

Trial Layers Section Executive Council

17 January 2018

OMNI HOTEL & RESORT

Jacksonville, Florida

8:30 A.M.

MEETING MINUTES

Present: Chuck Ingram, Pat Crawels, Wayne Helsby, Wiley Hicks, Nick Mizell, Tom Dart, Tom Bishop, Skooter Kinman, Sandy Sanborn, Mindy McLaughlin, Charlie Bartlett, Orman Kimbrough, Judge Elizabeth G. Rice.

By Phone: James Gassenhymer, Kim Ashby, Will Murphy, Rachel Loukonen, David Roy, Paul Scheck, Vicki Sproat, Wes Smith and Dennis O'Connor.

1. Welcome and Opening Remarks - Skooter Kinman
 - Skooter Kinman introduced Kim Maxim and recognized Kim for her contributions to the mock trial program for the past several years. He also expressed thanks to Duval County, Tom Bishop, Courtney Grimm and others assisting in having the mock trial program hosted at the Duval County courthouse.
2. Minutes from the Watercolor meeting on November 18, 2017
 - With amendment approved unanimously.
3. Financial Report – Sandy Sanborn/Chase Early
 - Year to date revenues are \$356,551.00. Expenses are \$193,900.00. Chase reminded the council that January is typically heavy on expenses so the cash balance will drop after this month.
4. Committee Reports
 - A. Advanced Trial Advocacy – Dennis O'Connor and Chuck Ingram
 - The program and faculty are set. There are in excess of 30 faculty members. There will be increased attention on voir dire this year.
 - B. Publication – Kim Ashby

- Kim has met with a web design professional for The Edge. She hopes to be up and running by March.

C. Membership – Will Murphy

- We are presently at approximately 5,400 members which is roughly the same as last year. Chase acknowledged that the new software used by the bar could be missing members that should be counted. Skooter recognized Will for his diligent efforts to maintain and enhance the section's membership.

D. CLE – Vicki Sproat

- Vicki reported that an excellent advanced medical malpractice program was held on January 12th in Fort Lauderdale. There were 35 in attendance and 15 – 20 watched the program on webcast. Vicki thanked Mindy for her contribution to the program. Mindy thanked Vicki for having to organize the seminar three times due to Hurricane Irma and hotel cancellations.
- On February 1st and 2nd the Trial Lawyers Section is presenting Annual Civil Trial Update & Board Certification Review 2018 in Tampa. Ed Cheffy is the program chair.

E. Civil Trial Certification – Chuck Ingram

- The next meeting is in Orlando. They have 20 signed up to take the test. Business litigation certification is down and they are planning to use the Trial Lawyers certification program for a trial credit. Chuck pointed out that recent opinions allowing lawyers to claim specialization in practice areas without specific certification is contributing to the drop in numbers of people applying for certification. Skooter reported that BLSE is looking at options to get around the recent decisions. Kim expressed her view that the case is limited to allowing lawyers to claim specialty in areas where board certification is not available.

F. Discovery Handbook – Nick Mizell

- Nick has several people assisting and he hopes to have a draft prior to the next meeting in Nashville.

G. Legislative Committee – Will Murphy

- The Friday morning calls are up and running and he encouraged everyone he could to call. They are typically brief but very informative. Members of the legislative committee are scheduled to meet with legislators on Tuesday at the capitol. Two laws that are navigating through committee are the revocation of the no fault system as well as removing limits on punitive damages.
- Mindy also received a request that the executive council take a position on mandatory reporting on out of hospital births. No position was taken since it is not within the scope of the Trial Lawyers Section mission.

H. Website – David Roy

- No report.

I. Teachers Law School – Wes Smith

- His program is ready to go. He has 130 scheduled to attend. All speakers are arranged and Wes has all the support he needs for the event at the Gaylord Palms. Next year consideration should be given to limiting attendance to 100 teachers. Tom Bishop suggested notifying the bar and the Orlando press since this is one of the section's signature events. A reception will be held at 5:30 on Thursday, January 25th and as many council members as possible are encouraged to attend.

J. Council of Sections – Mindy McLaughlin

- The next meeting is Saturday and Dennis O'Connor will be attending on behalf of the Executive Council.

K. Board of Governors Liaison – Wayne Helsby

- Wayne reported that Skooter Kinman attended the board's December meeting at Amelia Island and did an outstanding job reporting on the activities of the section. Skooter's personal appearance was very much appreciated by members of the board.

L. Civil Procedure Rules – Rachael Loukonen

- No report.

M. FLABOTA – Jeff Goodis

- Not in attendance. (No report).

N. Judicial Liaison – Judge Rice

- Judge Rice reported that Judge Ron Ficarrota received the outstanding jurist award from the young lawyers division. She also reported that Judge Isom is making a good recovery and plans to attend the Advanced Trial Advocacy Program in May.
- Judge Rice has been working with the county and circuit judges for approval of the guidelines on professionalism. She was assured by the conference of county judges they would respond by the end of the week. The conference of circuit judges has indicated we would have a response before our April meeting.
- Judge Rice also reported on several activities in Hillsborough County which includes a diversity luncheon on February 10th, a 5k run and a pig roast on March 3rd.

O. Special Projects

- No report.

P. CRC – Sandy Sanborn

- Kim Ashby was recognized for her efforts in contribution to prepare the white paper on the proposed constitutional amendment for making appellate judicial deliberations public. The white paper was well received by members of the legislature and should greatly facilitate an informed decision on the proposal. Bob Harris and his office were also recognized for periodic updates and all members are encouraged to follow the updates.

Q. Speakers Bureau – Tom Dart

- Everything is status quo from where he was at the last meeting.

5. Old Business

- A. Sandy reported he volunteered to provide the video requested by the Academy but the Academy representative never got back to him.

6. New Business

- A. Skooter received a request from Focus Litigation to participate in facilitating discussions on jury selection during the Advance Trial Advocacy program. The section appreciates Focus Litigation's interest but declined to accept the offer.
- B. The Leadership Academy has requested applications from the Executive Council but has not received any assurance any members would be appointed. Vicki has served for a couple of years and does not believe the Leadership Academy is achieving its goals. Wayne acknowledged that the Trial Lawyers Section allocated money to the academy with an expectation that it would have a presence in the academy but that has not materialized.
- C. The Business Litigation Certification Committee has requested that the Advanced Trial Advocacy Program be considered a trial substitute. The council unanimously agreed that we recommend that the program be allowed as a trial substitute.
- D. The standing committee on diversity and inclusion requested a liaison from the Trial Lawyers Section. Wiley Hicks volunteered to be the diversity and inclusion liaison for the executive council.

7. Meetings - The next meeting is in Asheville. 50 to 60 are currently planning to attend. The meeting will be held on Saturday morning at 8:30. Golf is scheduled for Friday morning. Skooter's plan to have people handcuffed, gagged and tossed into rooms blindfolded met with a chilly reception. Apparently, he is the only council member interested.

The meeting was adjourned at 2:00pm.