

Trial Layers Section Executive Council

18 November 2017

WATERCOLOR RESORT

Santa Rosa Beach, Florida

8:30 A.M.

MEETING MINUTES

Present: Chuck Ingram, Vicki Sproat, Pat Crawels, Ted Eastmoore, Wayne Helsby, Wiley Hicks, John Williams, Nick Mizell, Tom Dart, Paul Scheck, Wes Smith, Tom Bishop, Rachael Loukonen, Skooter Kinman, Sandy Sanborn, Jeremy Branning, James Gassenhymer, Braxton Gillam. The Chair also recognized past Chair, Cliff Higby and section lobbyist Bob Harris. Also present was Josh Doyle, Executive Director of the Florida Bar.

By Phone: Terry O'Connor, Dennis O'Connor, David Roy, Judge Liz Rice, Orman Kimbrough, Mindy McLaughlin.

1. Welcome and Opening Remarks - Skooter Kinman
 - Skooter welcomed Josh Doyle, the Executive Director of the Florida Bar.
2. Minutes from the Naples August 12, 2017
 - Approved unanimously with amendment.
3. Financial Report - Sandy Sanborn/Chase Early
 - Chase presented the budget for 2017/2018. A copy of the budget is attached. The budget was approved unanimously.
4. Committee Reports
 - A. Special Project - Website - Ted Eastmoore
 - Ted requested a budget of \$10,000.00 to develop a new website. The request was approved unanimously.
 - B. Special Project – Chester Bedell Luncheon – Ted Eastmoore
 - Ted recognized the attendance problem at the annual meeting and problems associated with sharing time with the criminal law section and competing

sections/divisions within the Bar. Consideration is ongoing for moving the Chester Bedell Luncheon to the Teachers Law School and Advanced Trial Advocacy program in 2019. Mindy plans to have the Trial Advocacy and Teachers Law School held at the same time/venue. Consideration will be given to having the Chester Bedell Luncheon on Friday of that event.

C. Legislative Committee - Bob Harris

- Bob reported on current legislation. None impact access to courts.
- Bob also reported that the Constitutional Revision Commission has had two meetings. Multiple proposals have been presented. They can be accessed on the CRC website. It is still too early to determine which ones will be adopted by the full commission.
- Tom Bishop recognized Bob Harris for his excellent work and service to the section and presented Bob with the bonus which was approved at the Naples meeting.

D. Advanced Trial Advocacy - Chuck Ingram

- Letters are going out to faculty members within the next few weeks. No major changes are planned. A question has been presented whether to make the program a trial substitute for business certification.

E. Mock Trial - Wiley Hicks

- Wiley has five schools that have signed agreements. He is waiting to hear from University of Florida, NOVA and Barry University. FAMU, Cooley and Miami are not participating.

F. Publication - Chuck Ingram

- No report.

G. Membership - Chase Early

- Membership numbers are declining. It is a trend experienced across all sections within the Bar.

H. CLE - Vicki Sproat

- Vicki has a medical malpractice program set for January 12th at Pier 66 in Fort Lauderdale. Excellent speakers are lined up.

I. Civil Trial Certification - Chuck Ingram

- Chuck reported only 26 people have applied for certification. A lengthy discussion was held concerning the problem with getting enough credit for trial days as opposed to the number of trials. Further consideration will be given to increasing credit for longer trials and bench trials.

J. Judicial Liaison – Judge Liz Rice

- Liz recently attended the annual bench/bar meeting in Tampa. Liz recognized Chuck and Mindy for representing the TLS well at the event. The topic of implicit bias was addressed. Judge Rice will have more to report in January.
- Bylaws/Professionalism Guidelines – Orman Kimbrough/Herman Russomanno, III – Judge Rice is working with Orman and Herman to obtain from both the Florida Conference of Circuit Judges and Florida Conference of County Court Judges their respective endorsements of the revised Professionalism Guidelines. She reported on her status in reaching out by email to Judge Scott Bernstein, president of the Circuit Conference; Judge Jory Williams, president of the County Conference; and Judge David Denkin, president-elect of the County Conference. Initial responses from the conferences have been positive. Judge Rice will follow-up with each prior to our next meeting in January.

K. Discovery Handbook - Nick Mizell

- Nick plans to have a working draft in January. Nick needs help with the subjects of expert discovery and compulsory medical examinations. Judge Rice has had numerous hearings on CMEs and offered to provide assistance with the extensive research she has on the subject of expert discovery and letter of protection discovery.

L. Teachers Law School - Wes Smith

- The goal was 100 attendees. Currently 118 are registered. With the increased numbers, Wes will need 6 or 7 executive council members to help with the event. Skooter recognized the increased numbers will increase the cost to the section, but the \$4,000 cancellation fee from the original hotel should exceed any increase in expenses.

- Bob Harris suggested enhancing the advertising of Teachers Law School to promote awareness of the event. Josh Doyle agreed to have the bar assist in promoting this event and making legislators aware of the program and the benefits it produces.

M. Council of Sections - Mindy McLaughlin

- Mindy will have a report in January.

N. Liaison to Florida Bar Committees

- ADR, Evidence Code - See email from Herman attached hereto.
- Civil Procedure Rules - Rachael Loukonen - Consideration is being given to a rule comparable to the disclosure provisions in rule 26 of the federal rules. Rachael recognized it takes a long time to have any changes to the rules adopted. She requested any suggestions on rules to bring the state rules closer to the federal rules.

O. Speakers Bureau - Tom Dart

- Tom has sent out numerous requests and is getting very little response. He is looking for suggestions.

6. Old Business

- A. Skooter recognized the section opposed the CLE carryover credit proposal.

7. New Business

- A. Josh Doyle requested that the Trial Lawyers Section sponsor the Historical Society Dinner at the Florida Bar's annual meeting in Tallahassee in January. It is attended by the Florida Supreme Court and judges on the First District Court of Appeal. The sponsorship is \$1,000.00. The request was approved unanimously.

With the sponsorship, the TLS will receive five tickets to the dinner. Wayne Helsby and Sandy Sanborn will attend.

8. Meetings - The next meeting is January 17, 2018 at the Omni Hotel in Downtown Jacksonville.