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**EXECUTIVE COUNCIL**

**Terms Expiring 2008:**

Gregory A. Chaires  
Altamonte Springs  
James A. Farrell  
West Palm Beach  
George F. Indest III  
Altamonte Springs  
Monica L. Rodriguez  
Coral Gables

**Terms Expiring 2009:**

Charmaine Chiu  
Jacksonville  
Lewis W. Fishman  
Miami  
Spencer D. Levine  
Fort Lauderdale  
Cynthia A. Mikos  
Tampa

**Terms Expiring 2010:**

Mildred Beam  
Winter Park  
Sandra P. Greenblatt  
Miami  
Rodney M. Johnson  
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Jodi L. Laurence  
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## HEALTH LAW SECTION EXECUTIVE COUNCIL MEETING AGENDA

Thursday, January 17, 2008

2:30 p.m. – 5:30 p.m.

Tuttle South - Hyatt Regency, Miami

- I. Call to Order – Laurie Levin, Chair
- II. Opening Remarks – Laurie Levin, Chair
- III. Approval of Previous Meeting Minutes – Lester Perling, Secretary (Exhibit A)
- IV. Financial Report – Troy Kishbaugh, Treasurer (Exhibit B)
- V. Council of Sections Update – Christine Whitney
- VI. Committee Reports
  - a. Education, Training & Information, Charmaine Chiu
  - b. Section Effectiveness – Lew Fishman
    - i. Law School Outreach Reports
  - c. Communications & Technology - Bernabe Icaza
    - i. Website – Chet Barclay
    - ii. Newsletter – Bernabe Icaza
  - d. HIPAA – William Dillon
- VII. Old Business
  - a. Health Law Handbook 2009 – Jeanne Helton, John Buchanan
- VIII. New Business
  - a. New Committee Public Health – Laurie Levin
  - b. Review and Approval of 09-10 Section Budget (Exhibit H)

- c. Agency for Disabilities Volunteers – Laurie Levin
- d. 2008 Medal of Honor Award – Laurie Levin  
(Exhibit I)

IX. Chair-elect Comments – Jeanne Helton

X. Next Executive Council Meeting June 19, 2008, The Florida Bar Annual Meeting  
Boca Resort

**EXECUTIVE COUNCIL  
THE FLORIDA BAR HEALTH LAW SECTION**

**January 18, 2007**

**I. Call to Order**

The meeting was called to order by Chair, Harold E. Kaplan at 3:12 p.m. in Tuttle Room of the Hyatt Regency Hotel, Miami, Florida.

Executive Council members in attendance either in person or via telephone were: Harold E. Kaplan (Chair), Laurie Levin (Chair-Elect), Troy Kishbaugh (Secretary), Jeanne E. Helton (Treasurer), James A. Farrell, Allen R. Grossman, Rodney M. Johnson, Lester J. Perling, Spencer Levine, Cynthia A. Mikos, and Monica L. Rodriguez.

Also in attendance either in person or by phone were Jack Buchanan, Walter Carfora, Lewis W. Fishman, Bernabe Icaza, Donna Byrd-Rigo, A.S. (Gus) Weekley, William P. Dillon, James A. Barclay, Bruce D. Lamb, Kathy Tayon, Michael J. Dewberry, Stephanie A. Russo, Gary Walker and Charmaine Tsin Ming Chiu.

**II. Opening Remarks – Harold E. Kaplan, Chair**

Harold Kaplan opened the meeting by recognizing Navigant Consulting as sponsors of the reception. He also commented on the busy fall that most attorneys had this year. It was announced that there is a newsletter being sent out, and that it is the first internet version released. Harold stated that he would like to send e-mail blasts to members so, a letter was being sent to all members to obtain e-mail addresses. A letter was sent to 195 section members to obtain their e-mail addresses to distribute the newsletter electronically.

It is announced that a first-time telephone conferences was coming up. It will be free for section members.

A CLE program will be held on Friday, January 19, 2007, which is cosponsored with the tax law section.

An e-mail was sent out regarding the HMO grievances form.

There is no counsel of sections meeting on Friday.

### **III. Approval of Previous Minutes – Troy Kishbaugh, Secretary**

The minutes of the September 14, 2006 regular meeting of the Executive Council of the Health Law Section were reviewed, and were found to be in need of corrections. The corrections were noted and will be made accordingly.

The minutes of the September 14, 2006 regular meeting of Executive Council of the Health Law Section were unanimously approved, as edited. (Troy Kishbaugh sincerely thanks Jeanne Helton for graciously volunteering to record the September 14, 2006 minutes.)

### **IV. Financial Report – Jeanne Helton, Treasurer**

Jeanne Helton reported that the Health Law Section had a net increase in its fund balance of \$16,684.00, resulting in a balance of \$92,531.00. Jeanne reported that the increase was primarily due to a principal increase in membership dues and in handbook sales.

There is a new \$15.00 fee being charged for every person registering for a CLE program, or for any changes made in existing programs. Donna Byrd-Rigo initiated a discussion regarding the registrar's fee and related budgetary items. There is a flat fee of \$1,800.00 for formatting / video taping, as well as a \$10.00 fee per purchase of CD / DVD and a \$15.00 per-person fee for CLE participation, all charged by The Bar. Donna Byrd-Rigo stated that this has been budgeted into The Florida Bar's budget. This is a separate budget apart from the Health Law Section CLE budget. Concerns were expressed that this will be a big budget item. Donna had asked to add the CLE budget as we go along, to accurately show our CLEs. There were many indirect expenses incurred that were not recognized before. Allen R. Grossman requested a complete breakdown of all costs before we make a split with The Bar. The Bar will be taking money off the top. Harold Kaplan recommended that we readjust the budget accordingly.

The financial reports were approved on motion, seconded and unanimously passed following discussion.

### **V. Council of Sections**

The Council of Sections was deferred at this time.

### **VI. Committee Reports**

#### **A. Education, Training and Information Committee – Charmaine Chiu**

The CLE calendar was presented by Charmaine Chui. The CLE calendar is packed with events. Charmaine advised that there is a CLE teleconference being scheduled, with new items. The first of these teleconferences is being held on February 15, 2007, on the Health Care Clinic Act. It would be approximately 50 minutes long, and would be free

to members. Non-members would pay a nominal charge (cost to section = about 21¢/min ≈ \$40/person). Charmaine thanked both Lester Perling and Allen Gassman for their input and participation in the Representing the Physician presentation.

**Charmaine next reported that a second teleconference would be scheduled for March 7, 2007, on Peer Review and Credentialing.** This teleconference would be approximately 60 – 75 minutes long. A discussion ensued regarding the cost of the teleconference and whether it would be worthwhile. It was determined that the Section would need to see the general reaction and participation to determine whether or not to continue. Allen Grossman discussed making a teleconference for government members to get easy CLEs. This would open up a potential new market.

A separate discussion ensued regarding advertising to non-members and how to encourage participation, in spite of having to pay \$30 to participate. It was determined that there will be no plan to reach out, just mainly word of mouth. A recommendation was made to send the announcements to the other sections to be put on their websites, or to be e-mail blasted to administrative, government, business and tax sections. The first teleconference should benefit members, but poses the questions “Should there be a free member cap?” Donna Byrd-Rigo will monitor and notify the Section. Harold Kaplan and Donna Byrd-Rigo will meet at a later date to discuss a cap, since a firm number and dollar amount are needed.

