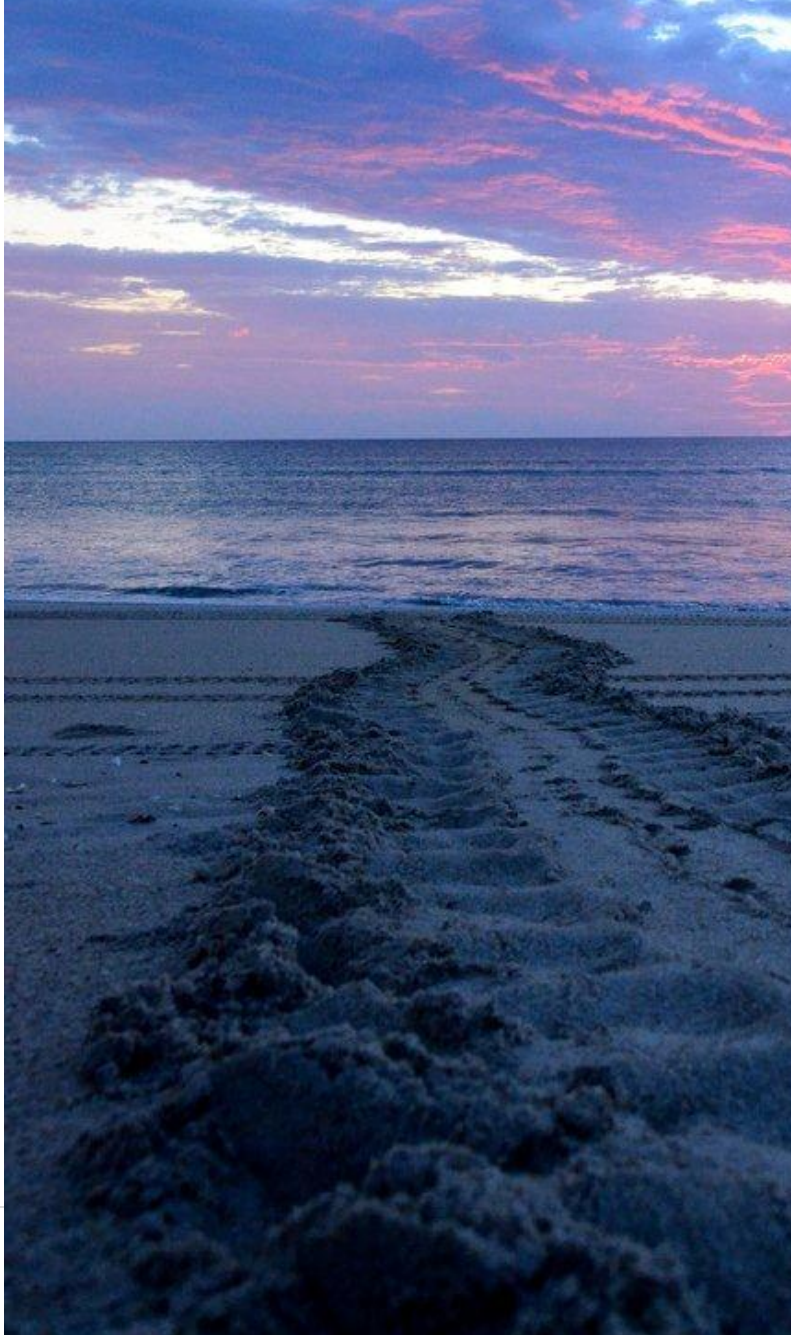


2012 - 2017



**The Florida Bar's Environmental and
Land Use Law Section
Strategic Plan**



STRATEGIC PLAN 2012-2017

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1.0 Forward

The Florida Bar's Environmental and Law Use Law Section ("ELULS" or the "Section") was established during the 1977-1978 Bar year providing a forum for attorneys to share in technical and legal knowledge related to environmental and land use law. Each year, the Section provides seminars and workshops as well as publications related to these practice areas. The Section publishes the comprehensive *Florida Environmental and Land Use Law Treatise* on-line for use by Section members. By maintaining existing service and offering new services as needed, ELULS provides strong support to lawyer and affiliate practitioners while fostering a sense of community and collegial exchange.

