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THE FLORIDA BAR  
ELDER LAW SECTION

*The Elder Law Section cultivates and promotes expertise and professionalism in the practice of law affecting people as they age and individuals with special needs.*

## EXECUTIVE COUNCIL MEETING AGENDA

The Meritage Resort & Spa | Salon X

Friday, October 4, 2019

12:00 p.m. – 2:00 p.m. PDT; 3:00 p.m. – 5:00 p.m. EDT

**Dial-In Number: 888-376-5050**

**Participant Code: 912-457-1035#**

**Chair Code: 59756#**

- I. Call to Order – Randy C. Bryan, Chair
- II. Approval of June 28, 2019 Minutes – William Johnson, Secretary (**Exhibit A**)
- III. Chair's Report – Randy C. Bryan
- IV. Immediate Past Chair's Report – Jason A. Waddell
- V. Chair-Elect's Report – Steven Hitchcock
- VI. Treasurer's Report – Howard S. Krooks (**Exhibit B**)
- VII. Substantive Committee Reports – Victoria Heuler, Vice Chair
  - a. Abuse, Neglect and Exploitation – David A. Weintraub & Ellen Cheek
  - b. Estate Planning & Probate – Horacio Sosa & Amy Collins
  - c. Ethics – Steven Hitchcock (**Exhibit C**)
  - d. Guardianship – Twyla Sketchley & Stephanie Villavicencio
  - e. Legislative – Shannon Miller, Travis Finchum, and Debra Slater
  - f. Medicaid/Government Benefits – Heidi Brown & John S. Clardy III (**Exhibit D**)
  - g. Special Needs Trust – Amy Fanzlaw & Howard S. Krooks (**Exhibit E**)
  - h. Veterans Benefits – Teresa Bowman & Jack Rosenkranz
- VIII. Administrative Committee Reports – Carolyn Landon, Vice Chair
  - a. Budget – Howard S. Krooks (**Exhibit F**)
  - b. CLE – Marjorie Wolasky & Danielle Faller
  - c. Membership – Donna McMillan & Mike Jorgensen (**Exhibit G**)
  - d. Mentoring – Dayami Sans & Jodi Murphy (**Exhibit H**)
  - e. The *Advocate* – Heather Samuels & Genny Bernstein (**Exhibit I**)

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# THE FLORIDA BAR

- IX. Special Committee Reports
  - a. Certification Committee – Amy Fanzlaw & Laurie Ohall
  - b. Law School Liaison Committee – Enrique Zamora & Max Solomon
  - c. Sponsorship Committee – Jill Ginsberg & Jason Waddell
  - d. UPL Committee – John Frazier & Leonard Mondschein
  - e. Technology Committee – Alison Hickman & Lawrence Levy
  - f. Strategic Planning Committee – David Hook, Jill Ginsberg, and Collett Small
  - g. Litigation Committee – Ellen Morris (**Exhibit J**)
  - h. Disability Law Committee – Tamara Schweinsberg & Steve Hitchcock
  
- X. Board of Governor’s Report – James G. Vickaryous
  
- XI. Liaison Reports
  - a. AFELA – Twyla Sketchley
  - b. FSGA – William Johnson
  - c. RPPTL – Marjorie Wolasky & Travis Finchum
  - d. NAELA – Howard Krooks
  - e. Task Force – Ellen Morris
  
- XII. New Business
  
- XIII. Adjournment

**Next Executive Council Meeting:  
Elder Law Essentials & Annual Update  
Loews Portofino Bay Hotel Orlando  
Thursday, January 16, 2020 | 6:00 p.m. – 7:30 p.m.**

**THE FLORIDA BAR ELDER LAW SECTION  
Executive Council Meeting Minutes  
The Florida Bar Annual Convention  
Boca Raton Resort & Club  
Friday, June 28, 2019**

Chair Jason Waddell called the meeting to order and welcomed members and guests. Secretary Howard Krooks asked for a motion to approve the January 17, 2019, minutes, which **PASSED** unanimously. Chair Waddell reported that the Section continued to increase its visibility this year through the sponsorship of the AFELA Elder Justice Conference and the Probate and Guardianship Bench and Bar Judicial Reception at St. Thomas University. He reported that the Elder Law Guardianship Seminar earlier that day was well attended, as was the January Elder Law Annual Update. He reminded members that the Elder Law Section would be co-sponsoring Saturday's Consumer Protection Law Committee CLE, and concluded his report by extended special thanks to the Legislative Committee who worked tirelessly this year on many pieces of legislation.

Chair Waddell recognized Michael Tanner, candidate for President-Elect of The Florida Bar, who introduced himself to the Executive Council and summarized the issues he hopes to address on behalf of The Florida Bar. These issues include the looming threat of *Janus* reverberations in Florida and legislative encroachment on TFB's involvement in the judicial nominating process. Chair Waddell thanked Michael Tanner for addressing the council and wished him luck in his campaign, noting that the Elder Law Section is active and wishes to be involved in Bar activities and issues. Candidate Renée Thompson was unable to address the Elder Law Section Executive Council due to scheduling conflicts.

Immediate Past Chair Collett Small introduced section member Eneami Bestman who has been selected for Bar Leadership Academy Class VII, and reported that the Executive Committee has awarded her a \$1,500 scholarship. Chair-Elect Randy Bryan announced the 2019 Elder Law Section Annual Retreat in Napa Valley on October 3 – 5, 2019, and encouraged members to make an early hotel reservation. Treasurer Victoria Heuler reported that the Section financials are looking strong as we approach the end of the fiscal year, and that overall, expenses are down and revenue is up.

The various Substantive, Administrative, and Special Committees either delivered oral reports to the council or directed members to previously submitted written reports. Legislative Committee Co-Chair William Johnson reported that this was a particularly active year for the Section, and that there is a [proposed rewrite to Chapter 745](#) (Guardianship Code) for next year. Chair Waddell then recognized Litigation Committee Chair Ellen Morris, who briefed the Council on the committee's efforts to initiate exploiter disinheritance legislation similar to the *Slayer* statute. She reported that the draft legislation was essentially complete, but comments and input from the Executive Council was necessary before it was provided to Section lobbyist Brian Jogerst. She also reported that there was friction between the Elder Law and RPPTL sections on this proposed bill, and that it has been difficult to garner support from RPPTL leadership. Discussion followed, and it was noted that the legislature prefers to see a united front from Florida Bar entities who propose legislation. There was some uncertainty as to whether mediation efforts between the ELS and RPPTL on this issue would be successful, but a motion was made to formally endorse the draft legislation, subject to further committee modifications based on comments from Executive Council members and input from RPPTL. The motion **PASSED** unanimously. It is expected the committee will bring the legislation back to the Executive Council for final approval at a later meeting.

Special Needs Trust Committee Co-Chair Travis Finchum reported that the committee's March 22 CLE was a success, and that they hope to offer a full-day Special Needs Trust program every other year. They also plan to increase the committee's outreach through publications in the section newsletter, *The Elder Law Advocate*, and through membership advertisements via e-blast. Certification Committee

Co-Chair John Clardy reported that there are 109 board certified section members. Twelve section members sat for the Elder Law Board Certification exam this year, and four passed. He recognized those members by name to a round of a applause from council members. UPL Committee Co-Chair John Frazier reported that The Florida Bar had recently taken significant action (disbarment) against an attorney who was working with non-attorney Medicaid planners. Technology Committee Co-Chair Alison Hickman reported that the Section's Facebook presence is growing steadily and encouraged committee chairs to send news, content, and noteworthy achievements to the Technology Committee for publication through the Section's social media accounts and website.

Following committee reports, Section liaisons reported on upcoming events for various affiliated organizations such as the Academy of Florida Elder Law Attorneys (AFELA), The Florida Joint Public Policy Task Force for the Elderly and Disabled, and the Florida State Guardianship Association (FSGA). 2018-2019 BOG Liaison Robin Bresky also thanked the council members for their dedication this year, and announced that James Vickaryous would be succeeded her as the section's BOG Liaison for 2019-2020. Chair Waddell thanked her for her involvement and responsiveness.

The remainder of the meeting was dedicated to the presentation of the Elder Law Section's 2018-2019 awards. Chair Waddell recognized Debra Slater and Victoria Heuler for their dedicated work with the legislature on the proposed [Florida Guardianship and Protective Proceedings Act](#). Chair Waddell noted that even though the bill did not pass this year, the Section is hopeful that it "gained legs" and may succeed next year. The bill's sponsor, Representative Wyman Duggan, was recognized as the 2018-2019 Elder Law Section Legislator of the Year, though he was not present to accept the award in person. Chair Waddell presented outstanding service awards to Danielle Faller for going above and beyond to orchestrate the Section's VA Pension Rule Changes webcast CLE, and to John Clardy and Heidi Brown for their work on the now-approved Medicaid Retroactive Eligibility Plan. Travis Finchum was awarded Member of the Year for his tireless dedication as Special Needs Trust Committee Co-Chair and RPPTL Liaison. Sam Boone, Jr. was presented with the Lifetime Achievement Award for his continued involvement in the Section and willingness to shepherd younger members and assist with projects.

Chair Waddell then passed the ceremonial gavel to Chair-Elect Randy Bryan and welcomed him as Chair of the Section. Chair Bryan presented Immediate Past Chair Waddell with a gift in appreciation for his service to the Section. Gifts were distributed to Executive Council members at the conclusion of the meeting.

The next meeting of the Elder Law Section Executive Council will take place during the section's Annual Retreat on October 4, 2019, in Napa Valley, CA.

**Attendees:**

Jason A. Waddell  
Randy C. Bryan  
Steven Hitchcock  
Carolyn Landon  
Victoria Heuler  
Amy Collins  
Danielle Faller  
Amy Fanzlaw  
Travis Finchum  
John Frazier  
Jill Ginsberg  
Alison Hickman  
William Johnson

Lawrence Levy  
Shannon Miller  
Leonard Mondschein  
Ellen Morris  
Heather Samuels  
Dayami Sans  
Debra Slater  
Max Solomon  
Horacio Sosa  
Stephanie Villavicencio  
David Weintraub  
Marjorie Wolasky  
Jack Rosenkranz

Jorja Williams  
Virginia Griffiths  
Emma Hemness  
Rebecca Vaccariollo  
Howard S. Krooks  
Collett P. Small  
Robin Bresky  
Genny Bernstein  
Sam Boone, Jr.  
Heidi Brown  
Ellen Cheek  
John Clardy, III  
Leslie Reithmiller

**EXHIBIT B**

THE FLORIDA BAR  
Elder Law Section  
For the Twelve Months Ending Sunday, June 30, 2019

	June	YTD 2019	FY 18-19 Budget	Budget % Utilized
3001-Annual Fees		\$84,400	\$82,750	101.99%
3002-Affiliate Fees		\$550	\$500	110.00%
<b>Total Fee Revenue</b>	<b>\$</b>	<b>\$84,950</b>	<b>\$83,250</b>	<b>102.04%</b>
3301-Registration-Live		\$2,875	\$5,000	57.50%
<b>Total Registration Revenue</b>	<b>\$</b>	<b>\$2,875</b>	<b>\$5,000</b>	<b>57.50%</b>
3351-Sponsorships		\$12,000	\$12,000	100.00%
<b>3391 Section Profit Split</b>	(\$10,039)	<b>\$17,695</b>	\$27,000	65.54%
3392-Section Differential	\$400	\$5,200	\$5,000	104.00%
<b>Other Event Revenue</b>	<b>(\$9,639)</b>	<b>\$34,895</b>	<b>\$44,000</b>	<b>79.31%</b>
3411-Sales-Published Materials	\$70	\$3,558	\$3,000	118.61%
<b>Sales, Rents &amp; Royalties Revenue</b>	<b>\$70</b>	<b>\$3,558</b>	<b>\$3,000</b>	<b>118.61%</b>
3561-Advertising		\$2,100	\$1,000	210.00%
<b>Advertising &amp; Subscription Revenue</b>	<b>\$</b>	<b>\$2,100</b>	<b>\$1,000</b>	<b>210.00%</b>
3899-Investment Allocation	\$12,718	\$15,205	\$12,818	118.62%
<b>Non-Operating Income</b>	<b>\$12,718</b>	<b>\$15,205</b>	<b>\$12,818</b>	<b>118.62%</b>
<b>Total Revenue</b>	<b>\$3,148</b>	<b>\$143,583</b>	<b>\$149,068</b>	<b>96.32%</b>
4131-Telephone Expense		\$339	\$400	84.77%
4133-Internet Service			\$3,000	0.00%
4134-Web Services	\$315	\$1,005	\$7,000	14.36%
4301-Photocopying			\$50	0.00%
4311-Office Supplies	\$181	\$254	\$500	50.80%
<b>Total Staff &amp; Office Expense</b>	<b>\$496</b>	<b>\$1,598</b>	<b>\$10,950</b>	<b>14.59%</b>
5031-A/V Services		\$763	\$1,000	76.25%
5051-Credit Card Fees	\$399	\$1,322	\$1,050	125.90%
5121-Printing-Outside	\$1,165	\$9,160	\$12,000	76.33%
5199-Other Contract Services		\$4,782	\$4,000	119.55%
<b>Total Contract Services</b>	<b>\$1,564</b>	<b>\$16,026</b>	<b>\$18,050</b>	<b>88.79%</b>
5501-Employee Travel	\$499	\$1,756	\$4,291	40.93%
5531-Board/Off/Memb Travel	\$2,694	\$3,039	\$3,986	76.25%
5571-Speaker Travel			\$500	0.00%
5599-Other Travel			\$4,000	0.00%
<b>Total Travel</b>	<b>\$3,193</b>	<b>\$4,796</b>	<b>\$12,777</b>	<b>37.53%</b>

