Fredrick Dudley, Stephen Emmanuel, Brent McNeal, Fredrick Springer, Honorable Susan Van Wyk

Others Present: Calbrail Bennett, Section Administrator

II. LONG RANGE PLANNING

A. Addition/Removal/Continuation of Standing and Ad Hoc Committees

Mr. Shoop questioned whether we should still have a website committee. Ms. Schrader questioned how changes are made to the website, and Mr. Shoop explained that he received suggestions, he passed those onto Ms. Bennett, who then contacted the people we contract with to do the updates. Mr. Jennings said the committee probably is no longer necessary and should be eliminated. Ms. Ffolkes stated that the Government Lawyers Section has a person who monitors the site. Mr. Nordby asked if the position should fall under the Publications Committee.

Mr. Shoop also suggested that the Council make the Young Lawyers Ad Hoc Committee permanent, and asked if we should structure it like the Health Law Section as a division with officers, or as a committee with a chair. Mr. Lamb explained how the Health Law Section structured theirs and why it was done that way. Mr. Nordby said that it makes sense to make it a standing committee even if it means changing the by-laws.

Mr. Jennings questioned the continued viability of the Public Utilities Committee. Ms. Rigot related the history of how that committee came to exist. Ms. Ffolkes asked how many members they had, and the majority guessed that the named members were the only members.

Mr. Nordby mentioned that CLE was not a standing committee, and the Council agreed that it should be made a standing committee.

Mr. Nordby also stated that the Membership Committee should not be a committee since membership is an issue that all committees should promote as part of their core functions.

Ms. Rigot suggested that the Administrative Practice Manual Committee not be made a standing committee since it is completely at the discretion of the Bar whether we can give such input on the Practice Manual.

Mr. Nordby asked, and Mr. Shoop also questioned what the status of the Pro Bono Committee should be going forward. The consensus was that it remain as an ad hoc committee.

Mr. Nordby stated that he will look into the process for making the necessary changes to the by-laws.

B. Proposed APA Legislation

Mr. Nordby asked for discussion on whether the Section should be more proactive in getting ahead of proposed APA legislation in light of recent APA bills that have appeared without any Section input. Ms. Nelson stated that it would be a good idea for the Section to become more involved in the legislative process. Mr. Shoop mentioned that there seem to be two conflicting ideas coming from the Legislature in regard to rulemaking. Ms. Ffolkes also stated we should take a proactive approach in this arena. Ms. Rigot stated that there has never been an active committee of the Section that talked to the Legislature about such issues, and stated that the Section has only been actively involved in the process when the 1996 changes were made by working with the Governor's Reform Commission. Ms. Rigot opined that she did not believe the Section was the type of group to be actively involved on the front end of the process. Ms. Ffolkes suggested that members who are interested in the issue be part of the Legislative Committee. Mr. Nordby said that it would be nice to see the Section help good ideas be drafted correctly into legislation. Ms. Nelson stated that the problem with being reactive is that it is not always taken well. She believed that there are several areas the Section could be more proactive, such as cleaning up certain parts of Chapter 120, and mentioned agencies making rules on indexing final orders as an example. Mr. Newman asked if there was ever complaints from the membership at large about being active. Ms. Rigot said that she did not experience any in 1996.

C. Reconsideration of Section Lobbying Positions

No one had any discussion on the issue, so Mr. Nordby said he would recommend to the Council at the June meeting that they be rolled over.

D. Continuing Legal Education

Mr. Newman asked if the webinars were recorded and Ms. Ffolkes said they are. Ms. Bennett said that she would see what the sales for them looked like. Mr. Lamb said that the last live CLE had a loss. Ms. Bennett said some of the loss was due to people attending on a discounted rate. Ms. Schrader ran down the expenses but did not know what they were for. Ms. Bennett explained what each charge was. Mr. Jennings asked if the discount applied to aftermarket sales and

Ms. Bennett said it did not. Ms. Schrader questioned \$4,800 charge that Ms. Bennett could not explain, as well as a \$3,000 charge for a California company to come in and video the CLE. Ms. Schrader wondered if we should get a cost estimate for the Pat Dore Conference to see if it is financially feasible. Mr. Nordby also suggested marketing the ethics webinars to various associations in the state. Mr. Shoop suggested doing CLEs geared toward young lawyers, such as webinars. Mr. Lamb said that most of the webinars were intermediate, but that he could come up with some basic ones.

III. ADJOURNMENT

There being no further business, the meeting was adjourned at 2:37pm.

Respectfully submitted,

Richard J. Shoop
Secretary