A motion was made to cap at 200 participants by Cynthia Mikos, was seconded by Allen R. Grossman, and passed.

Charmaine addressed a letter regarding Baker Act issues presentation request (Exhibit E) sent by Jack Ackerman to Henry Coxe, and discussed the relevance and importance of the issue. It was suggested that Spencer Levine seek input and/or co-sponsorship from other sections. Laurie Levin recommended contacting Ackerman to write a section on Baker Act for the Handbook. Charmaine was set to contact Ackerman regarding presentations and/or teleconferences on the Baker Act, and for Laurie Levin to address the Handbook. It was also recommended that the Chairmen of Elder Law and Admin Law sections be contacted. Harold Kaplan said to hold off on all of this for further discussion.

## **B. Section Effectiveness – Lew Fishman**

Lew Fishman reported that there was a nomination committee in place and that they are meeting next month. He stated that it has to get in gear in order to nominate for next month.

Legislation issues regarding "Exhibit I" were discussed. The University of Miami was contacted to discuss a law school outreach and was very interested in a presentation during lunchtime on certain days. Lew is trying to arrange a meeting in February and March and is seeking volunteers to assist with or host the lunch.

**C. Communications and Technology – Bernabe Icaza**

Bernabe Icaza presented good news for members wanting to publish articles; there are four articles at present, with a few more proposed. There are three substantially long articles on different, interesting topics. There should be another newsletter by March. Harold Kaplan congratulated Bernabe Icaza on doing a great job.

**i. Website – Chet Barclay**

Chet Barclay discussed the use of e-mails in text format as opposed to PDF format. E-mails in text format can be posted very quickly, as opposed to PDF files, which cannot be manipulated or posted as easily. The response time for PDFs is greater, and requires more editing. Harold Kaplan thanked Chet Barclay.

Laurie Levin recommended consistency on website newsletter for "branding" purposes. Harold Kaplan is set to review.

**D. HIPAA – Bill Dillon**

Bill Dillon reported that this committee has been relatively dormant and that there has been no activity recently. An issue on the horizon is HIT providers are moving to EHR and RHCO which implicate HIPAA and state laws. Bill Dillon recommended expanding the scope of the committee to include HIT and EHR. There are new issues arising that can create CLE opportunities, for example, hospitals donating electronics to providers. Harold Kaplan agreed that this is a good idea, since HIPAA is settling down. EHR interaction with federal and state laws has been increasing in this area. A suggestion was made to create an ad hoc committee to provide education and specialized advice. It needs to be determined whether this may be a relevant topic, or a topic of interest.

Gus Weekley stated that there is a huge annual convention on EHR, which is held in Dallas, Texas, in mid-May. A discussion ensued over numerous vendors. Harold Kaplan asked Bill Dillon to put together bullet points on what the committee would do to hopefully determine interest in these topics. Rod Johnson expressed his belief in this being a good idea and stated that state laws exist regarding same. Another discussion commenced on whether ad hoc committees could be formed. Harold

Kaplan recommended that Bill Dillon run with the idea. Bill Dillon requested that an e-mail be delivered to the members. The HIPAA reports were approved on motion, seconded and unanimously passed following discussion.

## **VII. Old Business**

### **A. William Trickel Writing Competition – Monica Rodriguez**

Monica Rodriguez reported that she is seeking judges for this competition, and that she is under a time constraint. The judges chosen were Harold Kaplan, Cynthia Mykos, Gary Walker and Lew Fishman. The award for the writing competition is still discretionary, based on the quality of the papers received. The papers are to be distributed in March of 2007.

### **B. Health Law Handbook – Laurie Levin**

Laurie reported on the current efforts to publish the third edition of the Health Law Handbook. The deadline for the submissions was October 15, 2006, and she only has about half of the chapters in. She stressed the importance of people getting their sections in, establishing a new deadline of March 1, 2007. The chapters are to be kept in narrative form, not outline format. John Buchanan recommended advertising chapters on the website and requesting offers to author new chapters. Authors would get dinner and a certificate to reward their efforts. Lew Fishman offered to co-author to take the outlines to convert them into a narrative. Jeanne Helton recommended marketing to other sections.

### **C. FSU Health Law Chair – Allen R. Grossman and Harold Kaplan**

Allen Grossman reported that he had found an original letter from Bruce Lamb, sent in 2000. A new letter from the FSU Foundation President regarding the endowment report for the Health Law Section Professorship was being reviewed. There is a chair, but no person to fill it.

## **VIII. New Business**

- A.** Gus Weekley stated that he wants to get legal information to medical students at USF. The professors want to give up time and the new dean is interested in this program, per Steve Klasoko. A proposal was offered to direct scholarly concentration on health law and other programs. This is not a new Nova project, it is an elective for students, providing them with the ability to cross over for information on health law. This opens the future possibility of developing a double-degree program. Walter Carfora

offered that students in public health would likely be interested also. Harold Kaplan expressed his concerns with a future Nova-type problem.

**B. Budget**

The budget was approved on motion, seconded and unanimously passed, following discussion.

**C. Commentary**

Walter Carfora commented on Emergency Preparedness and the Florida Bench book – court procedures in emergencies – which is set to be published. It is in draft and is being reviewed by numerous people. Once the book is published, Walter will send the information to Chet, to be published on the website.

**D. Affiliation Agreements – AHLA Law Schools**

Harold Kaplan stated that Trickel invitations should be sent to the AHLA Law Schools.

**E. Listserve**

Jeanne Helton mentioned establishing a Listserve for the Health Law Section. The dues for AHLA were \$1000. There would be a benefit for Health Law Section members to collaborate on Florida Laws, agencies, etc. Chet and Jeanne discussed the logistics and found that the Listserve would not be easy to maintain, however, they believe the Listserve is a key component for educating Health Law Section members. Chet discussed logistics of maintaining the Listserve. A general discussion ensued over whether or not to have a Health Law Section listserv. Harold Kaplan had no great thoughts on going in that direction. General opinion was that the logistics would be too difficult.

**IX. Chair Elect Comments – Laurie Levin**

Laurie stressed the importance of being active and getting to know your peers. This is a huge benefit for members. The main purpose of the Section is to educate and inform.

**X. Next Executive Council Meeting – June 28, 2007 – Annual Meeting - Orlando**

Harold Kaplan concluded the meeting by announcing that the next meeting of the Section would be held on June 28, 2007, in Orlando, in connection with The Florida Bar's annual meeting. The meeting will be held from 3:00 p.m. until 5:30



p.m. and there will be a reception immediately following. Motion to adjourn was made, seconded and approved.

**EXECUTIVE COUNCIL  
THE FLORIDA BAR HEALTH LAW SECTION**

**June 28, 2007**

**I. Call to Order**

The meeting was called to order by Chair, Harold E. Kaplan at 4:15 p.m. in the Grand III of the Orlando World Marriott, in Orlando, Florida.

Executive Council members in attendance either in person or via telephone were: Harold E. Kaplan (Chair), Laurie Levin (Chair-Elect), Troy Kishbaugh (Secretary), Jeanne E. Helton (Treasurer), James A. Farrell, Allen R. Grossman, Rodney M. Johnson, Lester J. Perling, Spencer Levine, and Monica L. Rodriguez.