	June	YTD 2019	FY 18-19 Budget	Budget % Utilized
6001-Post 1st Class/Bulk		\$646	\$300	215.28%
6301-Mtgs TFB Annual Meeting	\$1,867	\$1,867	\$3,500	53.33%
6311-Mtgs General Meeting	\$1,997	\$3,568	\$8,000	44.60%
6319-Mtgs Other Functions	\$2,586	\$2,586	\$2,000	129.31%
6321-Mtgs Meals		\$5,036	\$8,000	62.96%
6325-Mtgs Hospitality	\$70	\$2,804	\$15,500	18.09%
6341-Mtgs Equip Rental		\$881		0.00%
6399-Mtgs Other		\$4,198	\$6,000	69.97%
6401-Speaker Expense			\$1,200	0.00%
6451-Committee Expense	(\$522)	\$3,776	\$3,000	125.88%
6531-Brd/Off Special Project		\$1,100	\$2,000	55.00%
7001-Grant/Award/Donation	\$470	\$2,125	\$2,500	85.00%
7999-Other Operating Exp		\$1,122	\$10,000	11.22%
<b>Total Other Expense</b>	<b>\$6,468</b>	<b>\$29,709</b>	<b>\$62,000</b>	<b>47.92%</b>
8021-Section Admin Fee		\$30,096	\$29,970	100.42%
8101-Printing In-House		\$23	\$650	3.60%
8141-Journal/News Service		\$425		0.00%
8901-Eliminated IntEnt Exp		\$1,250		0.00%
<b>Total Admin &amp; Internal Expense</b>	<b>\$</b>	<b>\$31,795</b>	<b>\$30,620</b>	<b>103.84%</b>
9692-Transfer Out-Council of Sections		\$300	\$300	100.00%
<b>Total InterFund Transfers Out</b>	<b>\$</b>	<b>\$300</b>	<b>\$300</b>	<b>100.00%</b>
<b>Total Expense</b>	<b>\$11,722</b>	<b>\$84,224</b>	<b>\$134,697</b>	<b>62.53%</b>
<b>Net Income</b>	<b>(\$8,573)</b>	<b>\$59,360</b>	<b>\$14,371</b>	<b>413.05%</b>
2001-Fund Balance, Beginning		\$297,431		0.00%
<b>Fund Balance, Ending</b>	<b>\$</b>	<b>\$356,791</b>	<b>\$</b>	<b>0.00%</b>

**THE FLORIDA BAR**  
**Elder Law General**  
For the Twelve Months Ending Sunday, June 30, 2019

	June	YTD 2019	FY 18-19 Budget	Budget % Utilized
3001-Annual Fees		\$84,400	\$82,750	101.99%
3002-Affiliate Fees		\$550	\$500	110.00%
<b>Total Fee Revenue</b>	<b>\$</b>	<b>\$84,950</b>	<b>\$83,250</b>	<b>102.04%</b>
3351-Sponsorships		\$12,000	\$10,000	120.00%
3391 Section Profit Split	(\$10,039)	\$17,695	\$27,000	65.54%
3392-Section Differential	\$400	\$5,200	\$5,000	104.00%
<b>Other Event Revenue</b>	<b>(\$9,639)</b>	<b>\$34,895</b>	<b>\$42,000</b>	<b>83.08%</b>
3411-Sales-Published Materials	\$70	\$3,558	\$3,000	118.61%
<b>Sales, Rents &amp; Royalties Revenue</b>	<b>\$70</b>	<b>\$3,558</b>	<b>\$3,000</b>	<b>118.61%</b>
3561-Advertising		\$2,100	\$1,000	210.00%
<b>Advertising &amp; Subscription Revenue</b>	<b>\$</b>	<b>\$2,100</b>	<b>\$1,000</b>	<b>210.00%</b>
3899-Investment Allocation	\$12,718	\$15,205	\$12,818	118.62%
<b>Non-Operating Income</b>	<b>\$12,718</b>	<b>\$15,205</b>	<b>\$12,818</b>	<b>118.62%</b>
<b>Total Revenue</b>	<b>\$3,148</b>	<b>\$140,708</b>	<b>\$142,068</b>	<b>99.04%</b>
4131-Telephone Expense		\$339	\$400	84.77%
4133-Internet Service			\$3,000	0.00%
4134-Web Services	\$315	\$1,005	\$7,000	14.36%
4301-Photocopying			\$50	0.00%
4311-Office Supplies	\$181	\$254	\$250	101.60%
<b>Total Staff &amp; Office Expense</b>	<b>\$496</b>	<b>\$1,598</b>	<b>\$10,700</b>	<b>14.94%</b>
5051-Credit Card Fees	\$399	\$1,268	\$1,000	126.76%
5121-Printing-Outside	\$1,165	\$9,160	\$12,000	76.33%
5199-Other Contract Services		\$4,782	\$4,000	119.55%
<b>Total Contract Services</b>	<b>\$1,564</b>	<b>\$15,210</b>	<b>\$17,000</b>	<b>89.47%</b>
5501-Employee Travel			\$2,131	0.00%
5531-Board/Off/Memb Travel	\$2,694	\$3,039	\$3,986	76.25%
5599-Other Travel			\$4,000	0.00%
<b>Total Travel</b>	<b>\$2,694</b>	<b>\$3,039</b>	<b>\$10,117</b>	<b>30.04%</b>
6001-Post 1st Class/Bulk		\$41	\$300	13.76%
6301-Mtgs TFB Annual Meeting	\$1,867	\$1,867	\$3,500	53.33%
6311-Mtgs General Meeting	(\$28)	\$430	\$3,000	14.32%
6319-Mtgs Other Functions	\$2,586	\$2,586	\$2,000	129.31%

	June	YTD 2019	FY 18-19 Budget	Budget % Utilized
6325-Mtgs Hospitality	\$70	\$70	\$6,000	1.17%
6341-Mtgs Equip Rental		\$881		0.00%
6399-Mtgs Other		\$4,198	\$6,000	69.97%
6401-Speaker Expense			\$400	0.00%
6451-Committee Expense	(\$522)	\$3,776	\$3,000	125.88%
6531-Brd/Off Special Project		\$1,100	\$2,000	55.00%
7001-Grant/Award/Donation	\$470	\$2,125	\$2,500	85.00%
7999-Other Operating Exp		\$1,122	\$10,000	11.22%
<b>Total Other Expense</b>	<b>\$4,442</b>	<b>\$18,196</b>	<b>\$38,700</b>	<b>47.02%</b>
8021-Section Admin Fee		\$30,096	\$29,970	100.42%
8101-Printing In-House		\$23	\$400	5.85%
8901-Eliminated IntEnt Exp		\$1,250		0.00%
<b>Total Admin &amp; Internal Expense</b>	<b>\$</b>	<b>\$31,369</b>	<b>\$30,370</b>	<b>103.29%</b>
9692-Transfer Out-Council of Sections		\$300	\$300	100.00%
<b>Total InterFund Transfers Out</b>	<b>\$</b>	<b>\$300</b>	<b>\$300</b>	<b>100.00%</b>
<b>Total Expense</b>	<b>\$9,197</b>	<b>\$69,712</b>	<b>\$107,187</b>	<b>65.04%</b>
<b>Net Income</b>	<b>(\$6,049)</b>	<b>\$70,996</b>	<b>\$34,881</b>	<b>203.54%</b>

**THE FLORIDA BAR**  
**Elder Law Section Dues**  
For the Twelve Months Ending Sunday, June 30, 2019

	June	YTD 2019	FY 18-19 Budget	Budget % Utilized
3001-Annual Fees		\$84,400	\$82,750	101.99%
3002-Affiliate Fees		\$550	\$500	110.00%
<b>Total Fee Revenue</b>	<b>\$</b>	<b>\$84,950</b>	<b>\$83,250</b>	<b>102.04%</b>
<b>Total Revenue</b>	<b>\$</b>	<b>\$84,950</b>	<b>\$83,250</b>	<b>102.04%</b>
5051-Credit Card Fees	\$382	\$1,153		0.00%
<b>Total Contract Services</b>	<b>\$382</b>	<b>\$1,153</b>	<b>\$</b>	<b>0.00%</b>
8021-Section Admin Fee		\$30,096	\$29,970	100.42%
<b>Total Admin &amp; Internal Expense</b>	<b>\$</b>	<b>\$30,096</b>	<b>\$29,970</b>	<b>100.42%</b>
<b>Total Expense</b>	<b>\$382</b>	<b>\$31,249</b>	<b>\$29,970</b>	<b>104.27%</b>
<b>Net Income</b>	<b>(\$382)</b>	<b>\$53,701</b>	<b>\$53,280</b>	<b>100.79%</b>

**THE FLORIDA BAR**  
**Elder Law Annual Retreat**  
For the Twelve Months Ending Sunday, June 30, 2019

	June	YTD 2019	FY 18-19 Budget	Budget % Utilized
3301-Registration-Live		\$2,875	\$5,000	57.50%
<b>Total Registration Revenue</b>	<b>\$</b>	<b>\$2,875</b>	<b>\$5,000</b>	<b>57.50%</b>
3351-Sponsorships			\$2,000	0.00%
<b>Other Event Revenue</b>	<b>\$</b>	<b>\$</b>	<b>\$2,000</b>	<b>0.00%</b>
<b>Total Revenue</b>	<b>\$</b>	<b>\$2,875</b>	<b>\$7,000</b>	<b>41.07%</b>
4311-Office Supplies			\$250	0.00%
<b>Total Staff &amp; Office Expense</b>	<b>\$</b>	<b>\$</b>	<b>\$250</b>	<b>0.00%</b>
5031-A/V Services		\$763	\$1,000	76.25%
5051-Credit Card Fees		\$54	\$50	108.74%
<b>Total Contract Services</b>	<b>\$</b>	<b>\$817</b>	<b>\$1,050</b>	<b>77.80%</b>
5501-Employee Travel	\$499	\$1,756	\$2,160	81.31%
<b>Total Travel</b>	<b>\$499</b>	<b>\$1,756</b>	<b>\$2,160</b>	<b>81.31%</b>
6001-Post 1st Class/Bulk		\$605		0.00%
6311-Mtgs General Meeting	\$2,025	\$3,139	\$5,000	62.77%
6321-Mtgs Meals		\$5,036	\$8,000	62.96%
6325-Mtgs Hospitality		\$2,734	\$9,500	28.77%
6401-Speaker Expense			\$300	0.00%
<b>Total Other Expense</b>	<b>\$2,025</b>	<b>\$11,513</b>	<b>\$22,800</b>	<b>50.50%</b>
8101-Printing In-House			\$250	0.00%
<b>Total Admin &amp; Internal Expense</b>	<b>\$</b>	<b>\$</b>	<b>\$250</b>	<b>0.00%</b>
<b>Total Expense</b>	<b>\$2,524</b>	<b>\$14,086</b>	<b>\$26,510</b>	<b>53.14%</b>
<b>Net Income</b>	<b>(\$2,524)</b>	<b>(\$11,211)</b>	<b>(\$19,510)</b>	<b>57.46%</b>

**THE FLORIDA BAR**  
**Elder Law Joint CLE**  
**For the Twelve Months Ending Sunday, June 30, 2019**

	June	YTD 2019	FY 18-19 Budget	Budget % Utilized
3301-Registration-Live		\$94,515		0.00%
3321-Registration-Webcast	\$1,668	\$46,450		0.00%
<b>Total Registration Revenue</b>	<b>\$1,668</b>	<b>\$140,965</b>	<b>\$</b>	<b>0.00%</b>
3351-Sponsorships		\$12,500		0.00%
3392-Section Differential	(\$400)	(\$5,200)		0.00%
<b>Other Event Revenue</b>	<b>(\$400)</b>	<b>\$7,300</b>	<b>\$</b>	<b>0.00%</b>
3401-Sales-CD/DVD	\$2,755	\$45,355		0.00%
3411-Sales-Published Materials	\$60	\$4,500		0.00%
<b>Sales, Rents &amp; Royalties Revenue</b>	<b>\$2,815</b>	<b>\$49,855</b>	<b>\$</b>	<b>0.00%</b>
<b>Total Revenue</b>	<b>\$4,083</b>	<b>\$198,120</b>	<b>\$</b>	<b>0.00%</b>
5031-A/V Services	\$4,560	\$25,638		0.00%
5051-Credit Card Fees	\$55	\$3,742		0.00%
<b>Total Contract Services</b>	<b>\$4,616</b>	<b>\$29,380</b>	<b>\$</b>	<b>0.00%</b>
5501-Employee Travel	\$324	\$1,506		0.00%
5571-Speaker Travel	\$1,107	\$10,180		0.00%
<b>Total Travel</b>	<b>\$1,431</b>	<b>\$11,686</b>	<b>\$</b>	<b>0.00%</b>
6001-Post 1st Class/Bulk	\$6	\$35		0.00%
6021-Post Express Mail	\$89	\$550		0.00%
6321-Mtgs Meals	\$	\$37,792		0.00%
6325-Mtgs Hospitality		\$18,456		0.00%
6331-Mtgs Room Rental	\$	\$6,988		0.00%
6341-Mtgs Equip Rental	\$4,406	\$8,767		0.00%
<b>Total Other Expense</b>	<b>\$4,501</b>	<b>\$72,587</b>	<b>\$</b>	<b>0.00%</b>
8011-Administration CLE	\$4,500	\$40,800		0.00%
8101-Printing In-House	\$388	\$4,607		0.00%
8131-A/V Services	\$14	\$13,238		0.00%
8141-Journal/News Service		\$1,275		0.00%
8171-Course Approval Fee	\$1,500	\$2,400		0.00%
<b>Total Admin &amp; Internal Expense</b>	<b>\$6,402</b>	<b>\$62,320</b>	<b>\$</b>	<b>0.00%</b>
<b>Total Expense</b>	<b>\$16,950</b>	<b>\$175,973</b>	<b>\$</b>	<b>0.00%</b>
<b>Net Income</b>	<b>(\$12,866)</b>	<b>\$22,146</b>	<b>\$</b>	<b>0.00%</b>

	June	YTD 2019	FY 18-19 Budget	Budget % Utilized
3391-Profit Split	(\$10,039)	\$17,695		0.00%
Net Income After Profit Split	(\$2,827)	\$4,451	\$	0.00%

