

# **BUSINESS LAW SECTION OF THE FLORIDA BAR**

## **INCLUSION MENTORING FELLOWSHIPS COMMITTEE MEETING MINUTES BUSINESS LAW SECTION MID-YEAR MEETING (VIRTUAL) Wednesday, January 26, 2022, 1:00-2:00 p.m.**

### **1. Welcome and Introduction**

- a. Leadership joined to introduce the BLS Leadership team and brief discussion regarding:
  - i. the CLE Diversity Policy to be discussed during this IMF meeting and potentially at Executive Council.
  - ii. request for volunteers to help on the Labor Retreat Committee;
  - iii. request for any thoughts and comments on future projects, ideas and suggestions.
  - iv. reference to Council of Sections panel on diversity, and Christina Taylor participation in same.
- b. Welcome to attendants.
- c. Introduction of current IMF leadership team:
  - i. Chair: Christina Y. Taylor
  - ii. Vice Chair: Valeria Angelucci
  - iii. Second Vice Chair: Kelly Roberts
  - iv. Judiciary chairs.

### **2. Approval of Meeting Minutes from September 3, 2021 Annual Meeting**

- a. Motion to approve minutes made by Mariane Doris; motion was seconded by Valeria Angelucci.
- b. Motion passed.

### **3. Announcements**

- a. Carlos Sardi made a few announcements:
  - i. Florida Bar is accepting applications for the Leadership Academy and suggested and invited current and past fellows to apply.
  - ii. Invited to support the Financial Literacy Act currently pending before the House and Senate, and send letters in support of the Act.
    1. Judge Mora mentioned that, while generally judges are not supposed to express opinion on bills, the Act is really

connected to the work that bankruptcy judges do, and expressing support would not be against division of powers.

#### **4. Fellows**

- a. Announcement that new Fellowship Application will be open after this Meeting.
- b. Suggestion to make blog posts regarding the fellowship to be used together with the Fellowship Application.

#### **5. Chair's Report**

- a. IMF Sub-Committee Updates
  - i. Communication & Marketing Committee
    1. Co-Chairs: Christina Taylor and Michelle Suarez
    2. Discussed applications for 2022-2024 BLS Fellows Class will be opened after meeting.
  - ii. Networking Committee
    1. Co-Chairs: Michelle Suarez and Kelly Roberts
    2. Kelly Roberts gave update on potentially doing an event with the new class of fellows and put together an event in June to both fellows and scholars in person if possible.
  - iii. CLE Committee
    1. Co-Chairs: Dana Robbins and Utibe Ikbe
    2. No CLE in the pipeline but committee is open to suggestions; any person with ideas or suggestions is invited to reach out to Utibe.
  - iv. IMF Mentor/Mentee Program
    1. Co-Chairs: Nicole McLemore and Michelle Suarez
    2. Request for volunteers to help pair mentors/mentees.
    3. Judge Mora advised she has a list of members that have signed for the program and will provide the information to Nicole McLemore.
- b. IMF Substantive Committee Liaisons
  - i. Current Liaisons:
    1. Business Litigation: Angelique Gulla
    2. Bankruptcy/UCC: Lorna E. Brown-Burton

3. Computer and Technology: Adam Duh
4. Corporations/Securities and Financial Services: Toni V. Tsvetanova
5. Intellectual Property: Nicole Reid

ii. No updates.

## **6. Diversity Committee Strategic Plan Update**

- a. Intention to look at strategic plan, and what we need to do to move forward, including implementing leadership institute and discussing paths to leadership
- b. Discussed formation of something more formal and meaningful to get others involved to review historical data and analyze what needs to be done to achieve the diversity objectives.
  - i. Asked substantive committee liaisons to discuss and invite more BLS members to participate in the group.
  - ii. Motion to create study group made by Mariane Dorris; motion was seconded by Jim Moon.
- c. Opened for discussion.
  - i. Carlos Sardi, Jim Moon mentioned interest in participating
  - ii. Discussed presenting issue at Executive Council to get more participation.
  - iii. The Strategic Plan is on the IMF page on the BLS website for more information. <http://www.flabizlaw.org/files/strategicplan.pdf>

## **7. CLE Diversity Policy Update**

- a. Prior to initiating the discussion, it was confirmed that no media or news representative was participating in the call. Stefanie Svisco advised no requests came from media, and no outsiders are present at this meeting.
- b. Mariane Dorris provided an update:
  - i. After submission of comments and responses to the Florida Supreme Court, the Florida Supreme Court issued another opinion in response to all the comments received.
  - ii. The initial BLS diversity policy cannot be reinstated, as the Florida Supreme Court maintains the original policy provides for quotas and thus the policy would be unacceptable (except for one dissenting

decision which seemed to agree with our comment that the policy is inclusive and not exclusive).

- c. Last June, the study group and the IMF Committee reviewed and revised the original CLE policy. The revised policy contains only aspirational goals to ensure diverse CLE programs and does not make it mandatory to have diverse participants.
  - i. <https://flabizlaw.org/committees-task-forces/standing-committees/inclusion-mentoring-fellowships/inclusion-mentoring-fellowships-committee-archive/>
  - ii. The policy was approved at the EC Meeting, but subsequently the EC agreed to hold on implementation of the revised policy while waiting for the Florida Supreme Court to potentially respond to comments and responses to the original opinion.
- d. Phil Schwartz commented that at the EC meeting there were some concerns regarding the proposed revised policy and that he thought there was an expectation that we would wait for the Florida Supreme Court to respond. Mr. Schwartz recommended that the group step back, study what was proposed, and then bring a proposal back to the EC after it has been revised/reviewed to ensure it would be acceptable.
- e. Ms. Dorris responded that, immediately after the sua sponte Florida Supreme Court order, a committee was formed within IMF, which worked on the revised policy with members of IMF and solicited comments from other constitutional attorneys, ran the revised policy by The Florida Bar, and received comments expressing the revised policy would be acceptable. Ms. Dorris stressed the revised policy was the product of all that work.
- f. Ms. Dorris also discussed that the purpose of the policy is to encourage diversity and invite diverse members to participate in CLE programming, with the goal that CLEs reflect not only the group that brought forward a bill, but also the groups that will be impacted and the Section.
- g. Mr. Schwartz expressed concerns that it would be unfair to those who did heavy lifting on legislation to be excluded in order to allow a diverse participant who has not contributed participate. Jim Moon responded that the revised policy is aspiration and that attempts should be made when possible to include diverse participation. Mr. Moon further stated that the revised policy is not a reductive policy and that the goals could be met by inviting additional people to be part of the CLE.
- h. Mr. Moon also stressed that the revised policy has been discussed for a long time and a discussion is expected to occur at the EC meeting. Rick Gross echoed that discussed was already had at EC, and further commented that the policy will be an incentive for senior attorneys to involve junior diverse

attorneys to participate in projects. Kelly Roberts commented on the importance of attracting more Fellows and diverse participants in the Section.

- i. Judge Mora asked what would be requested to show “good faith” under the implementation language of the revised policy. Ms. Dorris stated the policy requires an attempt to be inclusive, and the IMF Committee has assisted in bringing in diverse participants.
- j. A Motion to present the Revised CLE Diversity Policy to EC for a vote was made by Jim Moon, seconded by Mariane Dorris. The Motion passed.

**8. Adjournment**