Also in attendance either in person or by phone were Jack Buchanan, Walter Carfora, Lewis W. Fishman, , Bernabe Icaza, , , A.S. (Gus) Weekley, , William P. Dillon, Bruce D. Lamb, Sandra Greenblatt, Mildred Beam, George Indest, Nicholas Romanello, Steven Grigas, Tim Sullivan, Gregory Chaires, Josefina M. Tamayo, Charles R. Caniff, Christine Whitney, Valerie Yarborough and Charmaine Tsin Ming Chiu.

**II. Opening Remarks – Harold E. Kaplan, Chair**

Harold Kaplan opened the meeting by making introductions. He introduced Tim Sullivan as The Bar liaison. He discussed Donna Byrd Rigo's retirement and passed along her kind thoughts. Harold Kaplan also recognized Dianne Womack and Jason Guild, of Navigant Consulting, as sponsors of the reception. A brief description of Navigant's consulting services was given. Rodney Johnson introduced Josie Tamayo as the General Counsel for the Department of Health. Josie supervises approximately 100 attorneys at the Department.

**III. Approval of Previous Minutes – Troy Kishbaugh, Secretary**

The minutes of the January 18, 2007 regular meeting of the Executive Council of the Health Law Section will be held in abeyance until the next meeting. The minutes are being held until the Executive Council has an opportunity review them, and will then be circulated via e-mail for approval.

**IV. Elections – Officers and Executive Council**

Valerie Yarborough officiated over the elections for Officers and the Executive Council. Officer elections were being held for the positions of Chair-Elect, Secretary and Treasurer for the 2007-2008 fiscal year. The nominations were: Chair-Elect: Jeanne Helton; Treasurer: Troy Kishbaugh; Secretary: Lester Perling. All Officers were elected by acclamation. Election was moved by Lewis Fishman,

and seconded by Allen Grossman. Executive Council nominees were: Mildred Beam, Sandra Greenblatt, Rodney Johnson and Jodi Laurence. The Executive Council was moved by Lewis Fishman, seconded by Laurie Levin, and passed unanimously.

#### **V. Financial Report – Jeanne Helton, Treasurer**

Jeanne Helton opened the report with the Health Law Section balance, which was \$75,487.00, as of May 2007. Jeanne reported that we are 63% over budget for CLEs. Jeanne is concerned that the video replays are not well attended, but cost a lot to show. She felt this is an issue that needed to be addressed. Jeanne went on to report that the graphics and arts cost for The Bar was at \$4,161.00 YTD. This is the first year that these costs have been incurred. This is a very expensive cost, but it is a non-negotiable expense, as The Bar is the sole supplier. Jeanne requested a detailed breakdown of the cost from Valerie Yarborough. Jeanne is unsure as to why the Section is losing so much money on CLEs. She believes that the video replays may be the issue. We may be wasting money on renting large ballrooms, when we might have other options. The replays can be shown at local county bar offices for free, in most cases. Videos and CDs can count as CLE credits, but they have to be viewed within a certain time frame after the live presentation.

Christine Whitney asked how the health law certification review went. Sandy Greenblatt relayed her opinion, stating that it was good, but not as well attended as it was in 2006. There were about 45 attendees, and the surveys were very good. Sandy then questioned whether or not it should be extended beyond the health law section, perhaps to physicians, etc. Harold Kaplan said that this had been discussed before, mainly as a service provided to health lawyers and it provides a ready source of credits towards The Florida Bar CLE requirements. Lewis Fishman stated that it would need to be advertised appropriately. Sandy Greenblatt added that we would have to keep the curriculum fresh.

Allen Grossman requested a breakdown of each CLE, including costs and revenue, to find out why the losses are occurring. Tapes, videos and CDs might all be sources of revenue. There will be a CLE for health law certification review. The tape, video and/or CD is important, but we may need to have it earlier in the year, as it normally takes The Bar about 3 weeks to produce tapes/CDs/videos.

Jeanne concluded the Financial Report by asking if there were any more questions, and if there weren't, then the report was complete. The financial reports were approved on motion, seconded and unanimously passed following discussion.

## VI. Council of Sections – Christine Whitney

There were no reports from the Council of Sections at this time. The meeting had been cancelled.

## VII. Committee Reports

### A. Education, Training and Information Committee – Charmaine Chiu

Charmaine Chui opened by presenting Exhibit D - the upcoming CLE calendar. Charmaine thanked Lester Perling and Allen Gassman for *January 2007 Representing the Physician CLE* and stated that there were glowing reports from surveys. Charmaine also thanked Sandy Greenblatt for Health Law Certification Review supervision.

Charmaine next discussed a telephone CLE with 50 – 60 participants on the Health Care Clinic Act. It would be the first telephone CLE, and there would be a small fee to aid in the cost of setting up the telephone line. Charmaine then requested additional topics for future seminars. Harold Kaplan suggested doing 2 or 3 telephone seminars per year, citing advantages like people being able to speak or listen from their offices. He also mentioned that telephone seminars are good revenue producers, as they are very inexpensive to do. Laurie Levin suggested discussing ideas for a fall teleconference on the spot, rather than wait until September of 2007.

Lester Perling contributed the topic *retrospective private payor audits*, explaining further the multimillion dollar overpayments, in which the payors are quick to report providers to federal or state agencies.

George Indest suggested a teleconference on *RACs*.

Harold Kaplan contributed *billing and collection agreements*. He added that most clients do not fully understand the specifics of these agreements.

Sandra Greenblatt elaborated on all topics, adding that she wanted a more advanced level, targeting certain audiences and topics, rather than a general crowd.

Charmaine was assigned to work with potential lecturers to schedule teleconference CLEs.

Harold Kaplan recommended charging \$100 - \$150, but Allen Grossman countered that idea, stating it would be wise to review the costs before setting the rates, as \$100 - \$150 may be too expensive.

**B. Section Effectiveness – Lew Fishman**

Lew Fishman had nothing new to report, and said he would follow up in the Fall, when the law school convenes in Miami. (Harold Kaplan went to Nova - recommended the Fall. Laurie Levin - went to Barry. Gus Weekley went to Stetson - Joint Law/Medicine course to be offered.)

**C. Communications and Technology – Bernabe Icaza**

Bernabe Icaza indicated that he had received a lot of feedback on the newsletter. A lot of articles on many diverse topics had been received. He was requesting additional articles and topics for the upcoming newsletter.

Bernabe will include the Trickel Award winners in the newsletter. Harold Kaplan asked that the articles be submitted in Word format instead of PDF format and that the articles include end notes instead of footnotes, as endnotes are easier to convert in the newsletter.

**i. Website – Chet Barclay**

Chet Barclay was absent, so Harold Kaplan reported in his absence. Harold asked for recommendations for a professional co-webmaster. Chet's request for an assistant needed to be reviewed. No further questions or comments were made on the website.

**D. HIPAA – Bill Dillon**

Bill Dillon reported that there was no longer a HIPAA committee, and that it had been converted to a HIT committee. There had been two meetings of this committee, one in February of 2007, and the other in June of 2007. Each meeting had decent attendance, which included representatives from AHCA. The AHCA is analyzing all health information exchange sources around Florida. The HIT committee will have a report later this year, and will be providing recommendations to AHCA. This may prompt a new law. This new committee may also be good for a CLE topic. The HIPAA reports were approved on motion, seconded and unanimously passed following discussion.