The Section has developed this Strategic Plan 2012-2017 (the "Plan") to provide excellent member services while adapting to the current economic climate. The Plan development process took into consideration the needs of our members through surveys of members and covers all aspects of Section operations.

The Section updated our mission statement to ensure it reflects the current needs of our members. The Section also comprehensively reviewed our goals while taking a balanced view across all Section services, activities and initiatives. Goals and performance measures generally fall within seven (7) areas: Membership, Committees & Leadership Development, Affiliate Members, Continuing Legal Education ("CLE"), Law Schools, Section Communications, and Budget and Finance.

This Plan will be implemented in a manner that ensures achievement of its objectives with the flexibility to respond as developments warrant. The Section's leadership will routinely consider and pursue the relevant elements of this Strategic Plan in their activities. The Section will routinely and consistently promote awareness, and implementation, of this Plan through communication with the membership. The Section will prepare and provide to the general membership an annual report on the Section's achievement of the goals contained in the Plan.

Plan Drafting & Surveys

Leading up to the ELULS long range planning retreat that was held on April 12-16, 2012, the Section's Executive Council was surveyed to assist in the development of a draft of the Plan for general presentation and discussion. This draft also provided a starting point for discussion on what the Plan should encompass. Next, the Section deployed a detailed survey to the Section's members in June 2012 (the "Survey"). Survey results are attached as an Appendix to the Plan.

An updated draft of the Plan was discussed in conjunction with the member survey results, at the June 21, 2012 meeting of the Section's Executive Council. Revisions were then made and the Section's Executive Council adopted the Plan at its August 8, 2012 meeting, anticipating that the general concepts of the Plan would be presented to the general membership at the Section's Annual Meeting on August 10, 2012.

2.0 Vision and Mission

MISSION STATEMENT

The Section is the premier forum for Florida environmental and land use law, a community where professionals have access to current information about their practice areas, and a venue to exchange ideas while achieving the highest professional standards and ethics.

PURPOSE

The Section provides a forum for attorneys to share in the technical and legal knowledge related to the field of environmental and land use law. The purpose of the Section is:

- (a) To provide an organization within The Florida Bar open to all members in good standing of The Florida Bar who have a common interest in environmental and land use law.
- (b) To provide a forum for discussion and exchange of ideas leading to increased knowledge and understanding of environmental and land use law on the part of Bar members.
- (c) To study proposed and existing legislation affecting the environment and use of land and recommend to the Board of Governors that the Bar support or oppose that legislation.

3.0 Current Issues

As of July, 2012, ELULS has 1,750 members and for 35 years has provided Section members with high quality services and networking opportunities. During this time, environmental and land use law practice has experienced change and challenges, but the Section has remained relevant and responsive. The Section benefits from the diversity of its membership including lawyers from private practice, in-house counsel, and all levels of government as well as affiliate members from a variety of environmental and land use professions. The significant economic, political and technological shifts in environmental and land use law have required the Section to continually evolve member services. The Section is operated by a 20 member Executive Council including representatives from different membership bases. At all time, the provision of quality services is a top priority. In order to continue to provide quality service, the Section requires constant communication between Section leadership and general membership.

The current economic climate provides challenges for both practitioners and ELULS operations. This issue imposes the need for new measures for increasing financial efficiency and effectiveness while continuing to provide quality services to the membership. Providing tangible and meaningful benefits to the ELULS membership remains the core value of the Section despite these challenges. Additionally, the Section will need to better formalize the role of the Committees and their objectives. For instance Chair and Vice-Chair positions should be described so that people serving in those roles can meet the expectations of the positions.

The purpose of this Plan is to provide specific performance measures to report to the membership on the Section's progress. Through this process, the Section hopes to maintain quality programs and initiatives, adapt to changing circumstances, and provide open communications regarding membership services.

4.0 Membership

A link to an electronic survey was e-mailed on May 29, 2012 to 1,604 members of the Environmental & Land Use Law Section. By the June 11, 2012 cut-off date, 233 completed surveys were received for a response rate of 15%. According to the Survey, nearly 2/3 of all respondents were employed in private practice, while just over 1/4 are employed in the government sector. Others who responded were either in-house counsel or “other” in terms of their type of practice.