**THE FLORIDA BAR**  
**Elder Law Joint Misc.**  
**For the Twelve Months Ending Sunday, June 30, 2019**

	June	YTD 2019	FY 18-19 Budget	Budget % Utilized
3301-Registration-Live		\$7,900		0.00%
3321-Registration-Webcast	\$1,251	\$11,010		0.00%
Total Registration Revenue	\$1,251	\$18,910	\$	0.00%
3392-Section Differential	(\$300)	(\$1,000)		0.00%
Other Event Revenue	(\$300)	(\$1,000)	\$	0.00%
3401-Sales-CD/DVD	\$1,475	\$7,640		0.00%
3411-Sales-Published Materials		\$360		0.00%
Sales, Rents & Royalties Revenue	\$1,475	\$8,000	\$	0.00%
<b>Total Revenue</b>	<b>\$2,426</b>	<b>\$25,910</b>	<b>\$</b>	<b>0.00%</b>
5031-A/V Services	\$4,560	\$6,055		0.00%
5051-Credit Card Fees	\$25	\$370		0.00%
Total Contract Services	\$4,585	\$6,425	\$	0.00%
5501-Employee Travel	\$324	\$1,119		0.00%
5571-Speaker Travel	\$1,107	\$2,351		0.00%
Total Travel	\$1,431	\$3,471	\$	0.00%
6001-Post 1st Class/Bulk	\$6	\$8		0.00%
6021-Post Express Mail	\$61	\$111		0.00%
6321-Mtgs Meals	\$	\$1,750		0.00%
6325-Mtgs Hospitality		\$2,335		0.00%
6331-Mtgs Room Rental		\$938		0.00%
6341-Mtgs Equip Rental	\$4,406	\$6,626		0.00%
Total Other Expense	\$4,473	\$11,768	\$	0.00%
8011-Administration CLE	\$4,500	\$12,750		0.00%
8101-Printing In-House		\$7		0.00%
8131-A/V Services	\$	\$3,247		0.00%
8141-Journal/News Service		\$850		0.00%
8171-Course Approval Fee	\$1,500	\$2,100		0.00%
Total Admin & Internal Expense	\$6,000	\$18,954	\$	0.00%
<b>Total Expense</b>	<b>\$16,489</b>	<b>\$40,618</b>	<b>\$</b>	<b>0.00%</b>
<b>Net Income</b>	<b>(\$14,063)</b>	<b>(\$14,707)</b>	<b>\$</b>	<b>0.00%</b>

	<b>June</b>	<b>YTD 2019</b>	<b>FY 18-19 Budget</b>	<b>Budget % Utilized</b>
3391-Profit Split	(\$11,319)	(\$11,787)		0.00%
<b>Net Income After Profit Split</b>	<b>(\$2,744)</b>	<b>(\$2,920)</b>	<b>\$</b>	<b>0.00%</b>

**THE FLORIDA BAR**  
**02522 Veterans Benefits**  
**For the Twelve Months Ending Sunday, June 30, 2019**

	<b>June</b>	<b>YTD 2019</b>	<b>FY 18-19 Budget</b>	<b>Budget % Utilized</b>
3321-Registration-Webcast	\$	\$377		0.00%
Total Registration Revenue	\$	\$377	\$	0.00%
3392-Section Differential		(\$100)		0.00%
Other Event Revenue	\$	(\$100)	\$	0.00%
3401-Sales-CD/DVD		\$990		0.00%
3411-Sales-Published Materials		\$120		0.00%
Sales, Rents & Royalties Revenue	\$	\$1,110	\$	0.00%
<b>Total Revenue</b>	<b>\$</b>	<b>\$1,387</b>	<b>\$</b>	<b>0.00%</b>
5051-Credit Card Fees		\$23		0.00%
Total Contract Services	\$	\$23	\$	0.00%
6021-Post Express Mail		\$19		0.00%
Total Other Expense	\$	\$19	\$	0.00%
8131-A/V Services		\$21		0.00%
Total Admin & Internal Expense	\$	\$21	\$	0.00%
<b>Total Expense</b>	<b>\$</b>	<b>\$63</b>	<b>\$</b>	<b>0.00%</b>
<b>Net Income</b>	<b>\$</b>	<b>\$1,324</b>	<b>\$</b>	<b>0.00%</b>
3391-Profit Split	\$	\$1,059		0.00%
<b>Net Income After Profit Split</b>	<b>\$</b>	<b>\$265</b>	<b>\$</b>	<b>0.00%</b>

**THE FLORIDA BAR**  
**02952 Elder Law Guardianship Seminar**  
**For the Twelve Months Ending Sunday, June 30, 2019**

	June	YTD 2019	FY 18-19 Budget	Budget % Utilized
3321-Registration-Webcast	\$601	\$1,240		0.00%
Total Registration Revenue	\$601	\$1,240	\$	0.00%
3392-Section Differential	(\$100)	(\$100)		0.00%
Other Event Revenue	(\$100)	(\$100)	\$	0.00%
3401-Sales-CD/DVD	\$390	\$390		0.00%
Sales, Rents & Royalties Revenue	\$390	\$390	\$	0.00%
<b>Total Revenue</b>	<b>\$891</b>	<b>\$1,530</b>	<b>\$</b>	<b>0.00%</b>
5031-A/V Services	\$2,241	\$2,241		0.00%
5051-Credit Card Fees	\$9	\$9		0.00%
Total Contract Services	\$2,250	\$2,250	\$	0.00%
5501-Employee Travel	\$316	\$316		0.00%
5571-Speaker Travel	\$385	\$385		0.00%
Total Travel	\$701	\$701	\$	0.00%
6341-Mtgs Equip Rental	\$3,293	\$3,293		0.00%
Total Other Expense	\$3,293	\$3,293	\$	0.00%
8011-Administration CLE	\$4,500	\$4,500		0.00%
8141-Journal/News Service		\$425		0.00%
8171-Course Approval Fee		\$150		0.00%
Total Admin & Internal Expense	\$4,500	\$5,075	\$	0.00%
<b>Total Expense</b>	<b>\$10,743</b>	<b>\$11,318</b>	<b>\$</b>	<b>0.00%</b>
<b>Net Income</b>	<b>(\$9,853)</b>	<b>(\$9,789)</b>	<b>\$</b>	<b>0.00%</b>
3391-Profit Split	(\$7,882)	(\$7,831)		0.00%
<b>Net Income After Profit Split</b>	<b>(\$1,971)</b>	<b>(\$1,958)</b>	<b>\$</b>	<b>0.00%</b>

**THE FLORIDA BAR**  
**03069 Nuts & Bolts FS 825.1035**  
**For the Twelve Months Ending Sunday, June 30, 2019**

	<b>June</b>	<b>YTD 2019</b>	<b>FY 18-19 Budget</b>	<b>Budget % Utilized</b>
3321-Registration-Webcast	\$85	\$839		0.00%
Total Registration Revenue	\$85	\$839	\$	0.00%
3401-Sales-CD/DVD		\$830		0.00%
Sales, Rents & Royalties Revenue	\$	\$830	\$	0.00%
<b>Total Revenue</b>	<b>\$85</b>	<b>\$1,669</b>	<b>\$</b>	<b>0.00%</b>
5051-Credit Card Fees		\$12		0.00%
Total Contract Services	\$	\$12	\$	0.00%
6021-Post Express Mail	\$1	\$13		0.00%
Total Other Expense	\$1	\$13	\$	0.00%
8131-A/V Services		\$21		0.00%
Total Admin & Internal Expense	\$	\$21	\$	0.00%
<b>Total Expense</b>	<b>\$1</b>	<b>\$46</b>	<b>\$</b>	<b>0.00%</b>
<b>Net Income</b>	<b>\$84</b>	<b>\$1,623</b>	<b>\$</b>	<b>0.00%</b>
3391-Profit Split	\$67	\$1,299		0.00%
<b>Net Income After Profit Split</b>	<b>\$17</b>	<b>\$325</b>	<b>\$</b>	<b>0.00%</b>

**THE FLORIDA BAR**  
**03098 Special Needs Trusts in Florida (Part 2): Administration Issues**  
**For the Twelve Months Ending Sunday, June 30, 2019**

	June	YTD 2019	FY 18-19 Budget	Budget % Utilized
3301-Registration-Live		\$7,900		0.00%
3321-Registration-Webcast	\$289	\$3,780		0.00%
<b>Total Registration Revenue</b>	<b>\$289</b>	<b>\$11,680</b>	<b>\$</b>	<b>0.00%</b>
3392-Section Differential	(\$50)	(\$550)		0.00%
Other Event Revenue	(\$50)	(\$550)	\$	0.00%
3401-Sales-CD/DVD	\$325	\$3,825		0.00%
3411-Sales-Published Materials		\$240		0.00%
<b>Sales, Rents &amp; Royalties Revenue</b>	<b>\$325</b>	<b>\$4,065</b>	<b>\$</b>	<b>0.00%</b>
<b>Total Revenue</b>	<b>\$564</b>	<b>\$15,195</b>	<b>\$</b>	<b>0.00%</b>
5031-A/V Services		\$1,495		0.00%
5051-Credit Card Fees	\$7	\$304		0.00%
<b>Total Contract Services</b>	<b>\$7</b>	<b>\$1,799</b>	<b>\$</b>	<b>0.00%</b>
5501-Employee Travel		\$795		0.00%
5571-Speaker Travel	\$722	\$1,966		0.00%
<b>Total Travel</b>	<b>\$722</b>	<b>\$2,761</b>	<b>\$</b>	<b>0.00%</b>
6001-Post 1st Class/Bulk	\$3	\$6		0.00%
6021-Post Express Mail	\$58	\$67		0.00%
6321-Mtgs Meals		\$1,750		0.00%
6325-Mtgs Hospitality		\$2,335		0.00%
6331-Mtgs Room Rental		\$938		0.00%
6341-Mtgs Equip Rental		\$2,220		0.00%
<b>Total Other Expense</b>	<b>\$61</b>	<b>\$7,315</b>	<b>\$</b>	<b>0.00%</b>
8011-Administration CLE		\$7,200		0.00%
8101-Printing In-House		\$5		0.00%
8131-A/V Services	\$	\$2,940		0.00%
8141-Journal/News Service		\$425		0.00%
8171-Course Approval Fee		\$150		0.00%
<b>Total Admin &amp; Internal Expense</b>	<b>\$</b>	<b>\$10,720</b>	<b>\$</b>	<b>0.00%</b>
<b>Total Expense</b>	<b>\$790</b>	<b>\$22,595</b>	<b>\$</b>	<b>0.00%</b>
<b>Net Income</b>	<b>(\$226)</b>	<b>(\$7,400)</b>	<b>\$</b>	<b>0.00%</b>

	<b>June</b>	<b>YTD 2019</b>	<b>FY 18-19 Budget</b>	<b>Budget % Utilized</b>
3391-Profit Split	(\$181)	(\$5,920)		0.00%
<b>Net Income After Profit Split</b>	<b>(\$45)</b>	<b>(\$1,480)</b>	<b>\$</b>	<b>0.00%</b>

**THE FLORIDA BAR**  
**03173 VA Pension Rule Changes: A New Planning Landscape**  
**For the Twelve Months Ending Sunday, June 30, 2019**

	June	YTD 2019	FY 18-19 Budget	Budget % Utilized
3321-Registration-Webcast	\$142	\$4,747		0.00%
Total Registration Revenue	\$142	\$4,747	\$	0.00%
3392-Section Differential	(\$150)	(\$200)		0.00%
Other Event Revenue	(\$150)	(\$200)	\$	0.00%
3401-Sales-CD/DVD	\$555	\$1,145		0.00%
Sales, Rents & Royalties Revenue	\$555	\$1,145	\$	0.00%
<b>Total Revenue</b>	<b>\$547</b>	<b>\$5,692</b>	<b>\$</b>	<b>0.00%</b>
5051-Credit Card Fees	\$8	\$17		0.00%
Total Contract Services	\$8	\$17	\$	0.00%
6001-Post 1st Class/Bulk	\$3	\$3		0.00%
6021-Post Express Mail	\$2	\$12		0.00%
Total Other Expense	\$5	\$15	\$	0.00%
8011-Administration CLE		\$1,050		0.00%
8101-Printing In-House		\$2		0.00%
8131-A/V Services	\$	\$265		0.00%
8171-Course Approval Fee		\$150		0.00%
Total Admin & Internal Expense	\$	\$1,467	\$	0.00%
<b>Total Expense</b>	<b>\$13</b>	<b>\$1,498</b>	<b>\$</b>	<b>0.00%</b>
<b>Net Income</b>	<b>\$534</b>	<b>\$4,194</b>	<b>\$</b>	<b>0.00%</b>
3391-Profit Split	\$427	\$3,355		0.00%
<b>Net Income After Profit Split</b>	<b>\$107</b>	<b>\$839</b>	<b>\$</b>	<b>0.00%</b>

**THE FLORIDA BAR**  
**03200 Make FL Safe for Military & Elderly Consumers**  
**For the Twelve Months Ending Sunday, June 30, 2019**

	June	YTD 2019	FY 18-19 Budget	Budget % Utilized
3392-Section Differential		(\$50)		0.00%
Other Event Revenue	\$	(\$50)	\$	0.00%
3401-Sales-CD/DVD	\$205	\$460		0.00%
Sales, Rents & Royalties Revenue	\$205	\$460	\$	0.00%
<b>Total Revenue</b>	<b>\$205</b>	<b>\$410</b>	<b>\$</b>	<b>0.00%</b>
5031-A/V Services	\$2,320	\$2,320		0.00%
5051-Credit Card Fees		\$6		0.00%
Total Contract Services	\$2,320	\$2,326	\$	0.00%
5501-Employee Travel	\$8	\$8		0.00%
Total Travel	\$8	\$8	\$	0.00%
6341-Mtgs Equip Rental	\$1,113	\$1,113		0.00%
Total Other Expense	\$1,113	\$1,113	\$	0.00%
8171-Course Approval Fee	\$1,500	\$1,650		0.00%
Total Admin & Internal Expense	\$1,500	\$1,650	\$	0.00%
<b>Total Expense</b>	<b>\$4,942</b>	<b>\$5,097</b>	<b>\$</b>	<b>0.00%</b>
<b>Net Income</b>	<b>(\$4,737)</b>	<b>(\$4,687)</b>	<b>\$</b>	<b>0.00%</b>
3391-Profit Split	(\$3,750)	(\$3,750)		0.00%
<b>Net Income After Profit Split</b>	<b>(\$987)</b>	<b>(\$937)</b>	<b>\$</b>	<b>0.00%</b>

