INTERNAL OPERATING PROCEDURES

I. AUTHORITY

Florida Supreme Court Administrative Order No. AOSC16-71.

II. PURPOSE and CHARGE

The purpose of the Florida Commission on Access to Civil Justice is to study the remaining unmet civil legal needs of disadvantaged, low income, and moderate income Floridians. The Commission encompasses the viewpoints of multiple constituencies and stakeholders and is not limited to those of any one institution. The Commission considers Florida’s legal assistance delivery system including but not limited to staffed legal aid programs, resources and support for self-represented litigants, limited scope representation, pro bono services, innovative technology solutions, and other models and potential innovations. In carrying out its purpose, the Commission shall perform its responsibilities consistent with Long-Range Issue 2 (Enhance Access to Justice and Court Services) of The Long-Range Strategic Plan for the Florida Judicial Branch 2016-2021.

III. MEMBERSHIP

The Commission is composed of 23 members, who are leaders from the private sector as well as the three branches of state government. Terms will be staggered to ensure continuity and experience on the Commission. The initial appointments shall be for one, two, or three years in order to implement a system of staggered terms; future appointments shall be for terms of three years.

The Governor’s designee, the Senate President’s designee, and the House Speaker’s designee shall serve as Commission members during their tenures in those respective designations.

IV. COMMITTEES and SUBCOMMITTEES

The Chair of the Commission shall appoint Commission members to the committees and designate Committee Chairs.

The Chair and Executive Committee Chair may establish subcommittees as may be required to effectuate the Commission’s charges. Members of the subcommittees may include persons
who are not members of the Commission but whose input is required on selected issues. The Chair and Executive Committee Chair shall appoint Subcommittees members and designate Subcommittee Chairs.

The Commission Chair is authorized to adjust the committees and subcommittees at any time, if the Chair determines such action is required to effectuate the Commission’s charges.

The Commission Chair and the Executive Committee Chair shall serve as ex officio members of all committees.

Each Committee and Subcommittee shall regularly report the progress of its work to the Commission Executive Committee, and shall recommend to the Commission’s Executive Committee any action the Commission should take as the result of the Committee’s or Subcommittee’s work. Committees may be tasked to complete, review, and or further develop initiatives that was initiated by the 2014-2016 Commission.

Committees:

Each committee may have a maximum of 12 members.

a. Executive Committee

b. Services Options Committee

c. Resources Evaluation Committee

Subcommittees:

Each subcommittee may have a maximum of 12 members.

V. STAFF SUPPORT

The Florida Bar shall provide the necessary staff support to enable the Commission to carry out its duties, and shall work in cooperation with the Office of the State Courts Administrator. The support staff will produce meeting summaries, notify members of meetings, and provide other support related to the operation of the Commission. The Florida Bar will provide primary staff support to the Committees and Subcommittees, supplemented by the Office of the State Courts Administration and The Florida Bar Foundation.

VI. COMMISSION, COMMITTEE, AND SUBCOMMITTEE MEETINGS

1) Governing Rules - The rules contained in Roberts Rules of Order shall govern all matters in which they are not inconsistent with these Internal Operating Procedures.

2) Presiding Officer - The Chair of the Commission shall preside at all Commission meetings. No general principle prohibits the Commission from meeting in the absence of the Chair. The same shall apply to the Committee and Subcommittee meetings. In the event of the
Commission chair’s absence, the Executive Committee chair will preside over Commission meetings.

3) **Commission Meetings** - The Commission will meet as needed, and it is anticipated that it will meet quarterly. The meetings will be held at a location determined by The Florida Bar in consultation with the Office of the State Courts Administrator. While Chapter 286, Florida Statutes, is not applicable to the Judicial Branch, meetings of the Commission will be open to the public. All Commission meetings are public meetings and the public is encouraged to attend, listen and provide feedback after the meeting via the Commission’s website.

4) **Committee and Subcommittee Meetings** – The committees and subcommittees will meet as needed. Meetings may be held at the discretion of the Commission Chair, Committee Chair or the Subcommittee Chair within available resources using the most effective and efficient means. Video conference or teleconference should be used when feasible. Additionally, to optimize members’ time and conserve resources, it is anticipated the committees and subcommittees will meet at least two weeks prior to any Commission meeting using the most effective and efficient means.

5) **Notice of Meetings** - Notice of Commission, Committee and Subcommittee meetings will be available on the Commission’s website ([http://www.flaccesstojustice.org](http://www.flaccesstojustice.org)) and a notice will be also posted at the Florida Administrative Register ([https://www.flrules.org](https://www.flrules.org)).

6) **Commission Meeting Attendance** – Full participation by all members is a critical component of the Commission’s success. Attendance shall be in person unless otherwise approved by the Commission Chair. If a member cannot attend a meeting, the member should advise the Chair in advance.

