

## II. CLE Committee

THE FLORIDA BAR  
**TRIAL LAWYERS SECTION**  
EXECUTIVE COUNCIL MEETING  
SEPTEMBER 10, 2005  
TAMPA AIRPORT MARROITT HOTEL

The Florida Bar Trial Lawyers Executive Council met at the Tampa Airport Marriott Hotel in conjunction with the General Meetings of the Florida Bar on September 10, 2005. Chair, Mark Buell, called the meeting to order at 9:00 a.m. The minutes were taken by Secretary, Bob Palmer.

### ROLL CALL

The following members were present: Mark Buell, Bob Palmer, Jephtha Barbour, Frank Bedell, James Clark, Craig Gibbs, Bill Hahn, Chris Knopik, Robert Mansbach, Kay Simpson, Norman Vaughn-Birch and Arthur "Buddy" Jacobs. The following members of the Executive Council were absent: Brad Powers, Mark Avera, Glenn Burton, Bill Fuller, Robert Farnell, Cliff Higby, Woody Isom, Sam King, Jonathon Lynn, Eileen, Moss, and Sandy Sanborn

The Minutes of the June 24, 2005 Meeting of the Executive Council were read and approved.

#### I. Financial Report

The September 2005 financial statement was reviewed and approved. The current balance of Section funds is \$221,440. There were 1828 members of the Florida Bar who were Trial Lawyers Section members in 2004-5 who did not renew their membership in the section for 2005-6. Many of these were first year members for whom Section membership was free. Mark Buell agreed to write all those who dropped out asking them to reconsider renewing their membership in the Trial Lawyers Section. Although TLS dues increased from \$35 to \$50 during the last year, it was not felt that this increase played any part in the "non-renewals". The Section currently has approximately 6000 paying members.

The TLS Medical Malpractice Seminar is scheduled for October 20, 2005 in Tampa and October 21, 2005 in Miami. The format will have plaintiff and defense counsel being paired as speakers to debate medical malpractice topics. The participants scheduled to take part include Tom Masterson, Glenn Burton, Bill Hahn, Bill Fuller, Gary Fox, Jon Lynn, Lake Lytal and Tom Dukes. A medical malpractice handbook will be produced identifying the applicable law and current issues. The course materials include the Medical Malpractice treatise which will be available for purchase for \$175 beginning in December 2005.

The Advanced Trial Advocacy Seminar is scheduled for May 9 - May 13, 2006 in Gainesville. Bob Palmer and Glenn Burton are chairing this annual seminar.

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The Discovery Practice and Tools for Use in Combating Discovery Abuse Seminar was held as scheduled on June 23, 2005. The Seminar has received CLE approval for 3 hours of general civil credit and 3 hours of ethics credit. The seminar was very well attended by bar convention attendees, executive council members, as well as judges.

Chris Knopik reported that the seminar "Proving Damages" will be held in February 2006. The TLS will also be assisting in the Admiralty Seminar in February 2006.

The CLE committee anticipates having another interactive discovery seminar in Fall 2006 similar to the very successful one held at the Annual meeting of the Florida Bar in June 005.

## **III. Mock Trial Committee**

The Mock Trial competition will be held January 18-19, 2006 at the Mid Year Meeting of the Florida Bar in Miami. As always there is a need for volunteers to act as judges for the competition. Florida Bar President Alan Bookman has agreed to present the awards to the winning participants.

## **IV. 2006 Discovery Handbook**

The 2005 Discovery Handbook has been completed and is available online.

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## **V. Legislative Committee**

Buddy Jacobs gave a description of the legislative enactments related to the new constitutional amendments Buddy also updated us on the Grimes petition regarding proposed limitations on attorneys' fees. The Florida Supreme Court has not yet scheduled oral argument. The TLS authorized Buddy to move forward to represent the interest of the TLS on this issue and to work in conjunction with the Florida chapters of the American Board of Trial Advocates (ABOTA) and the Academy of Florida Trial Lawyers.

Buddy will begin having weekly conference calls beginning the first Friday in November. The calls are at 8:30a.m Eastern Time. The call in # is 1-877-394-0659

## **VI. Website Committee**

Frank Bedell reported that the list serve is still not working consistently. The Council discussed the necessity of getting the list serve up and running as it provides a source of free communication with the Trial Lawyers Section members and the potential elimination or reduction of the cost of printed materials. It was suggested that we use the list serve to publicize upcoming seminars including the October 2005 Medical Malpractice program.

## **VII. Old Business**

Board of Governor Liaison Ti Sullivan reported that an agreement was reached regarding the Bar's change in accounting and cost allocation. The new method will result in a positive change for the TLS and other sections who conduct profitable seminars. Connie Stewart had reported at the June 2005 TLS meeting that the current proposal will not have

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a negative impact on the Trial lawyers Section. The proposal would also change the manner in which CLE dollars are split between the Bar and the various sections. In the past the Bar has absorbed the cost of the CLE seminar. The proposed changes would include the various sections paying all costs in exchange for getting a larger percentage 90% of any profit from the seminar. Historically, the Bar and the presenting section split the profits. Mark Buell felt that the change would be favorable for sections putting on profitable CLE seminars.

## **VIII. Chair's Report and New Business**

Mark Buell report on his attendance at the retreat for all section chairs. The Florida Supreme Court Justice Fred Lewis made a presentation on behalf of the Student Education and Admissions Committee and the topic of the retreat was "How Bar Sections can better relate to the Bar".

### **Future meeting schedule:**

**January 19, 2006- Miami Downtown Hyatt Hotel**

**April 20– 23, 2006- San Diego Marriott Hotel and Marina**

## **IX. Adjournment**

There being no further business, the meeting was adjourned by Chair, Mark Buell at 11:25 a.m.