Survey results indicated that the Section’s membership practice is closely split between having an environmental or land use focus in conjunction with other practice areas including local government, real estate, administrative, contracts or public records based issues.

Almost half of the Survey respondents reported that they had been in the practice of law for more than 20 years, with other significant years of experience between 6-20 years. The smallest group of those responding to the survey had practiced law less than 5 years. Half of those responding also reported that they had been members of the Section for more than 10 years.

Goal 1: *The Section will retain current members while adding new members to enhance diversity of practice and experience*

Key Performance Indicators:

- 1.1 # of total members
- 1.2 % increase or decrease each year

5.0 Committees & Leadership Development

The primary reason that professionals join the ELULS is to gain practice area knowledge and professional growth. To achieve these goals, Section members rely upon specific materials that the Section produces and maintains such as the Section Reporter and Treatise. Other than these goals, reasons for membership are varied. Updates on current practice developments are a key function that members expect to derive from Section membership.

A primary mechanism for Section members to achieve these goals is involvement in one of the Section's Committees, yet only 18% of those surveyed have ever served on one. Many Survey respondents indicated an interest in serving on a Committee. In order to increase involvement in the Section's Committee structure, a key strategy of the Section will be to annually communicate which Committees members may serve on. In the coming years, the Section will rely upon the involvement of the Committees to assure that programs are balanced in content, multiple viewpoints are represented and that practitioners have more individualized forums to gain substantive updates and knowledge about the issues that are important to them.

Ideally, Council leadership will be comprised of Executive Council members who have participated in a range of Section activities and are knowledgeable about multiple aspect's of the Section's operations. A traditional avenue of gaining such knowledge is to work on multiple Committees during a member's tenure on the Executive Council. Longer-term succession planning is important to solidfy a knowledge base for Committees and leadership positions within the Section. The Executive Council will communicate the expectations for Committee involvement and commitment necessary for individuals to successfully undertake Committee and Section leadership.

Goal 2: *Clearly communicate about Section Committees including how to participate and their role in delivering Section services and benefits.*

Key Performance Indicators:

- 2.1 # of people actively serving on Committees
- 2.2 total number of Section members serving (signed up to participate) on Committees tracked through Committee reports
- 2.3 # of CLE programs initiated and completed by Committees tracked through Committee reports
- 2.4 # of sessions proposed and included in Annual Update program by Committees tracked through Committee reports and coordinated with the CLE Committee

Goal 3: *Develop consistent and well-rounded Section leadership knowledgeable about all aspects of Section operations.*

Key Performance Indicators:

- 3.1 # of applicants for new Council seats (if available)
- 3.2 # of years Council members serve before moving on to Council leadership positions as tracked by the Section Administrator

6.0 Affiliate Membership

As of July 2012, the Section currently has 60 Affiliate members in varying professional disciplines such as engineering, planning, geology, water resources or other technical areas. Any Section member who is not a Florida-licensed attorney may serve as an Affiliate so the technical areas served are varied across many disciplines and Affiliate members could also include student and faculty members. Affiliates seek membership for multiple reasons including business development purposes due to the inherent relationship between environmental and land use law and the need for technical expertise in project planning and implementation. A primary goal of the Affiliate members is to network with Attorney members and feature their company's capabilities through sponsorships of Section events. Enhancing these sponsorship benefits for Affiliates is a key way to gain and maintain Affiliate members. Balancing the costs of membership with the benefits received by members is key to long-term success. Accordingly, the Section will develop an attractive sponsorship package.

Due to this business development focus for many Affiliate members, the notion of increasing the number of Affiliates involved in the Section may run counter to their desire to expand their market share with potential attorney clients.

Only 2% of the Survey respondents were from Affiliate members. The Section plans to develop an "Affiliate-specific" survey to gain feedback from Affiliate members regarding their views on Section benefits and how to increase this membership sector.

A potential area of growth for in Affiliate membership is with both young professionals and students finishing their studies, including engineering, planning and related programs where students are likely to interact with attorneys in their new careers.

