

TRIAL LAWYERS SECTION EXECUTIVE COUNCIL MEETING  
AUGUST 27-29, 2015  
THE VINOY RENAISSANCE ST. PETERSBURG RESORT & GOLF CLUB  
501 5<sup>TH</sup> AVENUE, N.E., ST. PETERSBURG, FL 33701

**MEETING MINUTES**

Present: Courtney Grimm – Chairperson, Tom Bishop – Vice Chair, Bill Partridge, Hector Moré, Jeff Goodis, John Williams, Mindy McLaughlin, Darryl Lewis, Jim Messer, Tom Dart, Wil Murphy, Chuck Ingram, Wayne Helsby, Charlie Bartlett, Ted Eastmore, Dennis O’Connor, Wes Smith, Katherine Hunter, Chris Knopik, Kim Ashby, Tom Edwards, Sandy Sanborn, Skooter Kinman – Secretary/Treasurer, Chase Early – Section Administrator

By Phone: Herman Russomono, Terry O’Connor, David Roy, Bob Harris

Absent: Wiley Hicks, Nick Mizell

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1. Welcome and Opening Remarks – Courtney Grimm

New Members: Jeff Goodis, Jim Messer, Nick Mizell, Tom Dart

2. Approval of Minutes – June 26, 2015

- Approved by acclamation

3. Financial Report/Budget Committee – Skooter Kinman

Membership continues decreasing, CLE continues increasing.

We have \$630,000 currently, \$163,000 profit last year, \$406,000 in revenue and \$243,000 in expenses last year. \$178,000 of CLE revenue and \$100,000 in expenses cut over past two years (all numbers approximate).

- Budget Amendment of \$8,000 to publish Discovery Handbook – Approved.

4. Committee Reports

A. Council of Sections – Skooter Kinman.

Skooter attended at Annual Meeting of Florida Bar, and reported on all of the Sections seminars, accomplishments, and future plans.

B. Publications/Social Media – Kim Ashby

- Request renaming Advocate to “The Edge” – Approved

Requests articles, volunteers, suggests each Council member submit one article per year.

Will be meeting with Wil M. to discuss further

Suggestion to resume paper publication nixed due to costs (\$40,000)

- \$2,500 budgeted for Publications Committee, Motion to publish quarterly, beginning November 1, 2015 by e-mail – Approved.

Suggestion to call other sections for excess articles, including *Florida Bar Journal* – Editor Mark Killian

C. Website/Social Media – David Roy

Suggestion to e-mail blog/list serve – response was “it will wear you out.”

D. Membership – Wil Murphy

Waiting for Section members to respond for Directory updates.

Vickie suggested reception for 16 Leadership Academy Trial lawyers members when they graduate.

Chris K. suggests recognizing them at the Annual Bar meeting lunch.

Vickie needs to figure out their schedules.

Tom B. suggests targeting new members from Construction/Business Law/Small Firm/Sole Practitioner Sections.

Wil M. will do target letter.

Courtney G. requests lists of all Board Certified Civil Trial Lawyers – Chuck I. to supply?

Tom E. suggests letter to all Board Certified Civil Trial Lawyers to join TLS.

David R. suggests letter/article in *Florida Bar Journal* asking for new members.

John W. suggests good reasons to join should be included in all letters/articles.

E. Legislative Committee/Lobbyist's Report – Tom Bishop/Bob Harris

Will be a most interesting year, apparent lack of consensus building efforts, multiple challenges to redistricting, may be issues regarding court reforms. Bob may be asking for possible input on Bill addressing Bad Faith reform.

Tom E. reports ABOTA will respond to any attack on the Courts.

F. Mock Trial – Wiley Hicks

Charlie B. says Wiley is working hard, writing the problem himself. Will need to mobilize Jacksonville folks for help as jurors and judges. Will be held at Ponte Vedra/Sawgrass Marriott. Final Round will be held at the hotel due to distance from Jacksonville Courthouse.

G. Teachers Law School – Wes Smith

Targeting Duval, Nassau, Clay and St. Johns Counties. Jacksonville ABOTA (Scott Costantino) is assisting. Suggestion to let teachers have a verdict form during Final Round, but let coaches know ahead of time. Fla. Bar running late on contract with hotel.

H. Civil Trial Certification Update – Chuck Ingram

Committee has finished new standards, submission to BSLE and eventual approval may take a while, to include participation in three trial activities for trial credit: opening, closing, voir dire, witness presentation/cross-examinations.

Committee will be recommending that full time mediators can get recertified in Civil Trial after 15 years of certification.

Emeritus status is being eliminated.

The Cert. Prep. Review Course gets “fantastic” reviews.

I. CLE – Mindy McLaughlin

Civil Trial Cert. Review Course will be webcast, brochure done, Ed Cheffy will be directing the seminar Feb. 4-5, 2016 in Tampa. He wants paper materials/hard copies for the course available, not just on-line availability.