**THE FLORIDA BAR**  
**Elder Law Essentials**

For the Twelve Months Ending Sunday, June 30, 2019

	June	YTD 2019	FY 18-19 Budget	Budget % Utilized
3301-Registration-Live		\$30,575		0.00%
3321-Registration-Webcast	\$267	\$17,799		0.00%
Total Registration Revenue	\$267	\$48,374	\$	0.00%
3351-Sponsorships		(\$1,667)		0.00%
3392-Section Differential		(\$2,300)		0.00%
Other Event Revenue	\$	(\$3,967)	\$	0.00%
3401-Sales-CD/DVD		\$14,630		0.00%
3411-Sales-Published Materials	\$60	\$2,040		0.00%
Sales, Rents & Royalties Revenue	\$60	\$16,670	\$	0.00%
<b>Total Revenue</b>	<b>\$327</b>	<b>\$61,077</b>	<b>\$</b>	<b>0.00%</b>
5031-A/V Services		\$6,649		0.00%
5051-Credit Card Fees	\$1	\$1,077		0.00%
Total Contract Services	\$1	\$7,726	\$	0.00%
5501-Employee Travel		(\$31)		0.00%
5571-Speaker Travel		\$2,242		0.00%
Total Travel	\$	\$2,211	\$	0.00%
6001-Post 1st Class/Bulk	\$	\$16		0.00%
6021-Post Express Mail	\$13	\$214		0.00%
6321-Mtgs Meals		\$9,051		0.00%
6325-Mtgs Hospitality		\$3,821		0.00%
6331-Mtgs Room Rental		\$613		0.00%
6341-Mtgs Equip Rental		\$715		0.00%
Total Other Expense	\$13	\$14,429	\$	0.00%
8011-Administration CLE		\$10,450		0.00%
8101-Printing In-House	\$388	\$1,900		0.00%
8131-A/V Services		\$3,644		0.00%
8141-Journal/News Service		\$213		0.00%
8171-Course Approval Fee		\$150		0.00%
Total Admin & Internal Expense	\$388	\$16,356	\$	0.00%
<b>Total Expense</b>	<b>\$402</b>	<b>\$40,723</b>	<b>\$</b>	<b>0.00%</b>
<b>Net Income</b>	<b>(\$75)</b>	<b>\$20,354</b>	<b>\$</b>	<b>0.00%</b>

	<b>June</b>	<b>YTD 2019</b>	<b>FY 18-19 Budget</b>	<b>Budget % Utilized</b>
3391-Profit Split	\$262	\$16,283		0.00%
<b>Net Income After Profit Split</b>	<b>(\$337)</b>	<b>\$4,071</b>	<b>\$</b>	<b>0.00%</b>

**THE FLORIDA BAR**  
**02589 2018 Elder Hot Topics**  
**For the Twelve Months Ending Sunday, June 30, 2019**

	<b>June</b>	<b>YTD 2019</b>	<b>FY 18-19 Budget</b>	<b>Budget % Utilized</b>
3321-Registration-Webcast		\$6,098		0.00%
Total Registration Revenue	\$	\$6,098	\$	0.00%
3351-Sponsorships		(\$1,667)		0.00%
3392-Section Differential		(\$750)		0.00%
Other Event Revenue	\$	(\$2,417)	\$	0.00%
3401-Sales-CD/DVD		\$9,070		0.00%
3411-Sales-Published Materials		\$660		0.00%
Sales, Rents & Royalties Revenue	\$	\$9,730	\$	0.00%
<b>Total Revenue</b>	<b>\$</b>	<b>\$13,412</b>	<b>\$</b>	<b>0.00%</b>
5051-Credit Card Fees		\$175		0.00%
Total Contract Services	\$	\$175	\$	0.00%
6021-Post Express Mail	\$7	\$86		0.00%
Total Other Expense	\$7	\$86	\$	0.00%
8101-Printing In-House		\$169		0.00%
8131-A/V Services		\$133		0.00%
Total Admin & Internal Expense	\$	\$302	\$	0.00%
<b>Total Expense</b>	<b>\$7</b>	<b>\$564</b>	<b>\$</b>	<b>0.00%</b>
<b>Net Income</b>	<b>(\$7)</b>	<b>\$12,847</b>	<b>\$</b>	<b>0.00%</b>
3391-Profit Split	(\$5)	\$10,278		0.00%
<b>Net Income After Profit Split</b>	<b>(\$1)</b>	<b>\$2,569</b>	<b>\$</b>	<b>0.00%</b>

**THE FLORIDA BAR**  
**02941 2019 Essentials of Elder Law**  
**For the Twelve Months Ending Sunday, June 30, 2019**

	June	YTD 2019	FY 18-19 Budget	Budget % Utilized
3301-Registration-Live		\$30,575		0.00%
3321-Registration-Webcast	\$670	\$11,700		0.00%
<b>Total Registration Revenue</b>	<b>\$670</b>	<b>\$42,275</b>	<b>\$</b>	<b>0.00%</b>
3392-Section Differential		(\$1,550)		0.00%
Other Event Revenue	\$	(\$1,550)	\$	0.00%
3401-Sales-CD/DVD		\$5,560		0.00%
3411-Sales-Published Materials	\$60	\$1,380		0.00%
<b>Sales, Rents &amp; Royalties Revenue</b>	<b>\$60</b>	<b>\$6,940</b>	<b>\$</b>	<b>0.00%</b>
<b>Total Revenue</b>	<b>\$730</b>	<b>\$47,665</b>	<b>\$</b>	<b>0.00%</b>
5031-A/V Services		\$6,649		0.00%
5051-Credit Card Fees	\$1	\$902		0.00%
<b>Total Contract Services</b>	<b>\$1</b>	<b>\$7,551</b>	<b>\$</b>	<b>0.00%</b>
5501-Employee Travel		(\$31)		0.00%
5571-Speaker Travel		\$2,242		0.00%
<b>Total Travel</b>	<b>\$</b>	<b>\$2,211</b>	<b>\$</b>	<b>0.00%</b>
6001-Post 1st Class/Bulk	\$	\$16		0.00%
6021-Post Express Mail	\$6	\$128		0.00%
6321-Mtgs Meals		\$9,051		0.00%
6325-Mtgs Hospitality		\$3,821		0.00%
6331-Mtgs Room Rental		\$613		0.00%
6341-Mtgs Equip Rental		\$715		0.00%
<b>Total Other Expense</b>	<b>\$6</b>	<b>\$14,343</b>	<b>\$</b>	<b>0.00%</b>
8011-Administration CLE		\$10,450		0.00%
8101-Printing In-House	\$388	\$1,730		0.00%
8131-A/V Services		\$3,511		0.00%
8141-Journal/News Service		\$213		0.00%
8171-Course Approval Fee		\$150		0.00%
<b>Total Admin &amp; Internal Expense</b>	<b>\$388</b>	<b>\$16,054</b>	<b>\$</b>	<b>0.00%</b>
<b>Total Expense</b>	<b>\$395</b>	<b>\$40,159</b>	<b>\$</b>	<b>0.00%</b>
<b>Net Income</b>	<b>\$335</b>	<b>\$7,506</b>	<b>\$</b>	<b>0.00%</b>

	<b>June</b>	<b>YTD 2019</b>	<b>FY 18-19 Budget</b>	<b>Budget % Utilized</b>
3391-Profit Split	\$268	\$6,005		0.00%
<b>Net Income After Profit Split</b>	<b>\$67</b>	<b>\$1,501</b>	<b>\$</b>	<b>0.00%</b>

**THE FLORIDA BAR**  
**Elder Law Public Benefits**  
For the Twelve Months Ending Sunday, June 30, 2019

	<b>June</b>	<b>YTD 2019</b>	<b>FY 18-19 Budget</b>	<b>Budget % Utilized</b>
3321-Registration-Webcast	\$135	\$1,694		0.00%
Total Registration Revenue	\$135	\$1,694	\$	0.00%
3392-Section Differential		(\$150)		0.00%
Other Event Revenue	\$	(\$150)	\$	0.00%
3401-Sales-CD/DVD		\$1,525		0.00%
Sales, Rents & Royalties Revenue	\$	\$1,525	\$	0.00%
<b>Total Revenue</b>	<b>\$135</b>	<b>\$3,069</b>	<b>\$</b>	<b>0.00%</b>
5051-Credit Card Fees		\$29		0.00%
Total Contract Services	\$	\$29	\$	0.00%
6021-Post Express Mail	\$1	\$37		0.00%
Total Other Expense	\$1	\$37	\$	0.00%
8131-A/V Services	\$	\$147		0.00%
Total Admin & Internal Expense	\$	\$147	\$	0.00%
<b>Total Expense</b>	<b>\$1</b>	<b>\$213</b>	<b>\$</b>	<b>0.00%</b>
<b>Net Income</b>	<b>\$134</b>	<b>\$2,856</b>	<b>\$</b>	<b>0.00%</b>
3391-Profit Split	\$107	\$2,285		0.00%
<b>Net Income After Profit Split</b>	<b>\$27</b>	<b>\$571</b>	<b>\$</b>	<b>0.00%</b>

**THE FLORIDA BAR**  
**02862 Public Benefits Seminar**  
**For the Twelve Months Ending Sunday, June 30, 2019**

	<b>June</b>	<b>YTD 2019</b>	<b>FY 18-19 Budget</b>	<b>Budget % Utilized</b>
3321-Registration-Webcast	\$135	\$1,694		0.00%
Total Registration Revenue	\$135	\$1,694	\$	0.00%
3392-Section Differential		(\$150)		0.00%
Other Event Revenue	\$	(\$150)	\$	0.00%
3401-Sales-CD/DVD		\$1,525		0.00%
Sales, Rents & Royalties Revenue	\$	\$1,525	\$	0.00%
<b>Total Revenue</b>	<b>\$135</b>	<b>\$3,069</b>	<b>\$</b>	<b>0.00%</b>
5051-Credit Card Fees		\$29		0.00%
Total Contract Services	\$	\$29	\$	0.00%
6021-Post Express Mail	\$1	\$37		0.00%
Total Other Expense	\$1	\$37	\$	0.00%
8131-A/V Services	\$	\$147		0.00%
Total Admin & Internal Expense	\$	\$147	\$	0.00%
<b>Total Expense</b>	<b>\$1</b>	<b>\$213</b>	<b>\$</b>	<b>0.00%</b>
<b>Net Income</b>	<b>\$134</b>	<b>\$2,856</b>	<b>\$</b>	<b>0.00%</b>
3391-Profit Split	\$107	\$2,285		0.00%
<b>Net Income After Profit Split</b>	<b>\$27</b>	<b>\$571</b>	<b>\$</b>	<b>0.00%</b>

**THE FLORIDA BAR**  
**Elder Law Update**  
For the Twelve Months Ending Sunday, June 30, 2019

	June	YTD 2019	FY 18-19 Budget	Budget % Utilized
3301-Registration-Live		\$56,040		0.00%
3321-Registration-Webcast	\$15	\$15,947		0.00%
<b>Total Registration Revenue</b>	<b>\$15</b>	<b>\$71,987</b>	<b>\$</b>	<b>0.00%</b>
3351-Sponsorships		\$14,167		0.00%
3392-Section Differential	(\$100)	(\$1,750)		0.00%
<b>Other Event Revenue</b>	<b>(\$100)</b>	<b>\$12,417</b>	<b>\$</b>	<b>0.00%</b>
3401-Sales-CD/DVD	\$1,280	\$21,560		0.00%
3411-Sales-Published Materials		\$2,100		0.00%
<b>Sales, Rents &amp; Royalties Revenue</b>	<b>\$1,280</b>	<b>\$23,660</b>	<b>\$</b>	<b>0.00%</b>
<b>Total Revenue</b>	<b>\$1,195</b>	<b>\$108,063</b>	<b>\$</b>	<b>0.00%</b>
5031-A/V Services		\$12,934		0.00%
5051-Credit Card Fees	\$29	\$2,266		0.00%
<b>Total Contract Services</b>	<b>\$29</b>	<b>\$15,199</b>	<b>\$</b>	<b>0.00%</b>
5501-Employee Travel	\$	\$417		0.00%
5571-Speaker Travel		\$5,587		0.00%
<b>Total Travel</b>	<b>\$</b>	<b>\$6,004</b>	<b>\$</b>	<b>0.00%</b>
6001-Post 1st Class/Bulk	\$	\$11		0.00%
6021-Post Express Mail	\$14	\$188		0.00%
6321-Mtgs Meals	\$	\$26,991		0.00%
6325-Mtgs Hospitality		\$12,299		0.00%
6331-Mtgs Room Rental	\$	\$5,438		0.00%
6341-Mtgs Equip Rental		\$1,426		0.00%
<b>Total Other Expense</b>	<b>\$14</b>	<b>\$46,353</b>	<b>\$</b>	<b>0.00%</b>
8011-Administration CLE		\$17,600		0.00%
8101-Printing In-House		\$2,701		0.00%
8131-A/V Services	\$14	\$6,200		0.00%
8141-Journal/News Service		\$213		0.00%
8171-Course Approval Fee		\$150		0.00%
<b>Total Admin &amp; Internal Expense</b>	<b>\$14</b>	<b>\$26,863</b>	<b>\$</b>	<b>0.00%</b>
<b>Total Expense</b>	<b>\$57</b>	<b>\$94,420</b>	<b>\$</b>	<b>0.00%</b>
<b>Net Income</b>	<b>\$1,138</b>	<b>\$13,644</b>	<b>\$</b>	<b>0.00%</b>