7) **Committee and Subcommittee Meeting Attendance** – It is anticipated that committee and subcommittee members will make every effort to participate in all committee and subcommittee meetings. If a member cannot attend a meeting, the member should advise the Committee or Subcommittee Chair in advance.

8) **Designated Representative** - Members were carefully selected based upon their experience within the Florida justice system and their anticipated commitment and should not send a representative to a meeting. Should a member choose to do so, however the representative will be allowed to observe and take notes, but will not be allowed to participate in deliberations or vote. Further, there are no funds available to reimburse representatives’ travel expenses. The member must notify the Commission, Committee, or Subcommittee Chair if a representative will be attending a meeting. The notification must be made no later than five working days before the scheduled meeting.
9) **Conducting Business**

a. **Quorum**
   1. No Commission business shall be conducted unless a quorum is present at the Commission meeting. For purposes of these Internal Operating Procedures, a quorum is defined as 50 percent of the Commission members for a Commission meeting.
   2. No Committee or Subcommittee business shall be conducted unless there are at least three members in attendance.

b. **Voting** - A majority vote of those attending the meeting shall be sufficient to pass any action taken by the Commission, Committee or Subcommittee. All voting shall be by open ballot, either orally or by show of hands. If a vote is not unanimous, a show of hands vote and count thereof shall be taken and recorded and included in the meeting summaries.

For Committee and subcommittee meetings held by electronic means all votes shall be open ballot either orally or in writing. All vote counts in such meeting shall be recorded and included in the meeting summaries.

c. **Proxy Voting** - Members must be present to vote on issues. No member can authorize another individual to vote on any issues in his/her stead.

d. **Motions/Recommendations/Proposals** – Any recommendations/proposals/motions to be voted on by the Commission must be submitted to the Executive Committee at least 30 days before a Commission meeting for review. The Executive Committee after reviewing a motion/recommendation/proposal, may take one or more of the following actions: i) refer the proposal and/or funding plan to the Council of Business Partners for critical review; ii) refer the proposal back to the committee for further study; iii) recommend that the Supreme Court refer the proposal to another court committee or bar committee for further study or development; iv) refer the proposal to the Resource Evaluations Committee for development of a funding plan; or v) reject the proposal in whole or in part. If the motion/recommendation/proposal is approved by majority vote of the Executive Committee, the motion/recommendation/proposal will be presented before the Commission for voting.

e. **Spontaneous Motions/Recommendations/Proposals** – Any spontaneous motions/recommendations/proposals made at a Commission meeting will be submitted in writing to the Executive Committee with 10 days of the meeting for research and review. The Executive Committee will refer the item to the appropriate Committee for further research and review. Once the appropriate Committee as approved the motions/recommendations/proposals it will be sent to the Executive Committee pursuant to the section d. above.

f. **Summaries** - Support staff will take meeting summaries and will disseminate a draft of the summaries electronically to the Commission Chair for Commission meetings, to the Committee Chair for committee meetings, and to the Subcommittee Chair for
subcommittee meetings at least ten (10) days before the next scheduled meeting. After
the Chair approves the minutes, a copy of the minutes will be disseminated to the
members and posted on the Commission’s website.

VII. AGENDA

Recommendations to the Commission and all matters of business or concern to be included in
the agenda will be presented to the Chair, Executive Committee Chair, The Florida Bar, and the
Office of the State Courts Administrator prior to any meeting. The Chair and Executive
Committee Chair with assistance from The Florida Bar and the Office of the State Courts
Administrator, will assemble all agenda items and provide a copy of the agenda to each member
of the Commission at least five days prior to the meeting. If additional items or supporting
documentation are subsequently added, a supplemental agenda and supporting documents
may be provided prior to the meeting. The Chair or Executive Committee Chair has the
discretion to add additional items to the agenda at the beginning of the meeting. Any materials
associated with the agenda items will also be distributed electronically five days prior to the
meeting. Additional materials may be distributed at the meeting with the approval of the Chair
or Executive Committee Chair.

VIII. APPEARANCE BEFORE THE COMMISSION

Individuals or representatives of a group who desire to appear before the Commission to
address a subject within the Commission’s jurisdiction may submit their requests to the
Commission’s Administrator. The Chair or Executive Committee Chair will determine whether
and when the item will be heard. The Chair or Executive Committee Chair may place time limits
on any presentation or decline to hear any matter determined to be outside the Commission’s
jurisdiction. The Chair or Executive Committee Chair may refer the individual or representative
of a group to appear before a Committee or Subcommittee meeting.

IX. COMMISSION REPORT

The Commission shall submit reports on its progress on June 30 of even-numbered years,
beginning on June 30, 2018. Copies of those biennial reports should be provided to the Chief
Justice of the Supreme Court of Florida, the Governor of Florida, the President of the Florida
Senate, and the Speaker of the Florida House of Representatives.

Prepared by The Florida Bar
Last Revised November 2, 2016