**VIII. Old Business**

**A. William Trickel Writing Competition – Monica Rodriguez**

Monica Rodriguez reported on the results of the William Trickel Writing Competition. She said 6 papers were submitted, and three were disqualified. Three papers were reviewed, and the top prizes went to Susannah Landes Foster of Georgetown, for \$5,000 and to Leo Beletsky of Tulane, for \$2,500 (See "Exhibit G" for the titles of the

papers). Although the writing competition was sent out to numerous law schools, the submissions were poor.

**B. Health Law Handbook – Laurie Levin**

Laurie reported on the progress of the Health Law Handbook. The Handbook has already gone out to be printed, but has not arrived yet. It is being printed by The Bar Press. The final papers were due on October 2006, but the deadline was extended until March 2007. Laurie stated that she no longer wishes to be a co-editor. John Buchanan will continue to co-edit the Handbook. Sandra Greenblatt requested a price point. There are currently two volumes of the Handbook.

Harold Kaplan honored Laurie Levin with the Chair's Special Merit Award for her work on the Health Law Handbook. An agenda item was added to the September 2007 meeting to evaluate the continuation of the Handbook.

**C. FSU Health Law Chair – Allen R. Grossman and Harold Kaplan**

Allen Grossman and Harold Kaplan had nothing to report on the FSU Health Law Chair.

**IX. New Business**

- A.** Mike Tartaglia of The Florida Bar provided an update regarding the CLE for The Florida Bar. In his discussion, he added that money has never been the focus, but that 99% of the time, money follows the product, which is, in this case, the CLE. He recommended we add ethics courses to the CLE courses to increase attendance. The Florida Bar sells a large volume of these CDs/videos/tapes. Harold Kaplan asked Mike Tartaglia what The Florida Bar typically charges for Sections for telephone CLEs and other live CLEs. Mike said there is no specific charge, but running a test pilot program, taking into account fees for registration, staff, materials, and anything else directly related to the course. Mike went on to explain that even if The Florida Bar soft charges are removed, the courses are still losing money, mainly due to a lack of registration. He suggested we build programs that people want to attend, for example: Representing the Physicians - January 2007. Section members were charged \$175.00 to attend, and it was cosponsored with the Tax Section. There were approximately 80 registered participants. Valerie Yarborough can get a copy of the CLE program breakdown and costs. Concerns over the cost effectiveness of video replays were discussed. Renting big ballrooms to replay CLEs is not cost effective. Mike explained that the biggest increases (32%) were in live and video replays. Rodney Johnson requested breakdowns of participation in live

presentations versus video replays. Discussions regarding same ensued. George Indest wanted insight on how to obtain locations of where the videos were being replayed. He wanted to know who picks the locations. Mike wanted to review specific courses, however, locations are selected by The Bar or the CLE committee. Harold Kaplan suggested a compromise. He suggested that some choices be made by Sections, or at least that they be allowed to give input, since The Florida Bar is making the sections accountable. He added that the CLEs do not always have to be profitable, as it is a benefit to the Section members. The purpose of the CLEs is to help Section members obtain CLE credits.

Christine Whitney recommended e-mail blasting to 1,400 members to find out what CLE they would be interested in. Charmaine Chui recommended establishing a focus group to develop CLE topics. Christine continued on to add that a member survey for the 1,400 members is important and overdue. It would benefit the section to collect information such as where the members practice and what is important to them. Harold Kaplan asked Mike to provide Valerie Yarborough with a CLE breakdown.

- B.** Harold Kaplan sent a “thank you” letter to Navigant Consulting for sponsoring the reception.
- C.** Gus Weekley introduced a new case out of the 2<sup>nd</sup> DCA regarding Amendment 7 which was issued June 27, 2007. The case cite is: Morton Plant v. Shavas, 32 FL LAW WEEKLEY D1586A. In addition, Gus is writing a white paper on the North Carolina Case: Acosta v. Bynum, 438 SE 2d 246. Gus’ white paper will be posted on the website.

**X. Chair Elect Comments – Laurie Levin**

Laurie said she looks forward to a great year. She reminded everyone of the mantra – “ethics, ethics, ethics.” Laurie then conferred an award and a “thank you” to Harold Kaplan (outgoing chair). Harold received the Chris Rolle Medal of Honor and a plaque.

**XI. Next Executive Council Meeting**

Harold Kaplan concluded the meeting by announcing that the next meeting of the Section would be held on September 6, 2007, in Tampa, at the Tampa Airport Marriot, in connection with The Florida Bar’s general meeting. Motion to adjourn was made, seconded and approved.

**EXECUTIVE COUNCIL  
THE FLORIDA BAR HEALTH LAW SECTION**

**September 6, 2007**

**I. Call to Order**

The meeting was called or order by Chair Laurie Levin at 3:35 p.m. in the Pasco Room of the Tampa Marriott Hotel, in Tampa, Florida.

Executive Council members in attendance either in person or via telephone were:  
Laurie Levin, Chair, Jeanne Helton, Chair-Elect, Rodney Johnson, Lewis Fishman, Sandra Greenblatt, Lester Perling, Troy Kishbaugh, Chet Barclay, Gary Walker, Allen Grossman, Cynthia Mikos, Charmaine Chiu

Also in attendance either in person or by telephone were:

Valerie Yarbrough, staff, A.G. Weekley (Gus), Walter Carfora

**II. Opening Remarks – Laurie Levin, Chair**

Laurie Levin opened the meeting by welcoming everyone to a new year of The Florida Bar Health Law Section.

**III. Approval of Previous Minutes – Lester J. Perling, Secretary**



The minutes of the January 18, 2007, regular meeting of the Executive Council of the Health Law Section were reviewed and found to be in need of correction. The corrections were noted and will be made accordingly. A motion was made and seconded to approved as amended. The motion carried.

The minutes of the June 28, 2007, regular meeting of the Executive Council of the Health Law Section were reviewed and found to be in need of correction. A motion was made and seconded to approve the minutes as amended. The motion carried.

#### **IV. Financial Report – Troy Kishbaugh, Treasurer**

Troy Kishbaugh reported that the Health Law Sections current fund balance is \$72,082.00, down since the last meeting. A discussion was held concerning continuing legal education expenses as reflected in Exhibit “B” to the meeting agenda. Mr. Kishbaugh reported that the section had a net loss of \$401.00 in CLE activities. There was a general discussion whether the Health Law Section should consider CLE to be a profit-making venture or a service to its members. There was a consensus that the primary goal is service but every effort should be made to avoid losing money in the process.

A discussion was held concerning the cost of editing audio tapes, which is \$2,500.00 per course as well as other individual expenses including speaker

expenses. It was noted that it is the policy of the The Florida Bar to pay reasonable speaker expenses. Valerie Yarbrough will distribute the reimbursement policy to Section members for review.

Ms. Levin discussed development of a budget committee to review financial reports and budget proposals in details and to bring only the highlights to the Section in full. The following members were appointed to the budget committee: Troy Kishbaugh, Chair, Allen Grossman, Jeanne E. Helton, Cynthia Mikos, Charmaine Chiu. The financial reports were approved on motion, seconded and unanimously passed.