Goal 4: *Grow Affiliate membership by improving Section services and opportunities for their participation.*

Key Performance Indicators:

- 4.1 Revisit the Performance Indicators based on the survey
- 4.2 # increase in Affiliate sponsors at ELULS events
- 4.3 # of and % increase in Student and Affiliate memberships

Goal 5: *Foster increased partnerships between ELULS and non-Attorney professional associations.*

Key Performance Indicators:

- 5.1 Number of partnerships for advertisements, communications and programs
- 5.2 # of non-Attorney speakers at Annual Update
- 5.3 # of sponsors for Affiliate mixers
- 5.4 # of and attendees for Affiliate mixers

7.0 Continuing Legal Education

Over 50% of Survey respondents indicated that Continuing Legal Education (“CLE”) is the most important function of the ELULS. This is followed in priority order by updates on current practice area developments, which coincidentally are primarily delivered through CLE programs. In comparing delivery of CLE to other Section programs and initiatives such as the Section Reporter and Treatise, 97% ranked it “Very Important.” Despite this, just over 75% of those surveyed reported that they have participated in at least one ELULS sponsored CLE program during the last two years. The majority of those surveyed, or those that have attended at least one program in the last two years, felt that the level of the program content was just right and not too basic or advanced for attendees. Clearly, CLEs are a cornerstone of ELULS services and benefits.

The challenge with CLE delivery is that the Section now receives 80% of the net receipts from seminars, after expenses, and the Florida Bar retains the remaining 20% of revenue. Small live programs almost always lose revenue because of the cost of the facilities and the requirements for completing the course materials, along with other expenses. Today, approximately 60 attendees are necessary for a CLE program to break even. However, aftermarket sales often make up for live program revenue losses. The conundrum is, without live programs, there are no aftermarket sales. With current budget challenges, this is a critical issue for the Section to address. The overall goal of the Section is to provide this critical service to the membership cost-effectively while including strong content and speakers to attract attendees.

In order to deliver quality CLEs cost-effectively with interesting content to attract attendees, a strong, dedicated CLE Committee is necessary. The CLE Committee must include members that are both detail- and deadline-oriented. Succession planning and multi-year commitments are critical to its success.

Goal 6: *Offer quality CLE options for membership with superior support materials.*

Key Performance Indicators:

- 6.1 # increase of active Committee members taking responsibility for successfully running existing or new programs
- 6.2 Conduct a “training” discussion for seminar chairs each year- (typically as a designated meeting of the CLE Committee)
- 6.3 % increase in completed post-program surveys
- 6.4 Conduct one post-program discussion on all programs (CLE Committee Reporting function)

Goal 7: *Make CLEs operate annually at a profit or self-sustaining financial level.*

Key Performance Indicators:

- 7.1 % increase in attendees at ELULS CLE programs
- 7.2 % increase in aftermarket sales of CLE programs
- 7.3 # increase of CLE programs that operate at budget or profit for live program

Goal 8: *Continue to position the Annual Update as the premier Section CLE*

Key Performance Indicators:

- 8.1 % increase in Annual Update attendance
- 8.2 % increase in post-program surveys completed
- 8.3 % increase in net profit / % decrease in net loss of program
- 8.4 % increase in aftermarket program sales

8.0 Law Schools

Currently, Florida has 12 law schools. A key goal of the Section's relationships with law schools is to facilitate the transition from law students into practitioners, while simultaneously growing Section membership. Despite the fact that respondents overall placed a lower priority on law school relations in terms of the variety of services offered, there is a clear linkage between law school outreach and membership gains with younger professionals.

Just over 40% of Survey respondents felt that offering additional subsidies to students to attend CLEs was the most important function. Fellowships, networking and additional financial support for law schools programs and initiatives are lower priorities. These results logically point to the importance the Section places on getting younger professionals exposed to, and involved with, the Section by incentivizing law school students to attend CLE programs through reduced costs. The Section should track the impact of law school funding on attracting additional members to the Section.

