

Trial Lawyers Section Executive Council

1 — 3 September 2016

The Ritz Carlton Amelia Island

MEETING MINUTES

Present: Tom Bishop – Chair, Skooter Kinman – Chair Elect, Mindy McLaughlin - Sec/Treas, Courtney Grimm – Immediate Past Chair, Chase Early – Section Administrator, Tom Edwards, Wil Murphy, Vicki Sproat, Chuck Ingram, Tom Dart, Wes Smith, Orman Kimbrough, Paul Scheck, Herman Russomanno, Nick Mizell, Sandy Sanborn, Braxton Gillam

By Phone: David Roy, Ted Eastmoore, Jeff Goodis, Pat Crauwels, John Williams, Kathy Hunter, Dennis O’Connor

Absent: Kim Ashby, Wayne Helsby, Wiley Hicks, Judge Mark Mahon, Jim Messer, Charlie Bartlett, Hector More´, Terry O’Connor

1. Welcome and Opening Remarks — Tom Bishop
 - Welcome New Members: Tom welcomed the new members to the Council and welcomed all members to the meeting, appreciating the efforts of everyone who weathered the storm to come join.
 - Retreat Report: Tom gave report about the officers’ Retreat to discuss his vision for the year, the theme of the year which is “The Year of the Trial” and the special role of the trial as a critical part of society.
2. Approval of Minutes — June 2016
 - Approved by unanimous vote
3. Financial Report/Budget Committee — Mindy McLaughlin
 - Year-to-date discussion. Balance a bit down, but good reasons. Summit was at a venue that was that was more expensive, but very well attended and well received. Also published our Discovery Handbook at \$10,000 which is not an annual expense, but very well worth it as the judges around the state appreciate it and utilize it regularly. Finally, CLE was up this year and the revenues were increased primarily due to live web cam and after-market sales.
4. Committee Reports:
 - A. Advanced Trial Advocacy — Dennis O’Connor/Chuck Ingram –
 - Chuck gave report and advised that the date has been chosen. It will be a week later, and should be May 16-20, 2017. We are just finalizing the contract with the Hilton. We will be looking into recording certain parts of the ATA, not for a trial credit, but for CLE credit in the aftermarket, such as the tutorial sections.
 - We will be buying a new problem from NITA around November. We will be considering advertising it in the Bar Journal and on our website
 - B. Publications/Social Media — Kim Ashby/Chuck Ingram – No report other than to advise that we are considering a Master Trial Notebook to add to our Website.

C. Membership — Wil Murphy: There is good news/bad news. Our membership is at 5900, which is up from last year, but not where we would like it to be. We are working on ideas to increase our numbers, such as having a speaker at our CLE events to promote membership, encourage all council members to have 100% buy-in from our own firms, and consideration will be given to perhaps giving ATA participants a free membership for 1 year.

D. CLE — Vicki Sproat: Vicki is looking forward to serving as chair and working with a committee to make it a strong CLE year. Discussed the progress of the Technology Seminar, the Board Certification Seminar, which is set for January 19-20, 2017 in Tampa, and the possibility of a Medical Malpractice Seminar in 2017 in light of its success in past years.

E. Civil Trial Update/Certification — Chuck Ingram: This past year there were 25 new Board Certified lawyers, with the expectation of at least 40 new applicants. The best prep for the Board Certification exam is the Board Cert. Seminar.

F. Discovery Handbook — John Williams: There was no report as this was just published. John will work with Kim about the potential for a Master Trial Notebook. Tom also asked John to communicate with our judicial liaison, Judge Mark Mahon, to make sure that all judges have access to this handbook to make it their go-to publication.

G. Legislative Committee/Lobbyist's Report — Wil Murphy/Bob Harris: Wil gave brief report to say that the only issue now being discussed is the work comp premiums increasing by 20%. The Supreme Court will be ruling on it at some point. He also mentioned that Bob's office has been great with weekly e-mails with a list of new legislators and new information. If anyone wants a copy, please let Wil know.

H. Mock Trial — Wiley Hicks: No report.

I. Teachers Law School — Wes Smith: The committee is all set and ready to go with the Brochure, they just need the location. The plan is for Jacksonville, but the Sawgrass is not available, the Omni in downtown is also not available. Looking at a few other Jacksonville locations, with Tampa or Clearwater as possible back-up plans.