**V. Council of Sections – Harold E. Kaplan**

There was no report from the Council of Sections at this time.

**VI. Committee Reports**

**A. Education, Training and Present Information – Charmaine Chiu**

Ms. Chiu reported that the session held at the annual meeting entitled Health Law Topics was very successful and that there was a significant amount of positive feedback.

Ms. Chiu stated that she planned to have three telephone CLE's in the coming months. Discussion was held and decided that the tuition for these sessions would be \$100.00, each but that individuals who registered for all three could do so for \$250.00. There was discussion concerning the topics for these sessions including practitioner billing and collection issues, practitioner dispensing under Florida and federal law, and disruptive physician practices. Discussion of other topics was held as well. Ms. Chiu will follow up with regard to developing a schedule and speakers.

Lester Perling discussed Representing the Physician – 2008. He reported that the United States Attorney for the Southern District of Florida, R. Alexander Acosta, had agreed to be a keynote lunch speaker. Mr. Perling also reported that plans were underway to possibly invite members of other professions in order to boost attendance and also to provide one hour of ethics credit as recommended by the The Florida Bar in an effort to also improve attendance.

There was considerable discussion regarding the Health Law Certification Review. Sandra Greenblatt, Chair of that session, presented a detailed report. She stated that there will be a new location which she stated will be a significant improvement. The conference will now be held at the Rosen Shingle Creek Resort in Orlando. Ms. Greenblatt also reported that the conference will now provide advanced CLE credit. The date of the

conference will be moved up so that the CD's will be distributed before the exam for those who wish to purchase them in order to prepare for the certification exam. There was some discussion with regard to changing the name of the course but the consensus was to leave it essentially the same, possibly with some minor adjustments. There was some discussion concerning that there needs to be better coordination with regard to the exam topics and that a request would be made to the Health Law Certification Committee to reconsider its position of not releasing old exams. There was some discussion with regard to sending a letter to individuals who took the exam to determine if there was anything that was not covered in the course that should have been to insure coordination between the Health Law Certification Committee and the Executive Council. Finally, a discussion was held concerning the speaker for the managed care session. Ms. Greenblatt reported that she understood that the optional exam question on that topic had not been answered in several years and there was some concern that the speaker's presentation was overly complex in this context, but there was general agreement that there should not be a change of speakers or approach with regard to this topic.

**B. Section Effectiveness – Lew Fishman**

Mr. Fishman reported that he would be following up shortly with the University of Miami once school was in session for a brief period.

**C. Communications and Technology – Laurie Levin**

Ms. Levin reported that a new edition of the newsletter is complete and would be published in a couple of weeks.

**i. Website – Chet Barclay**

Mr. Barclay reported that the website continues to be operational and updated. He reminded the Executive Council that a new webmaster needs to be appointed.

**D. Health, Information and Technology**

No report.

**VII. Old Business**

**A. William Trickel Writing Competition**

Discussion was held to end this writing competition. Participation has been poor and mostly out-of-state students. A motion was made, seconded, and approved to end the writing. New ideas for honoring Mr. Trickel should be sent to Lew Fishman.

**B. Health Law Handbook – Jeanne Helton**

Ms. Helton reported that the Health Law Handbook is in the final stages of printing. She had contacted the Bar Association in Georgia, Louisiana and Alabama about marketing on their websites. Alabama stated that it would be interested and asked that we market its handbook on our website. Ms. Helton stated that some consideration was being given to publishing another edition in 2008 but after discussion, it was determined that a publication every year is not warranted, but that every other year would be sufficient. Some discussion was held on adding additional chapters along with possibly publishing monographs on specific topics. Some discussion was then held concerning the possibility of a CLE session on Navigating Florida Regulatory Agencies as well as possibly a monograph on that topic.

**C. FSU Health Law Chair**

It was reported that the chair had been originally endowed for \$100,000.00 in 2001 but it has been vacant for some time because Florida State University has a had a difficult time in filling the chair. Discussion was held with regard to the fact that there was enough money when funded to endow the chair permanently and that FSU should be pressured to fill this position. It was decided that a meeting would be scheduled with the Dean of the FSU Law School. It was suggested that Bruce Lamb attend because he was involved at the inception of the chair.

## **VIII. New Business**

### **A. Telephone Attendance**

Ms. Levin discussed whether we should discontinue permitting attendance by telephone because of repeated technical difficulties. After discussion, a motion was made, seconded and passed to continue to allow telephonic attendance but to ensure better technical set-up at meetings.

### **B. Board of Medicine Update**

Discussion was held concerning posting on the website various board of medicine publications including declaratory statements. Discussion was

held and it was determined that rather than posting the documents that links should be posted that would lead website users to the documents.

**C. ABA Meeting Sponsorship**

Discussion was held concerning sponsoring the ABA Health Law Section's national meetings and it was agreed that there was no downside to doing this so long as there was no cost involved.

**D. CLE Program on Managing Impaired Physicians**

Alan Grossman discussed that the Practitioner's Recovery Network, in conjunction with the Florida Medical Association and perhaps the American Bar Association, is planning a program on managing impaired physicians and asked whether the Section should participate. A motion was made, seconded and passed to do so.

**E. Proposal for Public Health Law Committee**

A presentation was made by Rodney Johnson to establish a public health law committee. He distributed an attachment which is included in these minutes. Discussion was tabled for the next meeting in order for an



evaluation of the Section's Bylaws to determine whether such a committee could be appointed.

**IX. Chair – Elect Comments – Jeanne Helton**

There were no comments.

**X. Next Executive Counsel Meeting**

Ms. Levin announced that the next Executive Counsel Meeting will be held on January 17, 2008 at The Florida Bar Mid-Year Meeting at the Hyatt Regency in Miami. A motion to adjourn was made, seconded and approved at 5:35 p.m.



	November 2007 Actuals	YTD 07-08 Actuals	Budget	Percent Budget
Total Health Law				
31435 Admin Fee Adj	0	2,238	0	*
31431 Section Dues	780	39,420	42,000	93.86
31432 Affilliate Dues	50	475	300	158.33
31433 Admin Fee to TFB	(493)	(23,094)	(24,620)	93.80
<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
Total Dues Income-Net	337	19,039	17,680	107.69
<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
32191 CLE Courses	2,544	9,848	12,406	79.38
32293 Section Differential	0	813	0	*
35201 Sponsorships	0	0	2,000	0.00
35603 Bd/Council Mtg Regis	0	0	750	0.00
36506 Section Handbook	8,155	11,315	7,500	150.87
36991 Allowances	(43)	(46)	0	*
38499 Investment Allocatio	0	1,849	4,303	42.97
<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
Other Income	10,656	23,779	26,959	88.20
<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
Total Revenues	10,993	42,818	44,639	95.92
<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
36998 Credit Card Fees	65	116	100	116.00
1101 Employee Travel	0	225	1,240	18.15
001 Postage	13	246	880	27.95
84002 Printing	312	965	750	128.67
84003 Officers Office Expe	0	0	100	0.00
84006 Newsletter	0	0	3,000	0.00
84009 Supplies	0	42	50	84.00
84010 Photocopying	0	17	300	5.67
84051 Officers Travel Expe	0	0	3,000	0.00
84052 Meeting Travel Expen	0	0	1,250	0.00
84054 CLE Speaker Expense	0	0	2,500	0.00
84101 Committee Expenses	0	0	750	0.00
84200 General Meeting	0	547	750	72.93
84201 Board Or Council Mee	0	153	1,500	10.20
84202 Annual Meeting	0	(1,500)	10,000	(15.00)
84204 Midyear Meeting	0	0	4,000	0.00
84301 Awards	0	0	500	0.00
84308 Writing Contest	0	0	7,500	0.00
84416 Handbook	366	902	500	180.40
84422 Website	0	1,563	4,500	34.73
84501 Legislative Consulta	0	0	7,500	0.00
84701 Council Of Sections	0	0	300	0.00
84998 Operating Reserve	0	0	5,290	0.00
84999 Miscellaneous	0	0	250	0.00
88252 Course Credit Fee	0	0	300	0.00
<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
Total Operating Expenses	756	3,276	56,810	5.77
<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
431 Meetings Administrat	0	0	152	0.00
86543 Graphics & Art	535	2,907	1,323	219.73

