

**Minutes of the Special Meeting of the Executive Council of the Trial Lawyers' Section  
Regarding Legislative Matters  
Thursday, March 24, 2011 8:30 am EST**

The Executive Council of the Trial Lawyers' Section of the Florida Bar held an emergency telephone conference call regarding Legislative matters on Thursday, March 24, 2011. In attendance were Chairman Cliff Higby, Chair-elect Craig Gibbs, Secretary/Treasurer Wayne Helsby and Executive Council members Terry O'Connor, Courtney Grimm, Kimberly Cook, Mindy McLaughlin, Linnes Finney, Ted Eastmoore, Joseph Kinman, Tom Bishop, Bob Palmer, Charlie Bartlett, Christopher Knight, Norm Vaughan-Birch, Bill Partridge and the Section's lobbyist, Bob Harris.

Chairman Higby began the meeting by discussing the various pieces of legislation that the Florida Legislature is considering related to the judiciary, including proposed legislation that would (1) strip rulemaking authority from the Florida Supreme Court; (2) eliminate the existence of judicial nominating committees for all appellate courts, including the Florida Supreme Court; (3) eliminate judicial qualification committee confidentiality; (4) abolish the Florida Supreme Court in its present seven (7) member form to be instead replaced by two (2) co-equal, but divided, five (5) member panels; (5) eliminate the important role of The Florida Bar in the judicial nominating committee process; (6) raise the retention rate required for a judge to continue in his or her public service from a simple majority to a 60% supermajority; and (7) alter the structure for determining the pay of a member of the judiciary based upon that judge's ability to dispose of cases quickly.

The purpose of the meeting was to discuss among the Trial Lawyers Executive Council whether to oppose these pieces of legislation. The unanimous consensus was to oppose these pieces of legislation as constituting an attack on the independence of the judiciary as Florida's third branch of government. A motion was made and seconded to draft a resolution on behalf of the Executive Council of Trial Lawyers Section urging our Florida legislators to oppose each of these bills or, at the very least, table any consideration of them until an independent group of represented individuals from the judiciary, the legislature and the Florida Bar be assembled to study these proposals. Further, the Executive Council resolved to do the following:

1. Chair-elect Craig Gibbs will oversee a coordinated effort to have each of the major local bar associations from the state of Florida pass resolutions opposing the legislation, similar to that resolution passed by the Orange County Bar Association on March 22, 2011;
2. Secretary/Treasurer Wayne Helsby will draft a proposed Resolution by the Executive Council to oppose the various pieces of Legislation.
3. Section lobbyist Bob Harris will circulate to the Executive Council members position papers with bullet points for opposition to each of the opposed pieces of legislation;

4. Each of the Executive Council members will contact their local Board of Governors representatives expressing the Section's opposition to these pieces of legislation.

The conference call concluded at approximately 9:35 am EST.

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