

65,751

IN THE SUPREME COURT OF FLORIDA

**FILED**

SID J. WHITE

AUG 14 1984

CLERK, SUPREME COURT

By [Signature]  
Chief Deputy Clerk

THE FLORIDA BAR, re:

Petition to Amend Florida  
Bar Integration Rule,  
article III, Sections (2)  
and (6) (Board of Governors)

Case No.

PETITION TO AMEND INTEGRATION RULE

COMES NOW, the Board of Governors of The Florida Bar,  
pursuant to Florida Bar Integration Rule, article XIII and files  
this petition to amend the Integration Rule and says:

1. Pursuant to Article V, Section 15, Florida's  
Constitution, this Court has jurisdiction over this matter.
2. The Florida Bar Integration Rule Bylaws, article XIII,  
Section 1, requires the Board of Governors to "...make a continuous  
study of the Integration Rule..." and recommend desirable  
improvements to the Supreme Court of Florida.
3. The Board of Governors of The Florida Bar, at its May  
1984 meeting, voted to recommend that this Court adopt amendments to  
Florida Bar Integration Rule, article III, Sections (2) and (6).
4. The proposed amendment to Florida Bar Integration Rule,  
article III, section 2 is as follows:

2. The Board of Governors shall consist of the  
 president of The Florida Bar, the president-elect, the  
 president of the Young Lawyers Section, the  
 president-elect of the Young Lawyers Section, a  
 representatives of the active nonresident members of The  
 Florida Bar, and representatives elected by and from the  
 active members of The Florida Bar in each judicial

circuit. There shall be one such circuit representative from each judicial circuit and fourteen additional circuit representatives who shall be apportioned among and elected from the judicial circuits on the basis of the number of members in good standing residing in each circuit. The formula for determining the number of representatives apportioned to and elected from each judicial circuit shall be: first, determine the average number of members in good standing residing in each judicial circuit by dividing the number of Florida resident members in good standing by the total number of judicial circuits, and then dividing the members in good standing residing in each judicial circuit by such average. Apportionment of representatives among the judicial circuits shall be in accordance with the results thus obtained, by apportioning each judicial circuit one representative for each multiple of one (including one) of the results obtained for such circuit, provided such number does not exceed fourteen, and one representative for the circuit's remaining fraction of a multiple commencing with the largest such fraction and continuing in descending order to the next largest fraction and so on until all representatives of this category shall be apportioned to judicial circuits; in the event the sum of the whole integers so determined exceeds fourteen, then circuits whose results show whole integers from the application of the formula shall be determined by eliminating one representative for the lowest fraction of a whole integer among such circuits and continuing in ascending order until fourteen is reached.

5. The proposed amendment to Florida Bar Integration Rule, article III, Section 6 is as follows:

6. ~~Commencing in 1979,~~ a Two (2) nonresident members of the Board of Governors shall be nominated and elected in accordance with the bylaws by the active nonresident members of The Florida Bar. Such elected members shall hold office for a term of two years. Any vacancy arising in such offices shall be filled for the unexpired term by a special election held in accordance with the bylaws.

6. The above proposed amendments also make it necessary to amend those portions of the "Rules Regulating The Florida Bar," currently pending before this Court in case number 64,520. The particular sections in need of amendment are Sections 1-4.1 and Bylaw 2-4.6(a).

7. The necessary amendment to Section 1-4.1, "Rules Regulating The Florida Bar," is as follows:

1-4.1 The Board of Governors shall be the governing body of The Florida Bar. It shall consist of the president and the president-elect of The Florida Bar, president and president-elect of the Young Lawyers Division, ~~a~~ representatives of the active members of The Florida Bar residing outside of the State of Florida, and representatives elected by and from the active members of The Florida Bar in each judicial circuit. There shall be one such circuit representative from each judicial circuit and fourteen additional circuit representatives who shall be apportioned among and elected from the judicial circuits on the basis of the number of members in good standing residing in each circuit. The

formula for determining the number of additional circuit representatives apportioned to and elected from each judicial circuit and all other matters concerning election and term of office for members of the Board of Governors shall be prescribed in the bylaws of The Florida Bar.

8. The necessary amendment to Bylaw 2-4.6(a), "Rules Regulating The Florida Bar," is as follows:

2-4.6 Nomination of Members.

(a) Staggered Terms. Elections shall be held in even-numbered years for nonresident (2) and the following circuit representatives:

<u>Circuit</u> <u>(Office Number)</u>	<u>Circuit</u> <u>(Office Number)</u>
1	11(3)
2(2)	11(5)
3	13(1)
4(1)	14
6(1)	15(1)
7	17(1)
9(1)	18
10	20
11(1)	<u>nonresident (2)</u>

Elections shall be held in odd-numbered years for nonresident representatives (1) and for the following circuit representatives:

Circuit <u>(Office Number)</u>	Circuit <u>(Office Number)</u>
2(1)	11(7)
4(2)	12
5	13(2)
6(2)	15(2)
8	16
9(2)	17(2)
11(2)	17(3)
11(4)	19
11(6)	<u>nonresident (1)</u>

As additions or deletions of circuit representatives resulting from the application of the formula provided in this bylaw necessitate changes in the lists set forth above, both in circuit and office numbers, such changes shall be made by the executive director as appropriate and shall be published in The Florida Bar News by November 1.

9. The above proposed amendments to Florida Bar Integration Rule, article III, Sections 2 and 6 and Section 1-4.1, "Rules Regulating The Florida Bar," and Bylaw 2-4.6(a), "Rules Regulating The Florida Bar," are necessary to create a seat for a second nonresident representative on the Board of Governors. The proposed amendments recognize the need for additional nonresident representation on the Board of Governors of The Florida Bar occasioned by the increase in the number of those active members of The Florida Bar who do not reside in this state.

Amendment to both the Integration Rule and the "Rules Regulating The Florida Bar" is necessary so that consistency between the two shall be maintained.

The Florida Bar respectfully requests, in connection with this proposed amendment, that the Court direct in its Order approving same, that the initial election for the new nonresident seat (2) shall be held in 1985, for a one (1) year term only. Thereafter, election for this seat shall be as provided under the proposed rule.

10. The Florida Bar does not intend to file a brief in support of this petition, unless directed to do so by this Court.

11. Pursuant to Florida Bar Integration Rule, article XIII, this petition will be published in the September 1, 1984 edition of The Florida Bar News. ✓

12. The Florida Bar requests the proposed amendments set forth hereinabove, be considered in conjunction with the proposed amendments currently pending before this Court in case number ~~64,520~~ (Rules Regulating The Florida Bar). 65,197 \*

Respectfully submitted,

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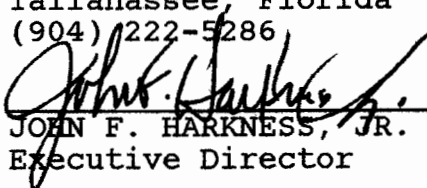
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Scheduled for  
O/a on 11-5-84)