

## **Minutes of the Meeting of the Trial Lawyers' Executive Council**

Friday, June 28, 2013

Location: Boca Raton Resort & Convention Center

501 East Camino Real, Boca Raton, FL 33432

Room – Santa Margherita Room

2:00 p.m. – 5:00 p.m.

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The Florida Bar Trial Lawyers' Section Executive Council met on Friday, June 28, 2013, at 2:00 p.m. Chairman Wayne L. Helsby called the meeting to order at approximately 2:00 p.m.

The minutes were taken by Hector A. More'.

**Roll Call:** Council members present: Wayne L. Helsby, Craig A. Gibbs, Theodore C. Eastmoore, Hector A. More', Kimberly A. Cook, Courtney K. Grimm, Joseph F. 'Skooter' Kinman, Jr., Mindy McLaughlin, Terrence P. O'Connor, John W. Williams, Robert Palmer, III, Katherine Hunter (by telephone), Clifford "Sandy" Sanborn, III, Basil L. Bain, Thomas E. Bishop, Darryl L. Lewis, Sidney L. Matthew, Lewis W. Murphy, Christopher E. Knight (by telephone), and Charles Bartlett.

**Others Present:** Bar Administrator Eugene Sherman, Board of Governors liaison Jay Cohen, Board of Governors member Ray Abadin, Trial Lawyer Section Lobbyist Bob Harris and his Legislative Assistant Brittney Burch, Florida Bar President Elect Greg Coleman, and Frank Bedell and Charles Pillans, III, as representatives of The Chester Bedell Foundation.

**Council members absent:** William E. Partridge, Stuart N. Ratzan, Thomas S. Edwards, Patricia E. Lowry, Clifford C. Higby, Vicky Lynn Sproat, and Latasha Garrison-Fullwood.

**1. Introduction:**

The meeting was called to order by Chair Wayne Helsby at 2:00 p.m.

**2. Minutes:**

The minutes of the April 13, 2013 meeting held at The Inn at Southbridge, St. Helena, CA, were approved.

**3. Financial Reports:**

Hector A. More' reported dues income was down and that income from CLE courses and registration was also down from the previous year.

**4. Committee Reports:**

**a. Social Committee:**

Terry O'Connor gave a report on the activities for the Boca Raton trip.

**b. Long Range Planning Recommendations:**

Wayne L. Helsby reported that the LRP committee had met via conference call and in person. Several recommendations were made and outlined in Exhibit 3 to the agenda. One of the recommendations was to discontinue the Summit in its present format. Also, the LRP Committee recommended to once again having a Teachers Law School in 2014 in Tampa in conjunction with the 2014 Mock Trial Competition. A motion was made regarding said recommendation, seconded and was passed.

**c. Legislative:**

Tom Bishop reported his Committee was pleased that some of the proposed bills did not pass during the 2013 Legislative sessions. Bob Harris handed out his annual Legislative Report. Mr. Harris also discussed that issues of splitting the Florida Supreme Court into two divisions and of removing attorney regulation from the Florida Bar may be re-introduced in 2014. Tom Bishop will remain as Legislative Chair in 2013-2014 and will coordinate with Trial Lawyers Section Board of Governors liaison Jay Cohen on bills of interest to the Section.

Tom Bishop will draft a Proposal for Settlement/Offer of Judgment regarding the concerns expressed by Florida Bar members and Judges as to the existing PFS/OJ Law.

A Motion was made to renew Bob Harris' contract as lobbyist with the Trial Lawyers Section. The Motion was seconded and passed. Bob Harris' contract was renewed for 2013-2014 on the same terms as the current contract.

The Trial Lawyers Section presented its Champion of Justice Award to Rep. Jose Javier Rodriguez, of the 112<sup>th</sup> District of Miami-Dade.

**d. CLE:**

No Report.

**e. Teachers Law School:**

Courtney Grimm reported that in light of the decision to conduct the program in Tampa, teachers from Hillsborough, Pinellas, and Pasco Counties will be recruited.

**f. Mock Trial:**

Kim Cook reported that the 2014 competition will be held in Tampa. Also, all of the participating law schools will be sent a copy of the Chester Bedell video on the subject of being a Trial Lawyer.

**g. ADR:**

No Report.

- h. ABOTA:**  
“Skooter” Kinman reported that the Pinellas County Judges have asked the Tampa Chapter to approach the Trial Lawyers Section about publishing the names of lawyers that have been sanctioned. A Motion was made and seconded that the Trial Lawyers Section Executive Council decline this matter. After discussion, the Motion was passed.
- i. Judicial Ethics Advisory Council:**  
No Report.
- j. Membership:**  
Courtney Grimm reported that membership in the Trial Lawyers Section is steady at approximately 6,000 members
- k. Advanced Trial Advocacy (ATA):**  
Bob Palmer and Tom Bishop reported on a great program but the number of attendees was down from past years. The Frye/Daubert handout, which was given to all participants, will be sent to all Trial Lawyers Section members via an e-mail blast.
- l. By-laws:**  
Bob Palmer reported that the Board of Governors has yet to give final approval to the Amended By-laws.
- m. Civil Procedure Rules:**  
“Skooter” Kinman reported that in the PFS Rule 1.442, the recipient will no longer get the five (5) extra days to accept. Due to e-filing, the recipient will have thirty (30) days to accept. Mr. Kinman reported that Florida Trial Judges are asking the Civil Procedure Rules Committee to fix the PFS rule.
- n. Discovery Handbook:**  
John Williams reported that the new edition has been very well received and appreciated by the Judges.
- o. Evidence Committee:**  
No Report.
- p. Website:**  
No Report.
- q. Rules of Judicial Administration:**  
Craig Gibbs reported that they are trying to effectuate a blue ink original signature for e-filing.

**r. Council of Sections:**

No Report.

**s. Board of Governors Liaison:**

Chair Wayne Helsby thanked Mike Tanner for his service and welcomed the new Board of Governors Liaison Jay Cohen.

**t. Bar Journal/Advocate:**

No Report.

**u. Future Meetings:**

Chair Elect Ted Eastmoore set forth the meeting schedule for 2013-2014.

Mr. Eastmoore reported that the day before the Executive Council meeting, there will be meetings of all the Committees from 4:00-5:00 p.m. This will be followed by a meeting of the Executive Council from 5:00-6:00 p.m. A new Committee has been formed, entitled Special Projects. Pat Lowry and Kim Ashby will be Chair.

**v. Nominating Committee Report:**

Ted Eastmoore reported that Courtney Grimm has been nominated as Secretary-Treasurer for 2013-2014. A motion was made regarding said nomination and was seconded. The motion to have Courtney Grimm as Secretary/Treasurer was passed.

The terms of Executive Council members of Tom Edwards, "Scooter" Kinman, Jr., Mindy McClaughlin, and Terrence O'Conner have expired. A motion was made to re-appoint them for a second three (3) year term. The motion was seconded and passed.

Kim Cook and John Williams were appointed by Ted Eastmoore for special assignments on the Executive Council.

Three slots were open for the Executive Council. Kim Ashby, Dennis O'Connor, and Chris Knopik were nominated to fill the three slots. A motion was made to approve the three as new Executive Council members. The motion was seconded and passed.

No further business appearing, the meeting upon motion was adjourned.