J. Council of Sections — Mindy McLaughlin: Reported on the Council of Sections meeting in which the Bar President, Bill Schifino, addressed all sections and spoke about his vision for his year, about working together with all sections. Areas covered were legislative (the upcoming CRC and the role of lobbyists and section involvement), CLE profitability, the finances and processes, increasing diversity, among others.

K. Website/Social Media — David Roy: There are typos and tab headings that will be corrected, the Discovery Handbook will be easier to access and the new logo will be added to the website. Also, we will look into advertising Teacher's Law School and Mock Trial.

L. Board of Governors Liaison — Wayne Helsby: No report.

M. Liaison to Florida Bar Committees — Herman Russomanno, III

- Civil Procedures Rules – Discussed creating a form for Proposals for Settlement and consideration being given to Rule 1.380 Remedies/Sanctions for discovery violations, and an additional section (e) proposed to 1.380(e) with regard to preserving e-discovery.

- Evidence Committee – No update yet but Herman will either e-mail out a supplement or update us at the November meeting.
- Judicial Administration Rules – An issue has arisen as to how to handle continuances made by women who are pregnant and whether there should be a specific rule as to how this should be handled/enforced, with a request for our section to discuss and make a recommendation. Upon discussion, all agreed that no specific rule is necessary, and sends a poor message about our profession. Rather, the judges should apply common sense and look at each case individually as to the continuance request. Additionally, consideration is being given to re-visit the 5 days vs. 2 days for filing of materials in advance of a summary judgment hearing in light of e-filings. Finally, a proposed rule was discussed about only allowing Florida Circuit Court Mediators handle family law cases. This is just in the discussion phase.

N. Judicial Liaison — Chief Judge Mark Mahon: No report.

O. Bylaws/Professionalism Guidelines — Orman Kimbrough/Herman Russomanno, III: As the Supreme Court has required each circuit court to have their own professionalism panels, there is no consistency, they all have different versions of professionalism guidelines. Tom would like Orman and Herman to review each circuit's rules and pick out the best of the best and then create/update ours. He would like them to have relevance and to be given to the circuit and county court judges for their use as they see fit.

P. Long Range Planning — Ted Eastmoore: No report

Q. Special Projects — Hector More': No report

5. Old Business: No Old Business.

6. New Business

A. Nomination Committee:

- New Member of Executive Council: There was discussion about filling the vacancy position on the Council with Rachel Loukonen from Naples. Dennis O'Conner moved to have her invited to serve on the Council. Nick seconded the motion, which passed unanimously by acclamation. Skooter will reach out to her.

B. New Committees

- 50th Anniversary: As we prepare to celebrate this next June, Jeff Goodis will head up this committee. He will plan a very elegant, tasteful cocktail party in honor of our milestone, as one of the oldest specialty sections of the Florida Bar.
- Mentoring/Legal Aid: Tom discussed his vision of making our mission to provide legal services to the underserved and to be mentors to young lawyers a priority.
- Constitutional Revision Commission: The Bar has its own CRC committee and we need one, as well. Sandy Sanborn will head this up with assistance from Wil Murphy to ensure coordination with our Legislative

Committee. We fear the types of initiatives which may come out of the CRC, including concerns about the judiciary, with attacks like term limits for all.

- Speakers Bureau: Tom Dart will head up this committee to help us get in front of the concerning issues before they are placed on the ballot. This will require speakers on our issues involving protecting the Judiciary to Rotary Clubs, other public forums and possible Op Ed opportunities.

- The creation of these new committees were combined in a motion by Tom Bishop. Sandy seconded the motion and it was passed unanimously.

C. Meetings

- November 3-6, 2016, The Biltmore, Coral Gables, Florida
- January 25-27, 2017, The Summit, Location TBA
- March 2-5, 2017, The Abaco Inn, Hope Town, Elbow Cay, The Bahamas
- Late May, possibly Palmetto Bluff, South Carolina (TBA)

The meeting was adjourned at 10:55 am EST at the Ritz Carlton Amelia Island.

Respectfully submitted,

Mindy McLaughlin – Secretary/Treasurer