	<b>June</b>	<b>YTD 2019</b>	<b>FY 18-19 Budget</b>	<b>Budget % Utilized</b>
3391-Profit Split	\$910	\$10,915		0.00%
<b>Net Income After Profit Split</b>	<b>\$228</b>	<b>\$2,729</b>	<b>\$</b>	<b>0.00%</b>

**THE FLORIDA BAR**  
**02328 2017 Elder Law Update**  
**For the Twelve Months Ending Sunday, June 30, 2019**

	YTD	FY 18-19	Budget
	June	2019	Budget
			% Utilized
3392-Section Differential		(\$50)	0.00%
Other Event Revenue	\$	(\$50)	\$ 0.00%
3401-Sales-CD/DVD		\$645	0.00%
Sales, Rents & Royalties Revenue	\$	\$645	\$ 0.00%
<b>Total Revenue</b>	<b>\$</b>	<b>\$595</b>	<b>\$ 0.00%</b>
5051-Credit Card Fees		\$14	0.00%
Total Contract Services	\$	\$14	\$ 0.00%
6021-Post Express Mail		\$2	0.00%
Total Other Expense	\$	\$2	\$ 0.00%
8131-A/V Services		\$7	0.00%
Total Admin & Internal Expense	\$	\$7	\$ 0.00%
<b>Total Expense</b>	<b>\$</b>	<b>\$23</b>	<b>\$ 0.00%</b>
<b>Net Income</b>	<b>\$</b>	<b>\$572</b>	<b>\$ 0.00%</b>
3391-Profit Split	\$	\$458	0.00%
<b>Net Income After Profit Split</b>	<b>\$</b>	<b>\$114</b>	<b>\$ 0.00%</b>

**THE FLORIDA BAR**  
**02591 2018 Elder Law Update**  
**For the Twelve Months Ending Sunday, June 30, 2019**

	<b>June</b>	<b>YTD 2019</b>	<b>FY 18-19 Budget</b>	<b>Budget % Utilized</b>
3321-Registration-Webcast		\$3,596		0.00%
Total Registration Revenue	\$	\$3,596	\$	0.00%
3351-Sponsorships		(\$833)		0.00%
3392-Section Differential	(\$100)	(\$600)		0.00%
Other Event Revenue	(\$100)	(\$1,433)	\$	0.00%
3401-Sales-CD/DVD	\$1,280	\$13,735		0.00%
3411-Sales-Published Materials		\$540		0.00%
Sales, Rents & Royalties Revenue	\$1,280	\$14,275	\$	0.00%
<b>Total Revenue</b>	<b>\$1,180</b>	<b>\$16,438</b>	<b>\$</b>	<b>0.00%</b>
5051-Credit Card Fees	\$29	\$239		0.00%
Total Contract Services	\$29	\$239	\$	0.00%
6001-Post 1st Class/Bulk		\$2		0.00%
6021-Post Express Mail	\$14	\$71		0.00%
Total Other Expense	\$14	\$73	\$	0.00%
8101-Printing In-House		\$700		0.00%
8131-A/V Services	\$14	\$147		0.00%
Total Admin & Internal Expense	\$14	\$847	\$	0.00%
<b>Total Expense</b>	<b>\$57</b>	<b>\$1,159</b>	<b>\$</b>	<b>0.00%</b>
<b>Net Income</b>	<b>\$1,123</b>	<b>\$15,278</b>	<b>\$</b>	<b>0.00%</b>
3391-Profit Split	\$898	\$12,223		0.00%
<b>Net Income After Profit Split</b>	<b>\$225</b>	<b>\$3,056</b>	<b>\$</b>	<b>0.00%</b>

**THE FLORIDA BAR**  
**02939 Elder Law Annual Update**  
**For the Twelve Months Ending Sunday, June 30, 2019**

	June	YTD 2019	FY 18-19 Budget	Budget % Utilized
3301-Registration-Live		\$56,040		0.00%
3321-Registration-Webcast	\$15	\$12,351		0.00%
<b>Total Registration Revenue</b>	<b>\$15</b>	<b>\$68,391</b>	<b>\$</b>	<b>0.00%</b>
3351-Sponsorships		\$15,000		0.00%
3392-Section Differential		(\$1,100)		0.00%
<b>Other Event Revenue</b>	<b>\$</b>	<b>\$13,900</b>	<b>\$</b>	<b>0.00%</b>
3401-Sales-CD/DVD		\$7,180		0.00%
3411-Sales-Published Materials		\$1,560		0.00%
<b>Sales, Rents &amp; Royalties Revenue</b>	<b>\$</b>	<b>\$8,740</b>	<b>\$</b>	<b>0.00%</b>
<b>Total Revenue</b>	<b>\$15</b>	<b>\$91,031</b>	<b>\$</b>	<b>0.00%</b>
5031-A/V Services		\$12,934		0.00%
5051-Credit Card Fees		\$2,013		0.00%
<b>Total Contract Services</b>	<b>\$</b>	<b>\$14,946</b>	<b>\$</b>	<b>0.00%</b>
5501-Employee Travel	\$	\$417		0.00%
5571-Speaker Travel		\$5,587		0.00%
<b>Total Travel</b>	<b>\$</b>	<b>\$6,004</b>	<b>\$</b>	<b>0.00%</b>
6001-Post 1st Class/Bulk	\$	\$9		0.00%
6021-Post Express Mail		\$115		0.00%
6321-Mtgs Meals	\$	\$26,991		0.00%
6325-Mtgs Hospitality		\$12,299		0.00%
6331-Mtgs Room Rental	\$	\$5,438		0.00%
6341-Mtgs Equip Rental		\$1,426		0.00%
<b>Total Other Expense</b>	<b>\$</b>	<b>\$46,279</b>	<b>\$</b>	<b>0.00%</b>
8011-Administration CLE		\$17,600		0.00%
8101-Printing In-House		\$2,001		0.00%
8131-A/V Services		\$6,046		0.00%
8141-Journal/News Service		\$213		0.00%
8171-Course Approval Fee		\$150		0.00%
<b>Total Admin &amp; Internal Expense</b>	<b>\$</b>	<b>\$26,009</b>	<b>\$</b>	<b>0.00%</b>
<b>Total Expense</b>	<b>\$</b>	<b>\$93,238</b>	<b>\$</b>	<b>0.00%</b>
<b>Net Income</b>	<b>\$15</b>	<b>(\$2,207)</b>	<b>\$</b>	<b>0.00%</b>

	<b>June</b>	<b>YTD 2019</b>	<b>FY 18-19 Budget</b>	<b>Budget % Utilized</b>
3391-Profit Split	\$12	(\$1,766)		0.00%
<b>Net Income After Profit Split</b>	<b>\$3</b>	<b>(\$441)</b>	<b>\$</b>	<b>0.00%</b>

# Rule 1.14: Client with Diminished Capacity

## *Client-Lawyer Relationship*

(a) When a client's capacity to make adequately considered decisions in connection with a representation is diminished, whether because of minority, mental impairment or for some other reason, the lawyer shall, as far as reasonably possible, maintain a normal client-lawyer relationship with the client.

(b) When the lawyer reasonably believes that the client has diminished capacity, is at risk of substantial physical, financial or other harm unless action is taken and cannot adequately act in the client's own interest, the lawyer may take reasonably necessary protective action, including consulting with individuals or entities that have the ability to take action to protect the client and, in appropriate cases, seeking the appointment of a guardian ad litem, conservator or guardian.

(c) Information relating to the representation of a client with diminished capacity is protected by Rule 1.6. When taking protective action pursuant to paragraph (b), the lawyer is impliedly authorized under Rule 1.6(a) to reveal information about the client, but only to the extent reasonably necessary to protect the client's interests.

## Comment on Rule 1.14

### *Client-Lawyer Relationship*

[1] The normal client-lawyer relationship is based on the assumption that the client, when properly advised and assisted, is capable of making decisions about important matters. When the client is a minor or suffers from a diminished mental capacity, however, maintaining the ordinary client-lawyer relationship may not be possible in all respects. In particular, a severely incapacitated person may have no power to make legally binding decisions. Nevertheless, a client with diminished capacity often has the ability to understand, deliberate upon, and reach conclusions about matters affecting the client's own well-being. For example, children as young as five or six years of age, and certainly those of ten or twelve, are regarded as having opinions that are entitled to weight in legal proceedings concerning their custody. So also, it is recognized that some persons of advanced age can be quite capable of handling routine financial matters while needing special legal protection concerning major transactions.

[2] The fact that a client suffers a disability does not diminish the lawyer's obligation to treat the client with attention and respect. Even if the person has a legal representative, the lawyer should as far as possible accord the represented person the status of client, particularly in maintaining communication.

[3] The client may wish to have family members or other persons participate in discussions with the lawyer. When necessary to assist in the representation, the presence of such persons generally does not affect the applicability of the attorney-client evidentiary privilege. Nevertheless, the lawyer must keep the client's interests foremost and, except for protective action authorized under paragraph (b), must look to the client, and not family members, to make decisions on the client's behalf.

[4] If a legal representative has already been appointed for the client, the lawyer should ordinarily look to the representative for decisions on behalf of the client. In matters involving a minor, whether the lawyer should look to the parents as natural guardians may depend on the type of proceeding or matter in which the lawyer is representing the minor. If the lawyer represents the guardian as distinct from the ward, and is aware that the guardian is acting adversely to the ward's interest, the lawyer may have an obligation to prevent or rectify the guardian's misconduct. See Rule 1.2(d).

## Taking Protective Action

[5] If a lawyer reasonably believes that a client is at risk of substantial physical, financial or other harm unless action is taken, and that a normal client-lawyer relationship cannot be maintained as provided in paragraph (a) because the client lacks sufficient capacity to communicate or to make adequately considered decisions in connection with the representation, then paragraph (b) permits the lawyer to take protective measures deemed necessary. Such measures could include: consulting with family members, using a reconsideration period to permit clarification or improvement of circumstances, using voluntary surrogate decisionmaking tools such as durable powers of attorney or consulting with support groups, professional services, adult-protective agencies or other individuals or entities that have the ability to protect the client. In taking any protective action, the lawyer should be guided by such factors as the wishes and values of the client to the extent known, the client's best interests and the goals of intruding into the client's decisionmaking autonomy to the least extent feasible, maximizing client capacities and respecting the client's family and social connections.

[6] In determining the extent of the client's diminished capacity, the lawyer should consider and balance such factors as: the client's ability to articulate reasoning leading to a decision, variability of state of mind and ability to appreciate consequences of a decision; the substantive fairness of a decision; and the consistency of a decision with the known long-term commitments and values of the client. In appropriate circumstances, the lawyer may seek guidance from an appropriate diagnostician.

[7] If a legal representative has not been appointed, the lawyer should consider whether appointment of a guardian ad litem, conservator or guardian is necessary to protect the client's interests. Thus, if a client with diminished capacity has substantial property that should be sold for the client's benefit, effective completion of the transaction may require appointment of a legal representative. In addition, rules of procedure in litigation sometimes provide that minors or persons with diminished capacity must be represented by a guardian

or next friend if they do not have a general guardian. In many circumstances, however, appointment of a legal representative may be more expensive or traumatic for the client than circumstances in fact require. Evaluation of such circumstances is a matter entrusted to the professional judgment of the lawyer. In considering alternatives, however, the lawyer should be aware of any law that requires the lawyer to advocate the least restrictive action on behalf of the client.

## Disclosure of the Client's Condition

[8] Disclosure of the client's diminished capacity could adversely affect the client's interests. For example, raising the question of diminished capacity could, in some circumstances, lead to proceedings for involuntary commitment. Information relating to the representation is protected by Rule 1.6. Therefore, unless authorized to do so, the lawyer may not disclose such information. When taking protective action pursuant to paragraph (b), the lawyer is impliedly authorized to make the necessary disclosures, even when the client directs the lawyer to the contrary. Nevertheless, given the risks of disclosure, paragraph (c) limits what the lawyer may disclose in consulting with other individuals or entities or seeking the appointment of a legal representative. At the very least, the lawyer should determine whether it is likely that the person or entity consulted with will act adversely to the client's interests before discussing matters related to the client. The lawyer's position in such cases is an unavoidably difficult one.

## Emergency Legal Assistance

[9] In an emergency where the health, safety or a financial interest of a person with seriously diminished capacity is threatened with imminent and irreparable harm, a lawyer may take legal action on behalf of such a person even though the person is unable to establish a client-lawyer relationship or to make or express considered judgments about the matter, when the person or another acting in good faith on that person's behalf has consulted with the lawyer. Even in such an emergency, however, the lawyer should not act unless the lawyer reasonably believes that the person has no other lawyer, agent or other representative available. The lawyer should take legal action on behalf of the person only to the extent reasonably necessary to maintain the status quo or otherwise avoid imminent and irreparable harm. A lawyer who undertakes to represent a person in such an exigent situation has the same duties under these Rules as the lawyer would with respect to a client.

[10] A lawyer who acts on behalf of a person with seriously diminished capacity in an emergency should keep the confidences of the person as if dealing with a client, disclosing them only to the extent necessary to accomplish the intended protective action. The lawyer should disclose to any tribunal involved and to any other counsel involved the nature of his or her relationship with the person. The lawyer should take steps to regularize the relationship or implement other protective solutions as soon as possible. Normally, a lawyer would not seek compensation for such emergency actions taken.

**RULE 4-1.14 CLIENT UNDER A ~~DISABILITY~~ WITH DIMINISHED CAPACITY**

(a) **Maintenance of Normal Relationship.** When a client's ~~ability capacity~~ to make adequately considered decisions in connection with ~~the a~~ representation is ~~impaired~~ diminished, whether because of minority, mental disability, or for some other reason, the lawyer ~~shall, as far as reasonably possible, must~~ maintain a normal client-lawyer relationship with the client as much as reasonably possible.