Medical Malpractice Seminar will be at USF CAMLS facility in downtown Tampa in March or April.

New CLE rules for non-members: we get less CLE money, but non-members get enrolled as TLS members for two years automatically.

Suggestion: partner with local ABOTA chapters to give free or minimal cost Civility Seminars and get lots of new automatically enrolled TLS members – Not favorably received.

J. Discovery Handbook – John Williams

It's "Copacetic."

K. Leadership Academy – Vickie Sproat

Will investigate if the Bar still needs \$10,000 from TLS. (Wayne H. gives short history on how Leadership Academy contribution started and progressed). The Bar determines which lawyers, if any, get the money. Vote deferred on whether to budget further contribution. Herman R. suggests it's not beneficial to have an Academy liaison position on the TLS Exec. Council.

L. Trial Advocacy – Tom Bishop

Will take place at University of Florida College of Law in 2016

M. Board of Governors Liaison – Wayne Helsby

Explains short history of Vision 16. The reciprocity issue has exploded.

- Ted E. suggests TLS take a stance and oppose the reciprocity recommendation. Tom B. suggests TLS authorize Wayne H. to voice opposition of TLS to reciprocity by acclamation if it comes up for vote by Board of Governors. Motion Approved.

N. Liaison to Florida Bar Committees – Skooter Kinman

ADR – No Report

Civil Procedure Rules – No Report

Evidence Code – Will recommend to Florida Supreme Court that F.S. 90.702, 90.704 (Daubert) and 766.802 (Med Mal Expert Witness) not be adopted as Rules of Evidence, and that F.S. 90.204 (Family Law Judicial Notice) be adopted as a Rule of Evidence.

Judicial Administration – Preparing new notice of appearance rules.

ABOTA – Chuck Baumberger will be President in 2016. Next meeting in Charleston, S.C. on Oct. 10, 2011, then Jan. 16, 2016 at Ocean Reef, FL

FLABOTA – Gerry Richman is President, Jeff Goodis will become President in July 2016. Next meeting Oct. 17 in Cashiers, N.C.

O. Judicial Liaison – Amy Smith

Judges are interested in statewide professionalism rules. Jeff G. suggests contacting Mick Callahan in St. Pete for help. Chris K. and Herman R. volunteer to assist.

P. Bylaws/Release/Professionalism Guidelines – Chris Knopik

He's working on everything.

Q. Long Range Planning – Ted Eastmore

No report.

R. Special Projects – Kim Ashby

No report.

S. Meetings/Social Committee – Terry O'Connor/Courtney Grimm

Thursday – Dinner at Sea Salt, 6:30

Friday – golf at Feather Sound Country Club, 10:00 a.m., St. Pete, Walking tour at 2:00, Dinner at Fred's in Vinoy at 6:30

Saturday – golf at Vinoy Golf Club, 12:00 noon, dinner at Cassis at 6:30

Nov. 12-14, 2015 – Ocean Reef Club

Jan. 20-24, 2016 – Sawgrass Marriott, Ponte Vedra Beach

5. Old Business

A. Daubert position paper – Tom Edward

Evidence Code Committee adopted some of TLS's position paper against adoption of F.S. 90.702 and 90.704 as Rules of Evidence. TLS will prepare paper to file with Fla. Sup. Ct. in opposition.

B. Foundation Gift – Hector Moré

Funded \$75,000 during Wayne's presidency for a specific person's position. Funded \$75,000 during Ted's presidency nonspecifically. In Hector's year, TLS gave four (4) scholarships to legal aid attorneys to attend Trial Advocacy Seminar. Criminal Law Section gave \$25,000 in June 2005. John W. Wants to give \$75,000 to Foundation. Will discuss further at later date.

6. New Business

A. Fla. Bar Young Lawyers Division Request – Courtney Grimm

YLD wants discounted young lawyer dues, wants TLS material for YLD website, wants to cohost a webinar, wants to establish/expand fellowship, and wants YLD Committee within TLS. YLD can provide material for TLS website. Mindy M. suggests we partner with YLD, and that TLS control content and speaker. Courtney G. will let YLD know we are considering their requests. Wil M. will investigate further.

B. Chester Bedell Memorial Foundation – Courtney Grimm

Annual lunch is poorly attended. How to increase attendance? Should lunch be scrapped, do reception instead, or seminar? Speakers are phenomenal, speeches are available on website. Suggestion to offer Leadership Academy seats at lunch, and partner with YLD on the lunch. Suggestion to give speech at Mock Trial about Chester Bedell. Tom B. suggests to work on getting better attendance.

Whereupon the meeting was adjourned at 11:30 a.m.

  
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Skooter Kinman, Secretary