

TRIAL LAWYERS SECTION EXECUTIVE COUNCIL MEETING  
NOVEMBER 12-14, 2015  
THE OCEAN REEF CLUB, KEY LARGO, FLORIDA

**MEETING MINUTES**

Present: Courtney Grimm – Chairperson, Tom Bishop – Vice Chair, Hector Moré, John Williams, Tom Dart, Wil Murphy, Chuck Ingram, Wayne Helsby, Charlie Bartlett, Terry O’Connor, Wes Smith, Kim Ashby, Tom Edwards, David Roy, Wiley Hicks, Vickie Sproat, Herman Russomanno, Skooter Kinman – Secretary/Treasurer, Chase Early – Section Administrator

By Phone: Dennis O’Connor, Chris Knopik, Ted Eastmore, Nick Mizell, Mindy McLaughlin, Jeff Goodis, Katherine Hunter, Bob Harris, and Florida Bar President Elect Bill Schifino

Absent: Sandy Sanborn, Judge Amy Smith, Bill Partridge, Darryl Lewis, Jim Messer

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1. Welcome and Opening Remarks – Courtney Grimm
2. Approval of Minutes – August 29, 2015
  - Approved by unanimous vote.
3. Financial Report/Budget Committee – Skooter Kinman

Current Fund Balance \$581,277 as of 9/30/15

  - 2016-2017 Budget approved by unanimous vote.

Proposal to add a sixth TLS meeting suggested by Tom Bishop and Skooter Kinman
4. Committee Reports
  - A. Council of Sections – Tom Bishop and Skooter Kinman: nothing is happening.
  - B. Publications/Social Media – Kim Ashby: Framework for The Edge is set, will launch in 2016. November update will go out on Monday.
  - C. Website/Social Media – David Roy: It’s working; there’s nothing about The Teachers Law School or Mock Trial Competition posted; the content needs to be improved; we need to explore finding new website provider.
  - D. Membership – Wil Murphy: Suggests targeting Florida Bar Board Certified Lawyers, Young Lawyers Division lawyers, Leadership Academy lawyers, and ABOTA lawyers. Question posed: Can we offer reduced rates to YLD members? How many YLD

members do we already have as TLS members? Don't want to be cutting our rates if too many YLD members are already TLS members. Suggestion that we check our TLS Bylaws to see if reduced membership rates can even be offered. Questions/Suggestions raised by Hector Moré, Bob Harris, Tom Edwards and David Roy that we need to specify in bullet point format what benefits are provided by TLS membership. Wil Murphy suggested a mission statement like ABOTA has.

- Motion to appoint Herman Russomanno as TLS Liaison to YLD approved by unanimous vote.

E. Legislative Committee/Lobbyist's Report – Tom Bishop/Bob Harris: Term Limits – The Board of Governors hasn't decided yet whether they can take a position on proposed legislation re: term limits for appellate judges, but is overall opposed to the legislation. Wayne Helsby suggests that legislation may be changed to apply to trial judges as well. Bob Harris reports that the bill bypassed the Civil Justice Subcommittee. Opposition was voiced by BOG and Appellate Practice Section representatives to the legislators. Doubtful the legislation will pass the Senate, but likely to be a set-up for the Constitutional Revision Commission.

- Motion by Tom Edwards to oppose legislation imposing term limits on judges and leave to discretion of Bob Harris and the TLS Legislative Committee as to how and when to voice opposition passes by unanimous vote.

Jeff Goodis reports on FLABOTA's efforts to oppose the term limits legislation. FLABOTA's Legislative Education Fund retained Jeff Kottcamp to do so. Bob Harris recommends a soft, measured approach that is focused on the issues, not personalities.

Daubert/Frye – Tom Edwards reports the TLS White Paper was provided to the BOG, and suggests a paragraph be added mentioning that if Fla. Sup. Ct. adopts the Statute as procedural, the Statute doesn't ban opinion evidence and evidentiary hearings are discretionary with the trial courts. Tom Edwards will work on the suggested language and forward to the subcommittee for review.