(b) **Appointment of Guardian Protective Action.** A lawyer ~~may is not~~ required to seek the appointment of a guardian or take other protective action with respect to a client. only when ~~However,~~ when the lawyer reasonably believes that the client has diminished capacity, is at risk of substantial physical, financial, or other harm unless action is taken and cannot adequately act in the client's own interest, the lawyer may take reasonably necessary protective action, including consulting with individuals or entities that have the ability to take action to protect the client and, in appropriate cases, seeking the appointment of a guardian ad litem, conservator or guardian. A lawyer must make reasonable efforts to exhaust all other available remedies to protect the client before seeking removal of any the client's rights.

(c) **Confidentiality.** Information relating to the representation of a client with diminished capacity is protected by the rule on confidentiality of information. When taking protective action pursuant to this rule, the lawyer is impliedly authorized under the rule on confidentiality of information to reveal information about the client, but only to the extent reasonably necessary to protect the client's interests.

**Comment**

[1] ~~The~~ The normal client-lawyer relationship is based on the assumption that the client, when properly advised and assisted, is capable of making decisions about important matters. When the client is a minor or suffers from a diminished mental capacity disorder or disability, however, maintaining the ordinary client-lawyer relationship may not be possible in all respects. In particular, ~~an a~~ severely incapacitated person may have no power to make legally binding decisions. Nevertheless, a client lacking legal competence with diminished capacity often has the ability to understand, deliberate upon, and reach conclusions about matters affecting the client's own well-being. ~~Furthermore, to an increasing extent the law recognizes intermediate degrees of competence.~~ For example, children as young as 5 or 6 years of age, and certainly those of 10 or 12, are regarded as having opinions that are entitled to weight in legal proceedings concerning their custody. ~~So also, it is recognized that some~~ Some persons of advanced age can be quite capable of handling routine financial matters while needing special legal protection concerning major transactions.

[2] ~~The~~ The fact that a client suffers a disability does not diminish the lawyer's obligation to treat the client with attention and respect. ~~If the person has no guardian or legal representative, the lawyer often must act as de facto guardian.~~ Even if the person ~~does have~~ has a legal representative, the lawyer should as far as possible accord the represented person the status of client, particularly in maintaining communication.

[3] The client may wish to have family members or other persons participate in discussions with the lawyer. When necessary to assist in the representation, the presence of such these persons generally does not affect the applicability of the attorney-client evidentiary privilege. Nevertheless, the lawyer must keep the client's interests foremost and, except for protective action authorized under paragraph subdivision (b), must to look to the client, and not family members, to make decisions on the client's behalf.

[4] If a legal representative has already been appointed for the client, the lawyer should ordinarily look to the representative for decisions on behalf of the client. If a legal representative has not been appointed, the lawyer should see to such an appointment where it would serve the client's best interests. Thus, if a disabled client has substantial property that should be sold for the client's benefit, effective completion of the transaction ordinarily requires appointment of a legal representative. In many circumstances, however, appointment of a legal representative may be expensive or traumatic for the client. Evaluation of these considerations is a matter of professional judgment on the lawyer's part. In matters involving a minor, whether the lawyer should look to the parents as natural guardians may depend on the type of proceeding or matter in which the lawyer is representing the minor. If the lawyer represents the guardian as distinct from the ward and is aware that the guardian is acting adversely to the ward's interest, the lawyer may have an obligation to prevent or rectify the guardian's misconduct. See rule 4-1.2(d).

### **Taking Protective Action**

[5] If a lawyer reasonably believes that a client is at risk of substantial physical, financial, or other harm unless protective action is taken, and that a normal client-lawyer relationship cannot be maintained as provided in paragraph subdivision (a) because the client lacks sufficient capacity to communicate or to make adequately considered decisions in connection with the representation, then paragraph subdivision (b) permits the lawyer to take protective measures deemed necessary. Such These measures could include: consulting with family members, using a reconsideration period to permit clarification or improvement of circumstances, using voluntary surrogate decision-making tools such as durable powers of attorney or consulting with support groups, professional services, adult-protective agencies, or other individuals or entities that have the ability to protect the client. In taking any protective action, the lawyer should be guided by such factors as the wishes and values of the client to the extent known, the client's best interests, and the goals of intruding into the client's decision-making autonomy to the least extent feasible, maximizing client capacities, and respecting the client's family and social connections.

[6] In determining the extent of the client's diminished capacity, the lawyer should consider and balance such factors as: the client's ability to articulate reasoning leading to a decision; variability of state of mind and ability to appreciate consequences of a decision; the substantive fairness of a decision; and the consistency of a decision with the known long-term commitments and values of the client. In appropriate circumstances, the lawyer may seek guidance from an appropriate diagnostician.

[7] If a legal representative has not been appointed, the lawyer should consider whether appointment of a guardian ad litem, conservator or guardian is necessary to protect the client's interests. Thus, if a client with diminished capacity has substantial property that should be sold for the client's benefit, effective completion of the transaction may require appointment of a legal representative. In addition, rules of procedure in litigation sometimes provide that minors or persons with diminished capacity must be represented by a guardian or next friend if they do not have a general natural guardian. In many circumstances, however, appointment of a legal representative may be more expensive or traumatic for the client than circumstances in fact require. Evaluation of such circumstances is a matter entrusted to the professional judgment of the lawyer. In considering alternatives, however, the lawyer should be aware of any law that requires the lawyer to advocate the least restrictive action on behalf of the client.

### **Disclosure of client's condition**

[8] Rules of procedure in litigation generally provide that minors or persons suffering mental disability shall be represented by a guardian or next friend if they do not have a general guardian. However, disclosure of the client's disability can diminished capacity could adversely affect the client's interests. For example, raising the question of diminished capacity could, in some circumstances, lead to proceedings for involuntary commitment. Information relating to the representation is protected by rule 4-1.6. Therefore, unless authorized to do so, the lawyer may not disclose such confidential information. When taking protective action pursuant to paragraph subdivision (b), the lawyer is impliedly authorized to make the necessary disclosures, even when the client directs the lawyer to the contrary. Nevertheless, given the risks of disclosure, paragraph subdivision (c) limits what the lawyer may disclose in consulting with other individuals or entities or seeking the appointment of a legal representative. At the very least, the lawyer should determine whether it is likely that the person or entity consulted with will act adversely to the client's interests before discussing matters related to the client. The lawyer's position in such these cases is an unavoidably difficult one. The lawyer may seek guidance from an appropriate diagnostician.

### **Emergency Legal Assistance**

[9] In an emergency where the health, safety, or a financial interest of a person with seriously diminished capacity is threatened with imminent and irreparable harm, a lawyer may take legal action on behalf of such a person with seriously diminished capacity who is threatened with imminent and irreparable harm to the person's health, safety, or financial interests even though the person is unable to establish a client-lawyer relationship or to make or express considered judgments about the matter, when the person or another acting in good faith on that person's behalf has consulted with the lawyer. Even in such an emergency, however, the lawyer should not act unless the lawyer reasonably believes that the person has no other lawyer, agent or other representative alternative available. The lawyer should take legal action on behalf of the person only to the extent reasonably necessary to maintain the status quo or otherwise avoid imminent and irreparable harm. A lawyer who undertakes to represent a person in such an exigent situation has the same duties under these Rules rules as the lawyer would with respect to a client.

~~[10]~~ A lawyer who acts on behalf of a person with seriously diminished capacity in an emergency should keep the confidences of the person as if dealing with a client, disclosing them only to the extent necessary to accomplish the intended protective action. The lawyer should disclose to any tribunal involved and to any other counsel involved the nature of his or her relationship with the person. The lawyer should take steps to regularize the relationship or implement other protective solutions as soon as possible. Normally, a lawyer would not seek compensation for such emergency actions taken.

**Rule 4-1.14: Client with Diminished Capacity**

**(a) Maintenance of Normal Relationship** When a client's capacity to make adequately considered decisions in connection with a representation is diminished, whether because of minority, mental impairment or for some other reason, the must maintain a normal client-lawyer relationship with the client, as much as reasonably possible.

**(b) Protective Action.** A lawyer is not required to seek the appointment of a guardians or take other protective action with respect to a client. However, when the lawyer reasonably believes that the client has diminished capacity, is at risk of substantial physical, financial, or other harm unless action is taken and cannot adequately act in the client's own interest, the lawyer may take reasonably necessary protective action, including consulting with individuals or entities that have the ability to take action to protect the client and, in appropriate cases, seeking the appointment of a guardian ad litem, or guardian. A lawyer must make reasonable efforts to exhaust all other available remedies to protect the client before seeking removal of any of the client's rights.

**(c) Confidentiality.** Information relating to the representation of a client with diminished capacity is protected by the rule on confidentiality of information. When taking protective action pursuant to this rule, the lawyer is impliedly authorized rule on confidentiality of information to reveal information about the client, only to the extent reasonably necessary to protect the client's interests.

**Comment**

The normal client-lawyer relationship is based on the assumption that the client, when properly advised and assisted, is capable of making decisions about important matters. When the client is a minor or suffers from a diminished mental capacity, however, maintaining the ordinary client-lawyer relationship may not be possible in all respects. In particular, a severely incapacitated person may have no power to make legally binding decisions. Nevertheless, a client with diminished capacity often has the ability to understand, deliberate on, and reach conclusions about matters affecting the client's own well-being. For example, children as young as 5 or 6 years of age, and certainly those of 10 or 12, are regarded as having opinions that are entitled to weight in legal proceedings concerning their custody. Some persons of advanced age can be capable of handling routine financial matters while needing special legal protection concerning major transactions.

The fact that a client suffers a disability does not diminish the lawyer's obligation to treat the client with attention and respect. Even if the person has a legal representative, the lawyer should as far as possible accord the person the status of client, particularly in maintaining communication.

The client may wish to have family members or other persons participate in discussions with the lawyer. When necessary to assist in the representation, the presence of these persons generally does not affect the applicability of the attorney-client evidentiary privilege. Nevertheless, the lawyer must keep the client's interests foremost and, except for protective action authorized under subdivision (b), must look to the client, and not family members, to make decisions on the client's behalf.

If a legal representative has already been appointed for the client, the lawyer should ordinarily look to the representative for decisions on behalf of the client. In matters involving a minor, whether the lawyer should look to the parents as natural guardians may depend on the type of proceeding or matter in which the lawyer is representing the minor. If the lawyer represents the guardian as distinct from the ward, and is aware that the guardian is acting adversely to the ward's interest, the lawyer may have an obligation to prevent or rectify the guardian's misconduct. See Rule 4-1.2(d).

### **Taking Protective Action**

If a lawyer reasonably believes that a client is at risk of substantial physical, financial or other harm unless action is taken, and that a normal client-lawyer relationship cannot be maintained as provided in subdivision (a) because the client lacks sufficient capacity to communicate or to make adequately considered decisions in connection with the representation, then subdivision (b) permits the lawyer to take protective measures deemed necessary. These measures could include: consulting with family members, using a reconsideration period to permit clarification or improvement of circumstances, using voluntary surrogate decision-making tools such as durable powers of attorney or consulting with support groups, professional services, adult-protective agencies, or other individuals or entities that have the ability to protect the client. In taking any protective action, the lawyer should be guided by such factors as the wishes and values of the client to the extent known, the client's best interests, and the goals of intruding into the client's decision-making autonomy to the least extent feasible, maximizing client capacities, and respecting the client's family and social connections.

In determining the extent of the client's diminished capacity, the lawyer should consider and balance such factors as: the client's ability to articulate reasoning leading to a decision; variability of state of mind and ability to appreciate consequences of a decision; the substantive fairness of a decision; and the consistency of a decision with the known long-term commitments and values of the client. In appropriate circumstances, the lawyer may seek guidance from an appropriate diagnostician.

If a legal representative has not been appointed, the lawyer should consider whether appointment of a guardian ad litem or guardian is necessary to protect the client's interests. Thus, if a client with diminished capacity has substantial property that should be sold for the client's benefit, effective completion of the transaction may require appointment of a legal representative. In addition, rules of procedure in litigation sometimes provide that minors or persons with diminished capacity must be represented by a guardian or next friend if they do not have a natural guardian. In many circumstances, however, appointment of a legal representative may be more expensive or traumatic for the client than circumstances require. Evaluation of circumstances is a matter entrusted to the professional judgment of the lawyer. In considering alternatives, the lawyer should be aware of any law that requires the lawyer to advocate the least restrictive action on behalf of the client.

### **Disclosure of the Client's Condition**

Disclosure of the client's diminished capacity could adversely affect the client's interests. For example, raising the question of diminished capacity could, in some circumstances, lead to proceedings for involuntary commitment. Information relating to the representation is protected by Rule 4-1.6. Therefore, unless authorized to do so, the lawyer may not disclose information. When taking protective action pursuant to subdivision (b), the lawyer is impliedly authorized to make the necessary disclosures, even when the client directs the lawyer to the contrary. Nevertheless, given the risks of disclosure, subdivision (c) limits what the lawyer may disclose in consulting with other individuals or entities or seeking the appointment of a legal representative. At the very least, the lawyer should determine whether it is likely that the person or entity consulted with will act adversely to the client's interests before discussing matters related to the client. The lawyer's position in these is an unavoidably difficult one.

### **Emergency Legal Assistance**

A lawyer may take legal action on behalf of a person with seriously diminished capacity who is threatened with imminent and irreparable harm to the person's health safety or financial interests even though the person is unable to establish a client-lawyer relationship or to make or express considered judgments about the matter when the person or another acting in good faith on that person's behalf has consulted with the lawyer. Even in an emergency, however, the lawyer should not act unless the lawyer reasonably believes that the person has no other alternative available. The lawyer should take legal action on behalf of the person only to the extent reasonably necessary to maintain the status quo or otherwise avoid imminent and irreparable harm. A lawyer who undertakes to represent a person in an exigent situation has the same duties under these rules as the lawyer would with respect to a client.

A lawyer who acts on behalf of a person with diminished capacity in an emergency should keep the confidences of the person as if dealing with a client, disclosing them only to the extent necessary to accomplish the intended protective action. The lawyer should disclose to any tribunal involved and to any other counsel involved the nature of his or her relationship with the person. The lawyer should take steps to regularize the relationship or implement other protective solutions as soon as possible.

