

Meeting of Trial Lawyers' Executive Council

Boca Raton

June 20, 2008

The Florida Bar Trial Lawyers' Executive Council met on Friday, June 20, 2008, at the Boca Raton Hotel & Resort. Chair Bob Palmer called the meeting to order at 2:30pm. The minutes were taken by Bob Mansbach.

1. **Roll Call:** The following members were present: Robert Palmer, Frank Bedell, Glenn Burton, Bob Mansbach, Bob Harris, Craig Gibbs, Jon Lynn, Norm Vaughn-Birch, Kim Cook, Chris Knopik, Courtney Grimm, Kim Ashby and Tim Sullivan. Also appearing were W. Paige Graham and Connie Stewart (retired) from The Florida Bar, Stuart Ratzan, Wayne Helsby and Maria Rubio (Stuart Ratzan's partner).

The following members were absent: Jep Barbour, Bill Fuller, Ed Cheffy, Bill Hahn, Kay Simpson, John Williams, Eileen Moss, Cliff Higby, Sandy Sanborn, and, in theory, Chobee Ebbetts.

2. **Minutes:** The minutes of the May 2, 2008 meeting in Colorado Springs were read and unanimously approved.

3. **Financial Report:** A financial report as of June 10, 2008 was presented and approved. We are waiting on the final numbers for the Advanced Trial seminar. We currently have \$425,856 in our account.

4. **CLE Committee Report:** Bob Mansbach reported on the overall state of the CLE programs, including the trend of other sections to handle seminars outside of the Florida Bar to avoid the one-sided fee/cost splitting instituted by the Bar. Glenn Burton discussed another successful (though not financially) May Trial Advocacy program. A seminar on jury selection (potentially in conjunction with the book on jury selection) is being considered, with the possibility of a webinar on a topic such as traumatic brain damage, utilizing a Florida based psychologist or psychiatrist. Another potential topic is arbitration.

5. **Legislative Committee report:** Bob Harris reported, and brought Florida Representative Kevin Ambler (and his wife). Kevin received an award from the Florida Bar for outstanding service to the bar. Kevin pointed out we had 8 years of lawyer bashing under Jeb Bush. Fewer than 10% of the legislature are attorneys, so their perspective on lawyers and funding an independent judiciary is warped. Burton and Palmer worked hard to propose fee increases to be dedicated to improve the judicial system, and to avoid cuts. In the late hours the \$37 million from fees which was dedicated to the courts was whittled down to \$18 million and the rest was given to the Department of Corrections. Kevin also related a conversation with Hillsborough chief judge Manny Menendez, who indicated the courts are still being cut 4%, despite the fees being charged. Kevin encouraged more lawyers to become legislators, and also encouraged us to form a PAC. He gave an example of 3 lobbyists who blocked the closing of the "traffic school" loophole that could have produced another \$9 million in revenue. He also suggested having trust funds created so there is accountability on the part of the legislature.

6. **Nominating Committee:** Mansbach was nominated and elected as the next Secretary/Treasurer. New members were also nominated, and they are: Wayne Helsby, labor defense from Orlando, Craig Dennis, defense from Tallahassee, Cal Warriner, plaintiff from West Palm Beach, Lou Prats, plaintiff from Tampa, Pat Lowery, defense from West Palm Beach defense, Hector More, plaintiff from Orlando, Stuart Ratzan, plaintiff from Miami, Kevin Crews, defense from Ft. Myers, Ted Eastmore, plaintiff from Sarasota (but handles some legal mal defense). Exec met and nominated Warriner, Prats and Dennis.

After balloting, Helsby, Ratzan, More and Lowery were elected by the membership at large to fill the class of 2011.

7. **Website Report:** It was reported that much work is still being done on it, with the redesign process underway. It should produce a much more useful tool for the section. Bob Palmer and Eileen Moss spent countless hours in this effort and are to be commended.

8. **Membership Committee:** Courtney Grimm reported that the committee is looking into ways to increase membership, and proposed that the Chair send an invitation letter to non-renewals and perhaps other targeted groups.

9. **Facebook:** Courtney Grimm was selected to update the “facebook” that Mansbach distributed for the 2005-2006 year.

10. **Legislative contract:** Bob Harris’ contract was approved at \$60,000, and he accepted our offer.

11. **Mock Trial competition:** Jon, Kim and Eileen are still heading up this program, with the hope of all schools participating.

12. Glenn Burton presented outgoing chair Palmer with a shirt (a belated fulfillment of a promise made at a seminar).

13. **Section name:** New chair Frank Bedell led a discussion as to the changing of the section’s name so as not to be confused with the Florida Justice Association. Norm Vaughn-Birch was appointed chair of the subcommittee. Norm talked to Paul Hill, who indicated that another section has done this. The procedure would require that we pass it, and then send it to the Board of Governors, and finally have the Supreme Court approve it. Kim Ashby is to work with Norm initially.

14. **By-law revisions:** Mansbach to chair, with Kim Cook and Norm Vaughn-Birch assisting. The current ones are out of date, and refer to standing committees that no longer exist.

15. **Meetings:** 9/12 (tentatively 1-3) at the Tampa Airport Marriott. Brad has volunteered to host us for cocktails at his house, and Berns for dinner. We are looking at October 18 for a meeting, though a venue has not been selected. If that does not work out, then March could be selected for an additional meeting. Frank announced we will not be going to New York in

December, but instead we will go to Bermuda in late April (beginning Thursday April 30) at the Elbow Beach Club (run by Mandarin Oriental). We will meet in Miami Friday January 16 (dinner on Thursday after the trial teams reception at the Hyatt).

16. Craig Dennis is unable to serve until next year, but Ted Eastmore can serve this year.

17. Frank presented the section's gift to outgoing chair Palmer, a piece of luggage suggested by his better half, as well as an engraved clock.