

Trial Lawyers Section Executive Council

15 June 2018

Hilton Bonnet Creek

Orlando, FL

2:00 P.M.

MEETING MINUTES

Present: Mindy McLaughlin, Paul Scheck, Braxton Gillam, Kurt Alexander, Rachael Loukonen, Nick Mizell, John Williams, Wes Smith, Wil Murphy, James Gassenheimer, Wayne Helsby, Ted Eastmoore, Wiley Hicks, Tom Dart, Kim Ashby, Liz Rice, Dennis O'Connor, Yohance Pettis, Tom Bishop, Sandy Sanborn, Skooter Kinman, Chuck Ingram, Bob Harris.

By Phone: Terry O'Connor, Orman Kimbrough, Vicki Sproat.

Special Guests: Bill Schifino, Hank Cox, Mike Tanner.

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1. Welcome and Opening Remarks – Skooter Kinman
 - Wayne Helsby introduced Bill Schifino, Hank Cox and Mike Tanner. Bill reported on their efforts on CRC. Hank and Bill were recognized for their outstanding efforts and service to the CRC.
 2. Approval of Minutes – April 28, 2018 meeting in Asheville, NC. The minutes were approved with amendment requested by Judge Rice.
 4. Financial Report/Budget Committee – Sandy Sanborn/Chase Early
 - The budget was amended to increase the contract with Bob Harris to \$75,000 annually.
 5. Committee Reports
 - A. Advanced Trial Advocacy – Dennis O'Connor/Chuck Ingram
 - The Advanced Trial Program was successful. Wes was recognized for substituting at the last minute and delivering a compelling closing argument. Chuck reported that the attendance was lower but the participants received more individual attention from the faculty as a result.

B. Publication/Social Media – Kim Ashby

- The Edge has a new format and the plan is to cover a wide range of topics (expert witnesses, e-discovery, etc.)

C. Membership – Wil Murphy

- Numbers are currently around 5,600. The numbers may be off in part due to late payment dues by some members.

D. CLE – Vicki Sproat

- In addition to the ATA, “Hot Topics in Evidence” was held in Orlando. Chuck recommended that section members should receive an advertisement that the program receives equal civil and criminal credit.

E. Civil Trial Certification – Chuck Ingram

- 27 people took the certification exam. 24 or 25 passed.

F. Discovery Handbook – Nick Mizell

- Everything is on schedule.

G. Legislative Committee – Wil Murphy

- At the Law School for Teachers January, 2019, Bill Schifino and Hank Cox will receive recognition for their extraordinary service on the Constitutional Revision Commission at the Thursday lunch.
- Bob Harris provided information on the status of fundraising in state wide races.

H. Mock Trial – Wiley Hicks

- Wiley recommended that to accommodate the extra time the Thursday lunch will consume with the Bedell speaker, the competition may need to start early that day and be prepared to work later in the evening. Nick Mizell is taking over Mock Trial from Wiley.

I. Law School for Teachers – Wes Smith

- Wes and Paul will tag team this year's program. A discussion concerning the name of the program was held. Bob Harris, who also represents school boards, suggested that the program include the label "law school" since teachers have reported to him they like the idea of attending "law school".

J. Council of Sections – Mindy McLaughlin

- Mindy reported that Sandy would be attending the meeting on Saturday.

K. Website/Social Media – David Roy

- No report.

L. Board of Governors Liaison – Wayne Helsby

M. Liaison to Florida Bar Committees

- ADR, Evidence Code – Wiley Hicks. A request is being advanced again to require use of certified mediators. The section previously issued a position statement against any proposal that required mediators to be certified and limited the rights of parties to select a mediator of their choice.
- Civil Procedure Rules – Rachael Loukonen. The Civil Rules Committee is amending proposing amendments to the proposal for settlement rules to allow settlement of individual claims rather than the entire cause of action. Rules pertaining to expert discovery are being revised to be consistent with federal rule 37e. Civil Rules Committee will also be looking at communications with experts and shielding that from discovery consistent with the federal rules. The scope of discovery will also be examined under the concept of proportionality (i.e. the size of the claim should have some bearing on the scope of discovery to which the parties can engage).

N. Judicial Liaison – Judge Liz Rice

- No report.

O. Bylaws/Professionalism Guidelines – Orman Kimbrough

- Orman is going to revise the bylaws consistent with other sections to allow student members. Wayne Helsby is chair of the program evaluation committee on the Board of Governors and will be able to facilitate board approval of the amendment to the bylaws.

P. Long Range Planning – Ted Eastmoore

- Ted reported that the Bedell lunch will be moved to January in 2019. Mindy suggested that we invite local judges and members of the section to attend the lunch.

Q. Special Projects – Ted Eastmoore

- No report.

R. Constitution Revision Commission

- No report beyond the report from Bill Schifino and Hank Cox.

6. Old Business

A. New Members Approved – Yohance Pettis and Rolando Diaz were approved as new members.

B. Mansbach/Burton ATA Scholarship Criteria

- The criteria for the scholarship which were drafted by Dennis O'Connor were approved.
- There is currently only one scholarship applicant and four positions are available.

7. New Business

A. New members approved: Geddes Anderson and Kurt Alexander.

Final Remarks – Skooter Kinman

- Skooter thanked everyone (especially Susanne) for a successful scandal free year.

8. Meetings

August 16–19, 2018 TLS EC Meeting

The Breakers
Palm Beach

November 1-4, 2018 TLS EC Meeting

Ritz Carlton
Sarasota

January 23-25, 2019 TLS EC Meeting,
Mock Trial, and
Law School for Teachers

Embassy Suites
Tampa

February 28 –
March 2, 2019 TLS EC Meeting

The Sanctuary
Kiawah Island, S.C.