**PROFESSIONALISM & ETHICS COMMITTEE**

Real Property, Probate and Trust Law Section – The Florida Bar

Rule 4-1.14 (*sc.* Client Under A Disability) of the Rules Regulating The Florida Bar

On Friday, May 31, 2019 the Professional & Ethics Committee voted to seek amendments to Rule 4-1.14 (*sc.* Client Under A Disability) of the Rules Regulating The Florida Bar (Florida Rule 4-1.14) as modified by Rule 1.14 (*sc.* Client With Diminished Capacity) of the American Bar Association's Model Rules of Professional Conduct (ABA Rule 1.14) with clarification and style edits. Florida Rule 4-1.14 as modified by ABA Rule 1.14 is shown in legislative format – highlighted are the clarification and style edits.

The Florida Bar's Ethics 2000 Review Panel (The Florida Bar Panel) recommended adoption of ABA Rule 1.14; but, reportedly due to comments from the Standing Committee on Legal Needs of Children, the Public Interest Law Section, University of Miami School of Law's Center for Ethics and Public Service, Florida's Children First!, Circuit Court Judge Raymond T. McNeal, and Sixth Circuit Public Defender Bob Dillinger the ABA Rule 1.14 was not adopted in Florida. However, the American Bar Association reports most states have adopted ABA Rule 1.14.

The Florida Bar Panel studied the recommendations of the American Bar Association Ethics Commission 2000. The Florida Bar Panel's charge was "to analyze the ABA recommendations and compare them with existing Rules Regulating The Florida Bar" with a "primary concern in analyzing the ABA Ethics Commission 2000 recommendations should be protecting the public and maintaining the core values of the legal profession." The Florida Bar Panel agreed with most of the changes proposed by the ABA "Ethics 2000" Commission. Specifically, regarding ABA Rule 1.14 The Florida Bar Panel reported:

***SUMMARY of Substantive Changes Adopted by the ABA House of Delegates***

Changes terminology from clients with a "disability" to clients with "diminished capacity," which is explained as a change in terminology only. New rule also focuses on degrees of a client's capacity with provisions for emergency legal assistance for clients with seriously diminished capacity and sets forth protective measures a lawyer may take short of requesting a guardian if a lawyer reasonably believes that there is risk of substantial harm unless action is taken. Commentary provides guidance to attorneys dealing with clients with diminished capacity. Old commentary regarding an attorney acting as "de facto" guardian for the client was deleted.

***How ABA Rule DIFFERS from EXISTING FLORIDA Rule***

Florida Rule 4-1.14 uses the term “disability,” but otherwise is substantially the same as the new ABA model rule. The ABA commentary eliminates the provision in the Florida comment that if a client suffering a disability has no guardian or legal representative, “the lawyer often must act as *de facto* guardian,” adds a provision regarding consultation with family members, eliminates the provision imposing an obligation on lawyers to seek the appointment of a legal guardian and adds detailed guidance for lawyers regarding the taking of protective action.

***RECOMMENDATION of Yes or No and REASONS***

**YES.** The committee recommends adoption of the new ABA Model Rule as providing superior guidance to lawyers than the existing rule. The committee specifically discussed whether deletion of the commentary “the lawyer often must act as *de facto* guardian” is desirable. The committee concluded that if the ABA Model Rule is adopted, there is no need for this provision. The new ABA Rule 1.14(b) provides that “when the lawyer reasonably believes that the client has diminished capacity, is at risk of substantial physical, financial or other harm unless action is taken and cannot adequately act in the client’s own interest, the lawyer may take reasonably necessary protective actions, including consulting with individuals or entities that have the ability to take action to protect the client . . . .” Paragraph 5 of the commentary to the Rule sets out in detail the various types of protective action a lawyer may take if he reasonably believes that a client is at risk of substantial physical, financial or other harm. These detailed provisions are much more helpful than the vague statement that a lawyer must often act as a *de facto* guardian.

**RULE 4-1.14 CLIENT UNDER A DISABILITY**

**(a) Maintenance of Normal Relationship.** When a client's ability to make adequately considered decisions in connection with the representation is impaired, whether because of minority, mental disability, or for some other reason, the lawyer shall, as far as reasonably possible, maintain a normal client-lawyer relationship with the client.

**(b) Appointment of Guardian.** A lawyer may seek the appointment of a guardian or take other protective action with respect to a client only when the lawyer reasonably believes that the client cannot adequately act in the client's own interest.

**Comment**

The normal client-lawyer relationship is based on the assumption that the client, when properly advised and assisted, is capable of making decisions about important matters. When the client is a minor or suffers from a mental disorder or disability, however, maintaining the ordinary client-lawyer relationship may not be possible in all respects. In particular, an incapacitated person may have no power to make legally binding decisions. Nevertheless, a client lacking legal competence often has the ability to understand, deliberate upon, and reach conclusions about matters affecting the client's own well-being. Furthermore, to an increasing extent the law recognizes intermediate degrees of competence. For example, children as young as 5 or 6 years of age, and certainly those of 10 or 12, are regarded as having opinions that are entitled to weight in legal proceedings concerning their custody. So also, it is recognized that some persons of advanced age can be quite capable of handling routine financial matters while needing special legal protection concerning major transactions.

The fact that a client suffers a disability does not diminish the lawyer's obligation to treat the client with attention and respect. If the person has no guardian or legal representative, the lawyer often must act as de facto guardian. Even if the person does have a legal representative, the lawyer should as far as possible accord the represented person the status of client, particularly in maintaining communication.

If a legal representative has already been appointed for the client, the lawyer should ordinarily look to the representative for decisions on behalf of the client. If a legal representative has not been appointed, the lawyer should see to such an appointment where it would serve the client's best interests. Thus, if a disabled client has substantial property that should be sold for the client's benefit, effective completion of the transaction ordinarily requires appointment of a legal representative. In many circumstances, however, appointment of a legal representative may be expensive or traumatic for the client. Evaluation of these considerations is a matter of professional judgment on the lawyer's part.

If the lawyer represents the guardian as distinct from the ward and is aware that the guardian is acting adversely to the ward's interest, the lawyer may have an obligation to prevent or rectify the guardian's misconduct. See rule 4-1.2(d).

### **Disclosure of client's condition**

Rules of procedure in litigation generally provide that minors or persons suffering mental disability shall be represented by a guardian or next friend if they do not have a general guardian. However, disclosure of the client's disability can adversely affect the client's interests. The lawyer may seek guidance from an appropriate diagnostician.

Amended July 23, 1992, effective Jan. 1, 1993 (605 So.2d 252)

To: Elder Law Section Executive Council

From: Medicaid Committee

Date: 10/1/2019

RE: Medicaid Committee Report

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Our committee met by telephone conference call every first and third Tuesday of the month at 12:00 noon EST with our first meeting being held on July 2, 2019. Our Co-Chairs are John Clardy and Heidi M. Brown.

Our biggest activity has been to monitor the effect of the elimination of retroactive Medicaid eligibility. According to one of the bills, AHCA must report back to the Florida Legislature on the effect of the elimination after consulting with Florida Health Care Association and Leading Age; however, according to an industry source, AHCA is not holding public hearings regarding its impact.

Some of the stories we have heard are:

1. Nursing homes not admitting patients until they have applied to Medicaid or even approved for Medicaid.
2. Someone applying on the last Friday of the month at 5:01 cannot receive eligibility for that month because they applied after 5:00.

We discuss problems and issues that our members have with DCF and AHCA, such as:

1. Caseworkers denying and closing out cases by the 1<sup>st</sup> of the following month of application and then treating the case like a new application once they receive all the documentation.
2. When recipients on HCBS LTC Waiver fail their annual review, even if they appeal and are granted eligibility back to the month of the annual review, AHCA is not allowing them to enroll in an LTC plan until the first of the month following application. These are Goldberg v. Kelly violations. LTC plan has a duty to make sure that recipient's annual review is done.
3. Caseworkers are asking for more info on the 59<sup>th</sup> day and then denying on the 60<sup>th</sup>. According to one DCF attorney, DCF uses a round robin system and caseworkers work on cases that are 30 days past application first, and then go down the list.
4. Caseworker and public policy office are arguing that the Community Spouse must still be under the CSRA and show spend down at an annual review.
5. LTC MCO plan is not paying the facilities.

The Florida legislature ordered APD and AHCA to redesign the Medicaid Waiver program for persons with developmental disabilities (DD Waiver). Nancy E. Wright from our committee is involved in this effect and appeared at the webinars.

DCF updated life expectancy tables, spousal diversion numbers, and penalty divisor.

Our Committee has been tasked with producing 3 slots at the Annual Elder Law Update and Essentials conference in January 2020. The three topics are: Medicaid applications (Essentials), income issues, and post-eligibility issues.

We have been asked to work on a project. In Scott Selis's district, DCF is issuing a lot of wrongful denials to attorneys and nursing homes for failure to provide the requested information. Linda Bogosian approached Rep. Elizabeth Anne Fetterhoff (R), who took the problem seriously and is asking for a position paper that would argue for more specificity in Notices of Case Action that deny benefits. We have formed a subcommittee to investigate this issue.

Finally, we are still monitoring new rules and changes to the existing rules in the Florida Administrative Code that affect DCF, AHCA, or DOEA.

**Committee Report  
Special Needs Trust Committee, Elder Law Section, TFB**

Co-Chairs: Howie Krooks and Amy Fanzlaw  
Current membership: 45 members

Before committee meetings for the year had even begun, the committee organized and presented a CLE webinar on the new POMS regulating fee approval for preparation of SNTs, which was well-attended (64 attendees), especially for how quickly the webinar was produced. This webinar was one of the first in the country on this timely topic, and our presenter, committee member David Lillesand, offered excellent commentary and materials on the subject. Kudos to David and to co-chair Howie Krooks (and special thanks to Leslie Reithmiller!) for producing such a quality program.

Committee meetings were held by telephone on August 13, 2019 and September 10, 2019. Sixteen members were present at the August meeting, and fourteen members and one guest were present at the September meeting.

Randy Narkir and Brooks Gentry have been appointed the committee's liaisons to the technology committee, with the goal of reporting the committee's work on an ongoing basis so that the Elder Law Section as a whole can stay advised of the committee's actions and projects.

The committee has decided to focus on the following projects:

- The committee has decided to pursue an educational project related to "trigger" special needs trusts. Most likely this will take the form of an educational article. Committee members David Agee and Kole Long will spearhead this project and will reach out to fellow committee member Jill Ginsberg, who worked on this project last year.
- The committee has decided to pursue a legislative initiative to allow d4A trusts to be designated as a beneficiary on Florida retirement plans, similar to the recent VA change. Emma Hemness had begun this process during the summer, and committee members David Agee and Lori Evers will assist in this endeavor, with a focus on next year's legislative session.
- Committee member Travis Finchum continues to update the committee on the RPPTL ad hoc committee that is exploring the role of corporations serving as trustees of trusts in Florida. Of particular interest is the degree to which the RPTTL ad hoc committee's actions might impact non-profits' ability to serve as trustee, which of course directly affects special needs trust administration.
- The committee has declined to take any further action on a legislative fix for QSNT trustee language, citing the risk that additional scrutiny on this

issue might adversely affect SNT administrations in Florida. This matter has been tabled.

- The committee has discussed revisiting a project to educate the section on the differences of elective share trusts and QSNTs. An article on this subject had been written several years ago by attorney Robert Morgan. Co-chair Howie Krooks has approached Charlie Robinson to write an updated article on this issue.
- As a follow-up to the very well-received webinar on this topic, committee member David Lillesand is writing an article for The Advocate about the recent POMS requiring fee approval related to drafting SNTs.
- Committee member Randy Narkir has been working on a segment about fixing and modifying SNTs to be presented at the 2020 Annual Update CLE on behalf of the committee.

A portion of each committee meeting is dedicated to “practice pointers,” during which the committee discusses recent legal developments germane to SNTs or issues that committee members are seeing in their individual practices. Led by co-chair Howie Krooks, the committee has discussed the Michigan case of Hegedorn (addressing whether sole benefit trusts were an available resource for the purpose of calculation CSRA) and the California case of Gonzalez v. City National Bank (holding that the federal law requiring payback from a d4A trust preempts a state law that includes a d4A in the deceased beneficiary’s estate where estate recovery is an issue only for beneficiaries age 55 or older). Other discussions have included the recent increase in Social Security Administration’s review of old SNTs, which emphasizes the importance of submitting SNTs to the Administration immediately upon creation in a way by which delivery to the Administration can be proven.

This “practice pointers” portion of the meeting has been well-received. Several committee members have expressed that they are either brand new to SNT practice or are starting to see more SNTs in their practice, so providing a forum in which information can be shared and issues can be discussed helps meet the needs of the committee members.

Committee meetings are held on the second Tuesday of each month at 5 p.m. The next meeting is October 8, 2019. Anyone interested in joining the committee or attending a meeting as a guest is encouraged to contact either of the co-chairs for more information.