	November 2007 Actuals	YTD 07-08 Actuals	Budget	Percent Budget
Total Health Law	-----	-----	-----	-----
Total TFB Support Services	535	2,907	1,475	197.08
Total Expenses	1,291	6,183	58,285	10.61
Net Operations	9,702	36,635	(13,646)	(268.47)
21001 Fund Balance	0	73,980	61,467	120.36
Total Current Fund Balance	9,702	110,615	47,821	231.31

	November 2007 Actuals	YTD 07-08 Actuals	Budget	Percent Budget
Total Health Law CLE				
31436 Course Section Diff	0	-675	0	*
32010 Legal Span On-line	2,233	2,233	0	*
32201 Audio Tapes	425	3,751	0	*
32205 Compact Disc	0	6,564	0	*
Total Revenues	2,658	11,873	0	*
83431 Time CLE Courses	793	1,567	0	*
86421 C L E Administration	291	452	0	*
86543 Graphics & Art	37	37	0	*
86623 Registrars	143	550	0	*
Total The Florida Bar Staff Exp	1,264	2,606	0	*
Total Other Staff	0	0	0	*
88281 A/V Ctr Dup/Prod	0	280	0	*
Total Cost of AV Media	0	280	0	*
J01 Administrative Exp	549	850	0	*
Total General and Administrative	549	850	0	*
81411 Promotional Printing	261	261	0	*
81412 Promotional Mailing	780	780	0	*
Total Promotion	1,041	1,041	0	*
Total Printed Course Material	0	0	0	*
Total Speaker Expense	0	0	0	*
88252 Course Credit Fee	0	150	0	*
88261 Meeting Room Rent	300	300	0	*
88262 Meeting Meals	850	850	0	*
88265 Refreshment Breaks	850	850	0	*
Total Presentation Expense	2,000	2,150	0	*
36998 Credit Card Fees	38	200	0	*
75102 1st Class & Misc Mai	2	8	0	*
75401 Express Mail	11	110	0	*
ner Expense	51	318	0	*

	November 2007 Actuals	YTD 07-08 Actuals	Budget	Percent Budget
Total Health Law CLE -----				
Total Expenses	4,905	7,245	0	*
Total Net General Ledger	-2,247	4,628	0	*
32291 Section Fee	-2,191	-8,932	0	*
Net Operations	-4,438	-4,304	0	*

	2005-06 Actual	2006-07 Actual	2007-08 Budget	2007-08 Projected Actual	2008-09 Proposed Budget
<b>Health Law Cert Review Revenue</b>	88	2,032	0	0	0
<b>Revenue</b>	88	2,032	0	0	0
32201 Audio Tapes	0	2,055	0	0	0
32301 Course Materials	90	0	0	0	0
36998 Credit Card Fees	(2)	(23)	0	0	0
<b>Health Law Cert Review Expense</b>	22	119	0	0	0
<b>Health Law Revenue</b>	45,681	28,478	44,539	42,579	43,755
<b>Health Law Expense</b>	34,279	32,257	58,185	53,982	64,021
<b>Travel</b>	1,726	1,042	1,240	0	1,007
51101 Employee Travel	1,726	1,042	1,240	0	1,007
<b>Other Expense</b>	32,553	25,084	55,470	50,180	58,546
84001 Postage	667	576	880	880	880
84002 Printing	254	563	750	750	750
84006 Newsletter	0	0	3,000	3,000	3,000
84010 Photocopying	84	48	300	300	300
84051 Officers Travel Expe	2,775	1,606	3,000	3,000	3,000
84052 Meeting Travel Expen	0	0	1,250	1,250	1,250
84054 CLE Speaker Expense	1,828	1,402	2,500	2,500	2,500
84101 Committee Expenses	10	127	750	750	750
84200 General Meeting	197	328	750	750	750
84201 Board Or Council Mee	909	1,227	1,500	1,500	1,500
84202 Bar Annual Meeting	10,631	5,587	10,000	10,000	10,000
84204 Midyear Meeting	3,265	3,807	4,000	4,000	4,000
84301 Awards	218	223	500	500	500
84308 Writing Contest	7,500	7,500	7,500	7,500	7,500
84416 Handbook	2,879	1,760	500	500	3,350
84422 Website	585	330	4,500	4,500	4,500
84501 Legislative Consulta	0	0	7,500	7,500	7,500
84701 Council Of Sections	300	0	300	300	300
84998 Operating Reserve	0	0	5,290	0	5,516
84999 Miscellaneous	0	0	250	250	250
88252 Certification Fee	0	0	300	300	300
<b>Time Distribution</b>	15,091	0	0	0	0
83721 Time-Health Law	15,091	0	0	0	0
<b>Admin &amp; Internal Svcs</b>	(15,091)	6,131	1,475	3,802	4,469
86344 Mailing Overhead	141	0	0	0	0
86431 Meetings Administrat	151	0	152	156	160
86542 Printing	2,315	0	0	0	0
86543 Graphics & Art	1,957	6,131	1,323	3,646	4,309

	2005-06 Actual	2006-07 Actual	2007-08 Budget	2007-08 Projected Actual	2008-09 Proposed Budget
86998 Refund Of Cost Alloc	(19,655)	0	0	0	0
Beginning Fund Balance	64,375	75,847	61,467	73,980	62,577
21001 Fund Balance	64,375	75,847	61,467	73,980	62,577



**Section Budget Summary  
2008-2009**

**Section:**        Health Law Section

**Date Approved by  
Executive Council:**

**Center:**        HLGNRL

**Staff Liaison:**    Valerie Yarbrough

	<b>2005-2006 <u>Actual</u></b>	<b>2006-2007 <u>Actual</u></b>	<b>2007-2008 <u>Budget</u></b>	<b>2007-2008 Projected <u>Actual</u></b>	<b>2008-2009 Proposed <u>Budget</u></b>
<b>Beginning Fund Balance</b>	64,375	75,847	61,467	73,980	62,577
<b>Net Operations</b>	11,402	-3,779	-13,646	-11,403	-20,266
<b>Net Operations (from other centers)</b>	<u>66</u>	<u>1,913</u>	<u>0</u>	<u>0</u>	<u>0</u>
<b>Ending Fund Balance</b>	<b>75,843</b>	<b>73,981</b>	<b>47,821</b>	<b>62,577</b>	<b>42,311</b>