Goal 9: *Maintain and enhance relationships with Florida law schools -and increase the number of new Section members*

Key Performance Indicators:

- 9.1 % increase in Section members practicing less than 5 years
- 9.2 Create, or utilize existing, standard quarterly communications between Law Schools Committee and liaisons/points of contact for each Law School
- 9.3 # increase in brown bag lunches, career presentations and networking events for each Law School
- 9.4 % increase in law students taking advantage of reduced fees for CLE programs

Goal 10: *Consistent communications on deadlines, criteria, processes and expectations for Law School Block Grants and Special Request Grants.*

Key Performance Indicators:

- 10.1 Assure semi-annual and consistent external communications, and Committee reporting, on all Law School Block and Special Request Grants

Goal 11: *Maintain high quality standards and applications for Fellowships, Scholarships and the Maloney Writing Contest.*

Key Performance Indicators:

- 11.1 # of quality applicants for Fellowships, Scholarships and the Maloney Writing Contest

9.0 Section Services and Communications

A large challenge for the Section is to make sure that members are aware of all Section programs, opportunities and initiatives. This is a communications task to adequately explain Section benefits via a variety of communications methods. The primary ways the Section communicates internally and externally are through the Section website and email. Survey respondents considered access to Section-produced resources the third most important reason why they joined the Section (access to specific section materials). The second, third and fourth most important service functions were the Section Reporter, Treatise and website, respectively.

The Section has made great strides in the last two years to keep up with advances in technology such as utilizing social media to communicate with Section members. Some respondents reported that they did not know what resources and benefits are available to them. Further, some Survey respondents indicated that they do not know how to find out what is available to them. To this point, some respondents suggested benefits and initiatives which the Section already offers.

Clear and integrated communications about Section offerings through multiple communication channels (website, Section Reporter, Bar Journal, Listservs, and social media) is an effort the Section already prioritizes. The Section will continue to innovate and evolve. A calendaring function to track events would help integrate Section services and deadlines. Cross-marketing ELULS publications and communications to other common practice areas will also help highlight Section benefits.

Goal 12: *Effectively communicate with Section membership about activities, opportunities and accomplishments.*

Key Performance Indicators:

- 12.1 Use of Section Social Media resources as appropriate
- 12.2 # of ELULS E-News blasts with inclusion of information on membership Services and benefits

Goal 13: *Enhance use of website to identify and provide access to Section benefits and resources.*

Key Performance Indicators:

- 13.1 % increase in website visitors
- 13.2 Increase Section participation in actively providing or updating website content-Track through Committee Reports

Goal 14: *Maintain and enhance content of Section Reporter, Treatise, Bar Journal Column to report on practice areas development as well as feature Section benefits.*

Key Performance Indicators:

14.1 # increase of submissions for Section Reporter, Treatise, and Bar Journal

10.0 Budget and Finance

The Section is obligated to provide member services through a balanced budget process that uses specific accounting best practices and internal controls, investment planning and asset allocation, funding for Section staff and operations, fundraising, proper management of revenue and expenses, and periodic financial reviews that reflect the status of the Section's finances.

Currently the Section budget is not sustainable. Several factors are influencing budget issues:

- Membership and dues must be maintained and enhanced;
- Revenue splitting from CLE programs with the Florida Bar has shifted causing the need to increase numbers at events to cover costs; and
- CLE programs have been breaking even at best.

With the current economic challenges, the Section must maintain a core group of members, including but not limited to the Executive Committee described below, that will focus on increasing revenue for the Section from various sources such those external to the Section and this function must be integrated among all Section priorities. To reduce expenses, all Committee Chairs should prepare in advance for the budget cycle. In the coming year, Chairs should look to enhance services while recommending any specific cuts for expense reduction.

The Section shall utilize an adaptive budget process with annual adoption by the Executive Council. This shall provide a more flexible process to adapt to changing circumstances, including revenue and expenditures. Beginning in June, the Council will begin discussing the progress on the current year's budget and any shortfalls or issues that must be addressed for the coming year. Adjustments to the current year's budget will be made in anticipation of the next cycle. Annually, the Section will publish in its Reporter a proposed budget with a concise description of goals, priorities and challenges for the upcoming year. The Executive Committee of the Council (4 leadership positions) will develop key budgeting recommendations for the upcoming year which will be provided to the full Council for consideration prior to final budget adoption. All Executive Council members should take an active and leadership role in understanding and participating in the budget cycle.

Goal 15: *Establish and abide by a budget that represents a responsible and sustainable use of member dues.*

Key Performance Indicators:

- | | |
|------|--|
| 15.1 | % increase in budget line item projections met or underestimated |
| 15.2 | % increase in cash reserves |
| 15.3 | % increase in CLE revenue |
| 15.4 | % increase in membership revenue |
| 15.5 | #% increase in sponsorship funds provided for Section events |