

IN THE SUPREME COURT OF FLORIDA

CASE NO. 72,671

FILED

SID J. WHITE

MAR 30 1989

CLERK, SUPREME COURT

By _____
Deputy Clerk

MATTER OF INTEREST ON TRUST)
ACCOUNTS: A PETITION TO)
AMEND THE RULES REGULATING)
THE FLORIDA BAR)

PROPOSED AMENDMENTS TO THE RULES REGULATING THE FLORIDA BAR
AND THE ARTICLES OF INCORPORATION OF THE FLORIDA BAR FOUNDATION, INC.

PROPOSED AMENDMENTS TO RULE 5-1.1(d) OF THE RULES REGULATING THE
FLORIDA BAR

THE FLORIDA BAR FOUNDATION, INC. (the "Foundation") hereby submits to
the court proposed amendments to rule 5-1.1(d) of the Rules Regulating The
Florida Bar, and says:

1. As required by order of the court of January 26, 1989, proposed
amendments to rule 5-1.1(d) of the Rules Regulating The Florida Bar are submitted
to the court for publication, in accordance with rule 1-12.1 of the Rules Regulat-
ing The Florida Bar, for purposes of implementing a mandatory IOTA program.
Proposed rule 5-1.1(d) is attached as Exhibit A. The proposed rule is not in
legislative style because it is a general revision of the existing rule and has been
drafted to be responsive to the January 26, 1989 order. Existing rule 5-1.1(d) is
attached as Exhibit B for comparison.

2. The Foundation has consulted with and has received the concurrence of
The Florida Bar in the development of these proposed amendments to rule 5-1.1(d)
of the Rules Regulating The Florida Bar.

WHEREFORE, in view of the critical need to provide increased funding for
legal services, the Foundation prays for an early decision by the court approving
amendments to rule 5-1.1(d) of the Rules Regulating The Florida Bar substantially
in the form attached as Exhibit A, and that the court set an effective date for
implementing mandatory IOTA of August 1, 1989 so long as such date is not less

than 60 days nor more than 90 days after the order of the court approving such amendments.

PROPOSED AMENDMENTS TO THE ARTICLES OF INCORPORATION OF THE
FLORIDA BAR FOUNDATION, INC.

THE FLORIDA BAR FOUNDATION, INC. (the "Foundation") hereby submits proposed amendments to its Article of Incorporation, and says:

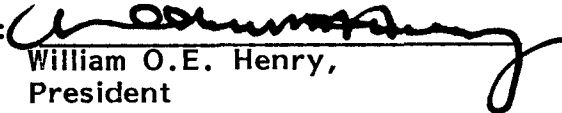
1. As required by order of the court of January 26, 1989, proposed amendments to the Foundation's Articles of Incorporation are submitted, as required by Article X therein, for approval by the court. Exhibit C contains the text of the Foundation's existing Articles of Incorporation with the proposed amendments shown in legislative style.

2. The proposed amendments to the Foundation's Articles of Incorporation represent a plan for the selection of the Foundation's board of directors which was developed by a special joint committee of the Foundation and the Board of Governors of The Florida Bar on March 6, 1989, and which was, as required by Article X therein, formally approved by the board of directors of the Foundation and the Board of Governors of The Florida Bar at their respective meetings on March 7, 1989. The plan for selection of the Foundation's board of directors was developed to ensure a fair and adequate representation of the Bar membership in the Foundation's decisionmaking process.

WHEREFORE, as it is the desire of the Foundation and The Florida Bar that directors of the Foundation be selected under the new plan as proposed in these amendments to the Foundation's Articles of Incorporation by the time of the annual organization meeting of the Foundation's board of directors on June 17, 1989, the Foundation prays for the court to approve amendments to the Foundation's Articles of Incorporation substantially in the form attached as Exhibit C by May 1, 1989. If the court is unable to approve the proposed amendments to the Foundation's Articles of Incorporation by May 1, 1989, the Foundation prays for the court to approve Exhibit D attached, which provides for the same plan for selection of the

Foundation's board of directors as proposed in Exhibit C, but which would implement such plan in 1990, rather than in 1989, as proposed in Exhibit C.

Respectfully submitted,
THE FLORIDA BAR FOUNDATION, INC.

BY: 
William O.E. Henry,
President
Bar No. 035478

I HEREBY CERTIFY that a copy of the foregoing has been furnished to each of the following persons by U.S. Mail this 29th day of March, 1989:

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