Leadership and Funding for Justice in Florida

December 21, 2007

MEMORANDUM

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First Vice President:  
Adele L. Stone

Second Vice President:  
John A. Noland

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Tenth District Court of Appeal

Honorable Thomas S. Wilson, Jr.  
Tenth Judicial Circuit Court

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Henry M. Cove, III  
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The Florida Bar

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Scott R. Rest

EXECUTIVE DIRECTOR  
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TO: Current and Past Members of The Florida Bar Foundation Board of Directors  
The Florida Bar Board of Governors  
Fellows of The Florida Bar Foundation  
Chief Judges of the District Courts of Appeal and Circuit Courts  
President and President-elect of The Florida Bar Young Lawyers Division  
Voluntary Bar Association Presidents, Presidents-Elect and Executive Directors  
Sections and Committee Chairs of The Florida Bar

FROM: Bruce B. Blackwell, President

RE: 2008 Medal of Honor Award

B3

I am writing to ask for your involvement in identifying worthy nominees to receive the Foundation's 2008 Medal of Honor Awards.

The awards recognize outstanding achievements by Florida residents in improving our state's justice system. Recipients are selected in two categories. The first category is for a member of The Florida Bar actively engaged in the practice of law. The second category is for a non-lawyer, or an attorney who is not actively engaged in the practice of law.

Nominations are being sought from a wide variety of groups and individuals in order to ensure that the most worthy candidates are considered for these important awards. We hope you will participate in the 2008 Medal of Honor Awards Program by nominating a single individual in the lawyer and non-lawyer categories whose achievements have significantly improved the administration of justice in Florida.

A history of the Medal of Honor Awards Program is enclosed which lists past recipients. Also enclosed are nomination forms for the lawyer and non-lawyer award categories. Nominations are due at the Foundation office by February 14, 2008.

As you know, the Medal of Honor Awards are given each year in June at the annual dinner of the Foundation held during The Florida Bar's annual convention. The 2008 awards ceremony will take place at the Boca Raton Resort & Club, in Boca Raton, on June 19, 2008 and we hope you'll be able to join us for that event. Tickets for the dinner may be purchased by contacting the Foundation in May, 2008.

BBB/caw  
Enclosures

Please Reply to P.O. Box  
250 South Orange Avenue, Suite 600P • Orlando, FL 32801 • P.O. Box 1553 • Orlando, FL 32802-1553  
407-843-0045 • 800-541-2195 • Fax 407-839-0287 • 800-770-7457 • www.flabarfdn.org



P.O. Box 1553  
Orlando, FL 32802-1553  
407•843•0045 • 800•541•2195  
Fax 407•839•0287  
www.flabarndn.org

## THE FLORIDA BAR FOUNDATION MEDAL OF HONOR AWARD

### HISTORY

The Florida Bar Foundation Medal of Honor Award was established in 1977. Two categories of award recipients have been designated.

The first is for a member of The Florida Bar who has demonstrated his or her dedication to the objectives of The Florida Bar as set out in the Rules Regulating The Florida Bar:

"...to inculcate in its members the principles of duty and service to the public, to improve the administration of justice and to advance the science of jurisprudence."

The second is for a non-lawyer or person not actively engaged in the practice of law who has made an outstanding contribution to the improvement of the administration of justice through research, writing, or other deeds of such character and quality that, in the judgment of the Foundation, warrant the highest award that can be bestowed by the Foundation.

Fifty-one awards have been presented:

#### LAWYER RECIPIENTS

Richard T. Earle, Jr. – 1977	For his outstanding leadership of Florida's Judicial Qualifications Commission
Tobias Simon – 1978*	For his protection of the rights of the oppressed and the poor and for his advocacy for improved prison conditions in Florida
Reubin O'D. Askew – 1979	For his leadership in establishing judicial nominating commissions, and for the re-organization of the judicial system
Chesterfield H. Smith – 1980	For his years of dedicated service to the bench and bar
Wm. Reece Smith, Jr. – 1981	For his long years of service to the Bar in establishing the first judicial nominating commission and for service on behalf of legal services to the poor
Arthur J. England, Jr. – 1983	For his leadership in establishing the interest on trust accounts program in Florida and nationally
Ben F. Overton – 1984	For leadership of the bench and bar, support for continuing judicial education and service to the public
Mark Hulsey – 1985	For his leadership as a member of Florida's Judicial Qualifications Commission and his dedication to the principles of The Florida Bar
Russell E. Carlisle – 1986	For his dedication to the advancement of pro bono service by the legal profession and for his work in carrying IOTA across the nation
Talbot D'Alemberte – 1987	For significant achievements in judicial and legislative reform, civil liberties, legal education, advancement of the legal profession and the work of the organized bar.
James C. Rinaman, Jr. – 1988	For his work in furthering the public service activities of the organized bar
Neal R. Sonnett – 1989	For his commitment and leadership in improving the criminal justice system and in protection of individual rights
Janet Reno – 1990	For her dedication to the highest ideals of our institutions of justice, children and the poor
Thomas LeRoy Collins – 1991*	For his dedication to change in Florida's legislature, civil rights and constitutional reform
James C. Adkins – 1992*	For his contributions to the law and legal profession as a member of the Supreme Court of Florida
Raymond Ehrlich – 1993	For his commitment to the highest standards of ethics and professionalism
Thomas H. Barkdull, Jr. – 1994	For his distinguished career as a practicing lawyer and appellate judge
Steven M. Goldstein – 1995*	For devotion of time and energy to providing legal services to the poor, for his voluntary services to the Bar, and for serving as a role model to his colleagues and students at the university law school
William O.E. Henry – 1996	For his dedicated leadership to the community, public service in the legal profession, and outstanding efforts in representation of death row inmates
Justice Richard W. Ervin – 1997	For his outstanding achievement and service to the public by improving the institutions of government and the administration of justice in Florida as a lawyer in private practice and in numerous appointed and elected posts in service to state government
Burton Young – 1998	For his distinguished selfless service in working toward the betterment of The Florida Bar and the legal profession
Samuel S. Smith – 1999*	For his unwavering dedication to the legal profession, the organized Bar, and the needy constituents they serve, and for his leadership in establishing the Guardianship Program of Dade County

Joseph W. Hatchett – 2000	For his extraordinary and distinguished 22-year career of judicial service to the State of Florida and the U.S. Federal court system dedicated to upholding the civil rights of the oppressed, the vulnerable, and the unpopular
Patrick G. Emmanuel – 2001	For his distinguished record of active participation and lifelong dedication to the objectives of The Florida Bar in service to the public, improvements in the administration of justice, and the advancement of the science of jurisprudence
Martha W. Barnett – 2002	For her outstanding service as immediate past president of the American Bar Association; her commitment to the principles of duty and service to the public, and her professional, fair and often brilliant approach to legal issues that affect her fellow professionals
Robert M. Ervin – 2003	For his unselfish, dedicated career of service to the public and the legal profession
William J. Sheppard – 2004	For a long and distinguished legal career working on behalf of the underprivileged and oppressed, ensuring that "equal justice for all" is not a hollow phrase
J. Dudley Goodlette – 2005	For spearheading the passage of the Florida Civil Legal Assistance Act
W. Dexter Douglass – 2006	For a career spent providing legal services to the powerless and for his chairmanship of the Constitutional Revision Commission in leading the commission through heated debates, extensive research, and public testimony to arrive at several constitutional amendments which were subsequently approved by the public
A. Hamilton Cooke – 2007	For his exceptional professional ability, steadfast initiative, and selfless dedication to community service

