

Trial Lawyers Section Executive Council Meeting & Retreat

2-4 March 2017

Abaco Inn

Elbow Cay, Abaco, The Bahamas

MEETING MINUTES

Present: Tom Bishop – Chair, Charlie Bartlett, Pat Crauwels, Tom Dart, Ted Eastmoore, Braxton Gillam, Wayne Helsby, Wiley Hicks, Chuck Ingram, Hector More', Wil Murphy, Dennis O'Connor, Terry O'Connor, Herman Russomanno, Sandy Sanborn, Paul Scheck, Wes Smith, John Williams, Bill Schifino – Florida Bar President, Chase Early – Section Administrator,

By Phone: Skooter Kinman – Chair-Elect

Absent: Mindy McLaughlin – Secretary/Treasurer, Courtney Grimm – Immediate Past-Chair, Kim Ashby, Tom Edwards, Jeff Goodis, Katherine Hunter, Orman Kimbrough, Rachael Loukonen, Hon. Mark Mahon, Jim Messer, Nick Mizell, David Roy, and Vicki Sproat

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1. Welcome and Opening Remarks — Tom Bishop
 - Welcome to Florida Bar President, Bill Schifino, and special thanks to those in attendance for making the trip.
 2. Approval of Minutes — November 5, 2016
 - Approved by unanimous vote
 3. Florida Bar Report – President Bill Schifino
 - As a general update, The Bar has had a very good year so far and has accomplished a lot. As President, Mr. Schifino has spent a lot of time in Tallahassee. Among a host of general brief discussion topics: The CRC will be a big item in the coming months; Jack Harkness announced his retirement this year, The Bar has a search underway for his replacement, and there will be a luncheon in appreciation of his service on the Thursday of the Annual Meeting; Lastly, young lawyer mentoring is a new focus and is very important, and the big sections, particularly TLS, should work hard to recruit and involve young attorneys.
 4. Financial Report/Budget Committee — Tom Bishop/Chase Early
 - Tom Bishop briefly outlined a recent inquiry from the Board of Governors about budgetary concerns and explained the section's response and plan of action moving forward. This inquiry was a result of budgeting revenues conservatively and expenses liberally for the past few years, which when compounded, has caused the budgeted fund balance to fall under a particular threshold. The Section has submitted a formal response to this inquiry explaining our prior budgetary practice and identifying areas of improvement for future budgets.

- Section Administrator Chase Early reported that through January 31st, expenses are almost identical year over year, and revenues are up \$50,000 due to increases in CLE revenue and a turnaround in our investment allocation. Net income year to date is \$116,400 and the fund balance is \$545,271.

5. Committee Reports:

- A. Advanced Trial Advocacy — Dennis O'Connor/Chuck Ingram: Chuck gave report and advised that the May 16-20, 2017 program is ready to go and that we are pacing well with registrations. We will be keeping the same problem this year despite attempts to secure a new one.
- B. Publications/Social Media — Kim Ashby/Chuck Ingram
 - The Edge – Chuck gave brief report. The latest edition of The Edge went out in January, with a new edition being prepared now with a publication goal of May. John Williams proposed the inclusion of an article on Daubert.
- C. Membership — Wil Murphy: Current membership count is 5,940 members, which is 260 more than last year to date. This is a result of a recent initiative in contacting hundreds of ABOTA members and certified attorneys in various related areas who are not TLS members. Our goal this year is 6,000 members and we need to make a strong push to finish out the year and going into the billing cycle when most members join. We need to get more YLD members and also better incorporate the use of social media. We should also focus on partnering more with local bars and seeking additional outlets of TLS branding.
- D. CLE — Vicki Sproat: Tom Dart stated there was no report.
- E. Civil Trial Update/Certification — Chuck Ingram: There are 27 new test-takers for next week's exam.
- F. Discovery Handbook — John Williams: The most recent version was finalized and distributed last year. We will need to find a replacement for John for future revisions. Wes Smith and Tom Edwards assisted in the past.
- G. Legislative Committee/Lobbyist's Report — Wil Murphy/Bob Harris: Wil gave report. The Legislative Committee has been active and has been meeting with and advising Legislators, DCA Judges and others in Tallahassee. House Bill 1 is of particular importance and will probably not pass the Senate. The Committee had 10 meetings about our Section's position, and Bob Harris will have an upcoming report that all members should see. This Friday, March 10th, there will be a legislative conference call at 8:30am, with additional 30-minute calls each Friday during Session.
- H. Mock Trial — Wiley Hicks: Stetson came in both first and second at the recent competition in Jacksonville. It was a great competition all around and Wiley was commended on his excellent work. Next year's competition will be held a week earlier, the week of the 15th, as to avoid Gasparilla activities in Tampa. This will be Wiley's last year and Herman has agreed to take over after this year.