F. Mock Trial – Wiley Hicks: Two schools not participating: Cooley and Nova. Waiting on signed agreement from Ava Maria. We have excess of judges volunteering except on Thursday morning. Judge Timothy Corrigan will judge Friday final round, his back-up is Judge Marcia Howard.

G. Teachers Law School – Wes Smith: 70 teacher applications so far, speakers are lined up, Terry O'Connor will be a lunch speaker, as will Judge Perry. The Florida Bar has asked that a presentation on the Constitutional Review Commission be included in the program.

H. Civil Trial Certification Update – Chuck Ingram: 50 new applicants and all previous recommendations by the Certification Committee are working their way through the system.

I. CLE – Mindy McLaughlin: The Civil Trial Certification Seminar is set for February 4 and 5, 2016 in Tampa, the Advanced Medical Malpractice Seminar is set for March 11, 2016 at USF CAMILS facility in Tampa, and her committee is investigating the possibility of presenting a technology seminar consisting of three separate one hour presentations, as well as a one-half day ethics seminar for non-members at a reduced rate. Wayne Helsby suggests investigating if technology credit can be obtained for the Med Mal Seminar.

J. Discovery Handbook – John Williams: Suggested revisions have been made to the 2013 edition and we are waiting on the Conference of County/Circuit Judges to give the OK. Should be ready for distribution by December 2015.

K. Leadership Academy – Vickie Sproat says “no report.”

L. Trial Advocacy – Tom Bishop is working with the new Dean at Univ. Fla. Law School, date not certain yet, thinking of changing the fact pattern/problem. Fla. Bar Foundation not aware that TLS provided four (4) scholarships for attendance at the TA Course last year, at about \$17,000 per person. Suggestion that we need more publicity about the TA Seminar in Fla. Bar News and our website.

M. Board of Governors Liaison – Wayne Helsby: The reciprocity issue was torched. President-Elect Bill Schifino appointed Wayne to the Legislative Committee.

N. Liaison to Florida Bar Committees – Skooter Kinman:

ADR: opposed suggestion that trial judges be able to refer cases to additional nonbinding ADR methods such as arbitration, summary trial, etc.;

Civil Procedure Rules: PFS forms likely in near future;

Evidence Code: Opposition to Daubert Statute has been forwarded to Fla. Sup. Ct. and BOG;

Judicial Administration: No report;

O. Judicial Liaison – Amy Smith is unable to report due to medical reasons.

P. Bylaws/Release/Professionalism Guidelines – Chris Knopik reports he is comparing, collecting, and reviewing various items.

Q. Long Range Planning – Ted Eastmore: No report.

R. Special Projects – Kim Ashby: No report.

S. Meetings/Social Committee – Terry O’Connor/Courtney Grimm: Suggests that council members make reservations for Sawgrass Marriott for Summit meeting in January now. The Austin, Texas meeting will likely be at The Driskill Hotel in downtown Austin.

5. Old Business

A. Foundation Gift – Hector Moré: Deferred discussion, other than continued providing four (4) Fellowships/Scholarships to the Trial Advocacy Seminar.

B. Chester Bedell Memorial Foundation – Ted Eastmore reports concern by Bedell Foundation re: poor attendance at lunch at Annual Bar Convention. Does lunch have continued vitality/importance for TLS? How can we increase attendance? Can we provide another venue, i.e., ABOTA/FLABOTA summer meeting/convention, Young Lawyers 50 yr. lunch, YLD Affiliate Outreach Program, different day at Annual Bar Convention, etc.? Suggestion to videotape the speech, post on TLS website, provide CLE credit for watching. Do we want to continue as a co-sponsor? Should TLS present an award at the lunch? Should lunch be overbooked?

C. Fla. Bar young Lawyers Division Request – Courtney Grimm will investigate.

6. New Business - None

The meeting was adjourned at 12:00 noon.

*Joseph F. Kinman Nov. 28, 2015*  
Joseph F. Kinman, Jr. – Secretary/Treasurer