# EXHIBIT F

**THE FLORIDA BAR**  
**Elder Law General**  
**For the Twelve Months Ending Saturday, June 30, 2018**

Description	13-14 Actual	14-15 Actual	15-16 Actual	16-17 Actual	17-18 Actual	18-19 Actual	18-19 Budget	19-20 Budget	20-21 Budget	
3001-Annual Fees	\$80,950	\$83,150	\$83,600	\$81,600	\$83,980	\$84,400	\$82,750	\$82,750	\$82,750	
3002-Affiliate Fees		950	1,500	300	685	550	500	500	500	
<b>Total Fee Revenue</b>	<b>80,950</b>	<b>84,100</b>	<b>85,100</b>	<b>81,900</b>	<b>84,665</b>	<b>84,950</b>	<b>83,250</b>	<b>83,250</b>	<b>83,250</b>	
3351-Sponsorships	7,500	22,250	9,750	9,850	12,000	12,000	10,000	10,000	12,000	
3391 Section Profit Split	16,622	(2,385)	27,493	44,305	49,183	17,113	27,000	27,000	27,000	
3392-Section Differential	5,600	8,300	6,230	4,800	4,450	5,200	5,000	5,000	5,000	
<b>Other Event Revenue</b>	<b>29,722</b>	<b>28,165</b>	<b>43,473</b>	<b>58,955</b>	<b>65,633</b>	<b>34,313</b>	<b>42,000</b>	<b>42,000</b>	<b>44,000</b>	
3411-Sales-Published Materials	675	1,575	6,300	1,950	1,650	3,558	3,000	3,000	3,000	
<b>Sales, Rents &amp; Royalties Revenue</b>	<b>675</b>	<b>1,575</b>	<b>6,300</b>	<b>1,950</b>	<b>1,650</b>	<b>3,558</b>	<b>3,000</b>	<b>3,000</b>	<b>3,000</b>	
3561-Advertising	1,000				1,750	2,100	1,000	1,000	1,000	
<b>Advertising &amp; Subscription Revenue</b>	<b>1,000</b>				<b>1,750</b>	<b>2,100</b>	<b>1,000</b>	<b>1,000</b>	<b>1,000</b>	
3899-Investment Allocation	8,193	(332)	(4,054)	16,376	15,477	15,205	12,818	13,806		F&A Will Populate
<b>Non-Operating Income</b>	<b>8,193</b>	<b>(332)</b>	<b>(4,054)</b>	<b>16,376</b>	<b>15,477</b>	<b>15,205</b>	<b>12,818</b>	<b>13,806</b>	<b>0</b>	
<b>Total Revenue</b>	<b>120,540</b>	<b>113,508</b>	<b>130,819</b>	<b>159,181</b>	<b>169,175</b>	<b>140,126</b>	<b>142,068</b>	<b>143,056</b>	<b>131,250</b>	
4111-Rent Equipment					1,400					
4131-Telephone Expense	734	585	1,285	276	338	339	400	400	0	
4133-Internet Service	386	399	459	73		0	3,000	3,000	3,000	
4134-Web Services	3,010	5,713	5,216	9,422	1,991	1,005	7,000	5,500	5,500	
4301-Photocopying	111	282	16			0	50	50	50	
4311-Office Supplies	239	397		25	51	254	250	250	250	
<b>Total Staff &amp; Office Expense</b>	<b>4,480</b>	<b>7,376</b>	<b>6,976</b>	<b>9,796</b>	<b>3,780</b>	<b>1,598</b>	<b>10,700</b>	<b>9,200</b>	<b>8,800</b>	
5051-Credit Card Fees	20	112	91	96	1,112	1,268	1,000	1,000		F&A Will Populate
5101-Consultants	27,000		1,000						25,000	Marketing Consultant (\$20,000) and/or Strategic Plannin
5121-Printing-Outside				6,926	10,265	9,160	12,000	12,000	12,000	
5199-Other Contract Services		4,272	3,836	3,150	5,756	4,782	4,000	4,000	4,000	
<b>Total Contract Services</b>	<b>27,020</b>	<b>4,384</b>	<b>4,927</b>	<b>10,172</b>	<b>17,133</b>	<b>15,210</b>	<b>17,000</b>	<b>17,000</b>	<b>41,000</b>	
5501-Employee Travel	2,117	3,552	862	1,062	545	0	2,131	1,174	860	Calculated by TFB
5531-Board/Off/Memb Travel	670	1,337	2,396	2,580	1,343	3,039	3,986	6,000	6,000	
5599-Other Travel	888		1,797			0	4,000	1,000	1,000	
<b>Total Travel</b>	<b>3,675</b>	<b>4,889</b>	<b>5,055</b>	<b>3,642</b>	<b>1,888</b>	<b>3,039</b>	<b>10,117</b>	<b>8,174</b>	<b>7,860</b>	
6001-Post 1st Class/Bulk	1,798	228	262	58	1,932	41	300	2,000	2,000	
6301-Mtgs TFB Annual Meeting	2,528	2,533	6,261			1,867	3,500	3,500	3,500	
6311-Mtgs General Meeting	2,131	3,887	3,379	1,380	213	430	3,000	3,000	3,000	
6319-Mtgs Other Functions	1,492		2,126	7,062		2,586	2,000	2,000	2,000	
6321-Mtgs Meals					1,020	0	0	0	6,000	Will plan to have lunch prior to EC meeting at Annual Con
6325-Mtgs Hospitality		17,825	6,063	2,399	3,382	70	6,000	6,000	6,000	

Description	13-14 Actual	14-15 Actual	15-16 Actual	16-17 Actual	17-18 Actual	18-19 Actual	18-19 Budget	19-20 Budget	20-21 Budget	
6341-Mtgs Equip Rental					1,694	881	0	1,400	1,400	
6399-Mtgs Other			4,941		4,598	4,198	6,000	6,000	6,000	
6401-Speaker Expense		347				0	400	400	400	
6451-Committee Expense	3,154	7,488	6,121	5,896	5,414	3,776	3,000	3,000	3,000	
6531-Brd/Off Special Project	9,898	325	1,727		950	1,100	2,000	2,000	2,000	
7001-Grant/Award/Donation	1,364	2,534	2,040	6,283	1,712	2,125	2,500	2,500	2,500	
7999-Other Operating Exp		120	218	1,608		1,122	10,000	10,000	10,000	
8901-Eliminated IntFund Exp					1,250	1,250		0		
<b>Total Other Expense</b>	<b>22,365</b>	<b>35,287</b>	<b>33,138</b>	<b>24,686</b>	<b>22,165</b>	<b>19,446</b>	<b>38,700</b>	<b>41,800</b>	<b>47,800</b>	
8021-Section Admin Fee	28,335	29,365	29,855	28,718	29,313	30,096	29,970	29,790	29,790	Calculated by TFB
8101-Printing In-House	11,438	12,124	11,173	49	49	23	400	400	400	
8111-Meetings Services	2,539	1,778						0		
8121-Graphics & Arts	4,641	5,563		625						
<b>Total Admin &amp; Internal Expense</b>	<b>46,953</b>	<b>48,830</b>	<b>41,028</b>	<b>29,392</b>	<b>29,362</b>	<b>30,119</b>	<b>30,370</b>	<b>30,190</b>	<b>30,190</b>	
9692-Transfer Out-Council of Sections	300	300	300	300	300	300	300	300	300	
<b>Total InterFund Transfers Out</b>	<b>300</b>									
<b>Total Expense</b>	<b>104,793</b>	<b>101,066</b>	<b>91,424</b>	<b>77,988</b>	<b>74,628</b>	<b>69,712</b>	<b>107,187</b>	<b>106,664</b>	<b>135,950</b>	
<b>Net Income</b>	<b>15,747</b>	<b>12,442</b>	<b>39,395</b>	<b>81,193</b>	<b>94,547</b>	<b>70,414</b>	<b>34,881</b>	<b>36,392</b>	<b>(4,700)</b>	

**THE FLORIDA BAR**  
**Elder Law Annual Retreat**  
**For the Twelve Months Ending Saturday, June 30, 2019**

Description	13-14 Actual	14-15 Actual	15-16 Actual	16-17 Actual	17-18 Actual	18-19 Actual	18-19 Budget	19-20 Budget	20-21 Proposed
3301-Registration-Live			\$7,000	\$4,749	\$3,175	\$2,875	\$5,000	\$5,000	\$5,000
<b>Total Registration Revenue</b>			<b>7,000</b>	<b>4,749</b>	<b>3,175</b>	<b>2,875</b>	<b>5,000</b>	<b>5,000</b>	<b>5,000</b>
3351-Sponsorships						0	2,000	2,000	2,000
<b>Other Event Revenue</b>						<b>0</b>	<b>2,000</b>	<b>2,000</b>	<b>2,000</b>
<b>Total Revenue</b>			<b>7,000</b>	<b>4,749</b>	<b>3,175</b>	<b>2,875</b>	<b>7,000</b>	<b>7,000</b>	<b>7,000</b>
4311-Office Supplies		45				0	250	250	250
<b>Total Staff &amp; Office Expense</b>		<b>45</b>				<b>0</b>	<b>250</b>	<b>250</b>	<b>250</b>
5031-A/V Services				456		763	1,000	1,000	1,000
5051-Credit Card Fees			93	25	75	54	50	50	
<b>Total Contract Services</b>			<b>93</b>	<b>481</b>	<b>75</b>	<b>817</b>	<b>1,050</b>	<b>1,050</b>	<b>1,000</b>
5501-Employee Travel			1,584	1,316	981	1,756	2,160	2,330	2,500
5571-Speaker Travel					1,672	0	0	0	0
<b>Total Travel</b>			<b>1,584</b>	<b>1,316</b>	<b>2,653</b>	<b>1,756</b>	<b>2,160</b>	<b>2,330</b>	<b>2,500</b>
6001-Post 1st Class/Bulk	3					605			250
6311-Mtgs General Meeting				419		3,139	5,000	6,000	6,000
6321-Mtgs Meals		2,051		3,351	326	5,036	8,000	9,000	9,000
6325-Mtgs Hospitality	1,788	5,466	(1,104)	916	8,070	2,734	9,500	9,500	9,500
6401-Speaker Expense					70	0	300	300	300
6451-Committee Expense		1,030							
<b>Total Other Expense</b>	<b>1,791</b>	<b>8,547</b>	<b>(1,104)</b>	<b>4,686</b>	<b>8,466</b>	<b>11,514</b>	<b>22,800</b>	<b>24,800</b>	<b>25,050</b>
8101-Printing In-House		1,576		6		0	250	250	250
<b>Total Admin &amp; Internal Expense</b>		<b>1,576</b>		<b>6</b>		<b>0</b>	<b>250</b>	<b>250</b>	<b>250</b>
<b>Total Expense</b>	<b>1,791</b>	<b>10,168</b>	<b>573</b>	<b>6,489</b>	<b>11,194</b>	<b>14,087</b>	<b>26,510</b>	<b>28,680</b>	<b>29,050</b>
<b>Net Income</b>	<b>(1,791)</b>	<b>(10,168)</b>	<b>6,427</b>	<b>(1,740)</b>	<b>(8,019)</b>	<b>(11,212)</b>	<b>(19,510)</b>	<b>(21,680)</b>	<b>(22,050)</b>

F&A Will Populate

Calculated by TFB

Elder Law Section Membership Committee Report  
September 2019  
Mike Jorgensen and Donna McMillan, Co-Chairs

The membership committee has been communicating with how to increase membership, make membership more meaningful and how to restore former members.

1. We have discussed welcoming letters/emails to the new members and inviting them to participate in committee meetings, current leaders and members mentoring new members at committee meetings, and advertising the Section's great opportunities to enjoy CLES/participate in committees, and inviting new members to participate. People hear about active Sections and want to be involved. A new Welcome Letter has been drafted.
2. We discussed sending surveys, sending direct emails to existing members inviting them to attend CLE and Section meetings, and asking them to consider mentoring and participating as speakers in the Section's CLE.
3. We discussed emailing or calling former members and seeking information of how we may entice them back into membership.

# EXHIBIT H

## Mentoring Committee Report

Co-chairs: Dayami Sans and Jodi Murphy

Date of Meeting: October 4, 2019

The mentoring committee has been able to continue hosting its Tricks of the Trade telephonic CLE every other month. Since our last meeting, the following Tricks of the Trade CLEs have been hosted:

- August – Avoiding the Negligent Referral by David Weintraud

Our October Tricks of the Trade CLE is coming up on October 17<sup>th</sup>, the assigned topic is SNT. Travis was asked to host, but he will be at the Stetson SNT program. He is available to do SNT for the December Tricks of the Trade CLE, but VA is scheduled for December. Question pending to Randy – can we switch the topics and do VA in October and SNT in December?

Depending on above, we will still need a speaker for October's Tricks of the Trade CLE.

We've matched 2 mentors/mentees since our last meeting and welcome new members to sign up.

**Publications Committee**  
*The Elder Law Advocate*

**Retreat Report 2019**

**Submitted by:**

**Heather B. Samuels and Genny Bernstein, Co-chairs**  
**[HSamuels@solkoff.com](mailto:HSamuels@solkoff.com) and [GBernstein@jonesfoster.com](mailto:GBernstein@jonesfoster.com)**

**The Elder Law Advocate** publishes three news magazines annually: Fall, Winter, and Spring/Summer. Due to changes in the length of time it takes for the issue to go through the bidding and printing process, we've moved each deadline up by 2 weeks. The deadlines are listed below.

- 1.) **Article Submissions:** While we understand that each substantive committee is required to submit one article annually, we welcome, encourage, and solicit any section member to submit an article at any time. We are pleased and happy to include any non-repetitive, well-written article on a topic of general interest or a "hot topic." Articles: 500-600 words are ideal so that they fit neatly on one page. Submissions should be in Microsoft word and include a Jpeg photo and 1-2-line bio.
- 2.) **Publication Agreement:** We are presently working on adapting the Florida Bar Journal Publications Agreement for our section and the Elder Law Advocate to enhance the professionalism and process of our publication. Each author submitting an article will be provided a copy with a request to sign it as soon as we have Randy's approval to use it.

**2019-2020 Elder Law Advocate Deadlines**

**Winter Issue**

Deadline: October 18.

*Substantive Committee Submissions due:* **Guardianship and Special Needs Trusts**

**Spring Issue**

Deadline: February 14

*Substantive Committee Submissions due:* **Litigation, Medicaid/Government Benefits, and Legislative**

**Summer Issue**

Deadline: June 12

*Substantive Committee Submissions due:* **Abuse, Neglect and Exploitation, VA Benefits, and Unlicensed Practice of Law**

**Report of the Litigation Committee  
Elder Law Section Executive Council Meeting  
October 4, 2019**

We worked diligently on the exploiter disinheritance proposed statutes. The form of the statutes were approved by the executive council but unfortunately it doesn't look like the bill will be proposed in this upcoming legislative session.

We also worked hard on the mediation proposed rules and RPPTL's Parker fix bill which we oppose.

We look forward to having other section members who litigate join our committee which meets virtually via email mostly.

Ellen S. Morris, Committee Chair