### NON-LAWYER RECIPIENTS

Robert A. Rosof – 1978	For his pioneering work with juvenile offenders at the Dade Marine Institute
William C. Clark – 1981	For his work as a lay member of Florida's Judicial Qualifications Commission
Lucy Batchelor – 1982	For her work as director of the Human Relations Programs at state correctional facilities
Martin A. Dyckman – 1984	For his leadership in establishing and maintaining open government in Florida and excellence and accountability in our elected and appointed officials and for support for reform of the state's prison system
Sylvia Alberdi – 1985	For her dedication to the ideals of good government in service to the people of Florida as staff director of the Florida Senate's Civil Judiciary Committee
Rev. A. Leon Lowry, Sr. – 1987	For community leadership in promoting civil rights through constructive change
Sr. Cathy Gorman – 1988	For her work to provide access to legal services, housing, health care, education and fair employment standards to migrant farmworkers
Marshall McDonald – 1989	For his work in improving the State Judicial System by bringing judicial reform and improved judicial compensation standards to Florida
Audrey Lincourt Schiebler - 1990	For her pioneering achievements in improving the administration of justice to abused and neglected children
Mary Ellen Beaver – 1991	For her tireless advocacy for legal rights on behalf of migrant farmworkers
Abraham R. Brown – 1992	For his tireless efforts to address the spiritual needs of those confined to penal institutions
Elaine Webb-Alvarez – 1993	For her outstanding efforts and leadership as a child advocate in the State of Florida
Major John Smith – 1994	For his leadership, dedication and pioneering efforts in establishing the "GUTS" program for at-risk African-American males
Jean F. Norman – 1996	For her efforts and contributions in organizing "Law School for the Layman" and "Helping Children Cope with Divorce" programs for Escambia and Santa Rosa counties
Rev. Fred L. Maxwell – 1998	For his leadership and perseverance in seeking permanent housing for the homeless in Orlando by forming the Grand Avenue Economic Community Development Corporation which purchased and renovated a property to provide housing for a total of 124 residents through 1998
Gene Miller – 1999	For his integrity and passion as an investigative reporter for the Miami <u>Herald</u> in the coverage of the murder trials of two wrongfully convicted death row inmates which won him a Pulitzer Prize
John B. Orr, Jr. – 2001*	For his courageous stand against a 1956 package of bills filed in the 1956 Florida legislature's special session whose purpose was to perpetuate school segregation
Raul G. Barrera – 2002	For improving the administration of justice by bringing truth to the ideal of equal justice under the law for migrant farmworkers
Lois Thacker Graessle - 2003	For a lifetime of selfless volunteer service in the pursuit of justice
Rosalie Heffernan – 2004	For the giving meaning and substance to the U.S. Constitution by starting an after-school elective called "Constitutional Studies," teaching many young women, primarily daughters of Cuban exiles, the founding principles of our country
Abraham S. Fischler – 2005	For turning the dreams of countless people into realities through his intellect, commitment, drive and spirit
Janet R. McAilley – 2006	For tirelessly championing the rights of children to better educational opportunities and academic freedoms and her extensive work to protect the rights of immigrants
Dr. Walter F. Lambert – 2007	For being a legend to the Pediatricians in Florida, a legend to social workers and attorneys who work with families, a legend in the courts, and superman to many little children.

\*Posthumously

**THE FLORIDA BAR FOUNDATION  
2008 MEDAL OF HONOR AWARD**

**LAWYER NOMINATION FORM**

**Criteria:**

The Medal of Honor will be awarded to a member of The Florida Bar who has demonstrated his or her dedication to the objectives of The Florida Bar as set out in the Rules Regulating The Florida Bar:

***"...to inculcate in its members the principles of duty and service to the public, to improve the administration of justice, and to advance the science of jurisprudence."***

*The nominee must be a Florida resident who is a member in good standing of The Florida Bar, but need not be a member of The Florida Bar Foundation. The nominee must be actively engaged in a profession relative to the practice of law including, but not limited to, practicing lawyers, judges, or teachers in the legal field.*

*Generally, Medal of Honor Awards are not given to recognize achievements undertaken as part of an individual's employment. However, the Foundation recognizes that there are individuals whose achievements in their professional capacity are so significant as to be above and beyond the expectations of their assigned duties. Therefore, if the achievements of your nominee were accomplished as part of that individual's employment, please cite the circumstances which would qualify him or her to be considered for a Medal of Honor Award. (NOTE: Individuals and groups are limited to one nomination.)*

**NAME OF PERSON NOMINATED:** \_\_\_\_\_

Title: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

**NOMINATED BY:** \_\_\_\_\_

Title: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

**\*\*\*\*OVER\*\*\*\***

**SPECIFIC ACHIEVEMENTS FOR WHICH NOMINATED:**

*(Please add additional pages as needed)*

**PLEASE RETURN THIS FORM ALONG WITH A BRIEF BIOGRAPHICAL SKETCH TO THE FLORIDA BAR FOUNDATION BY FEBRUARY 14, 2008.**

**THE FLORIDA BAR FOUNDATION  
MEDAL OF HONOR AWARD  
Post Office Box 1553  
Orlando, Florida 32802-1553  
800/541-2195 or 407/843-0045  
e-mail: [cwherry@flabarfndn.org](mailto:cwherry@flabarfndn.org)**

**THE FLORIDA BAR FOUNDATION  
2007 MEDAL OF HONOR AWARD**

**NON-LAWYER NOMINATION FORM**

**Criteria:**

*The Medal of Honor will be awarded to a person not actively engaged in a profession relative to the practice of law who has made an outstanding contribution to the improvement in the administration of justice through research, writing, or other deeds of such character and quality that, in the judgment of The Florida Bar Foundation, would warrant the highest award that can be bestowed by the Foundation.*

*Generally, Medal of Honor Awards are not given to recognize achievements undertaken as part of an individual's employment. However, the Foundation recognizes that there are individuals whose achievements in their professional capacity are so significant as to be above and beyond the expectations of their assigned duties. Therefore, if the achievements of your nominee were accomplished as part of that individual's employment, please cite the circumstances which would qualify him or her to be considered for a Medal of Honor Award. The nominee must be a Florida resident, but not a member of The Florida Bar. (NOTE: Individuals and groups are limited to one nomination.)*

**NAME OF PERSON NOMINATED:** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Telephone Number:** \_\_\_\_\_

**Email Address:** \_\_\_\_\_

**NOMINATED BY:** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Telephone Number:** \_\_\_\_\_

**Email Address:** \_\_\_\_\_

**\*\*\*\*OVER\*\*\*\***

**SPECIFIC ACHIEVEMENTS FOR WHICH NOMINATED:**

*(Please add additional pages as needed)*

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