- I. Teachers Law School — Wes Smith: Brief recap of this year’s program was given, with all positive reviews. Wes was commended on his success with this program. 5 speakers have already been confirmed for next year. Wes will be speaking at a Social Studies Teachers meeting in Orlando to help promote the program and generate more interest.
- J. Council of Sections — Mindy McLaughlin: There was no report.
- K. Website/Social Media — David Roy: There was no report.
- L. Board of Governors Liaison — Wayne Helsby: As President Schifino gave a report earlier, nothing further will be added. The Bar has had a great year with Schifino at the helm, and Tom Bishop will be speaking at the upcoming BOG meeting.
- M. Liaison to Florida Bar Committees — Herman Russomanno, III
- ADR – A joint CLE at the June meeting has been proposed, and Herman will be working on the details.
 - Civil Procedures Rules – no report noted.
 - Evidence Committee – no report noted.
 - Judicial Administration Rules – Herman reported on the controversial pregnancy issue and opined that there should not be a specific rule on this issue and every circumstance should be handled on a case by case basis. A lengthy discussion ensued, with comments from around the room. Questions arose whether TLS should draft a position statement. Herman will work on this with input from members, with a goal of the BOG first reading in March and vote in May.
- N. Judicial Liaison — Chief Judge Mark Mahon: There was no report.
- O. Bylaws/Professionalism Guidelines — Orman Kimbrough/Herman Russomanno, III: Harman gave report. They are working on finalizing these guidelines and will circulate a draft prior to the April meeting.
- P. Long Range Planning — Ted Eastmoore: Attendance at the annual Bedell luncheon was discussed, and it was advised that the foundation has considered discontinuing this luncheon due to the historical lack of an appropriate audience. Several alternatives were briefly discussed, including the Summit luncheon as a possibility, or the arrangement of multiple speeches around the state. More discussion will ensue at the April meeting.
- Q. Special Projects — Hector More´: There was no report.
- R. 50th Anniversary – Jeff Goodis: The section will host a 50th anniversary reception on the Thursday evening of the Annual Bar Convention, June 21-24, 2017 in Boca Raton. Tom has a surprise in store so everyone should attend. Wayne Helsby raised the idea of presenting Jack Harkness with a plaque or award of some type in recognition of his service, and we will solidify that at the April meeting.

- S. Mentoring/Legal Aid – Tom Edwards: Tom Bishop reported that the section needs to get involved with young lawyers and that the committee needs help recruiting mentors for a section mentorship program.
 - T. Constitutional Revision Commission – Sandy Sandborn: While much of Sandy’s topics were addressed previously by Bill Schifino, he will distribute a recent memo from Mike Tanner. He is seeking people to show up and Herman Russomanno offered to help recruit.
 - U. Speakers Bureau -- Tom Dart: The primary topics will be the concerning key issues involving the CRC, and Tom Bishop would like members to help recruit people.
- 6. Old Business: No Old Business.
 - 7. New Business
- C. Meetings for this year with Tom
 - April 27-30, 2017, The Mansion on Forsyth Park, Savannah, GA
 - June 22-25, 2017, Boca Raton Resort & Club, Boca Raton, FL (Florida Bar Annual Convention).

The meeting was adjourned at 10:05 am EST at The Abaco Inn, Hope Town, Abaco, Bahamas.

Respectfully submitted,

Chase Early – Section Administrator
for
Mindy McLaughlin – Secretary/Treasurer