

I. Presiding

William Rogner, Chair

A. Welcome-Introduction of guests

Stacy Hosman
Judge Dietz
Judge Langham
Judge Pitts
Judge Humphries

- Stacy spoke and provided check from profit from Forum.
- Largest revenue shared....\$28,002.62
- Stacey very appreciative of support and partnership

B. Presentation of Recognition Awards

- Willie Mae Shepherd, "Best Program Administrator"
- Dawn Traverso, CLE Chair-"makes miracles happening"
- Leo Garcia, Forum Chair-we could not do this without his hard work

C. Passing of the Gavel-Mike Winer, Incoming Chair

- Blessed to have leadership of Bill this past year. Set foundation for fostering and growing relationship with judiciary
- Obelisk presented to Pharaoh Bill Roger
- Welcomed new member Albert Garcia, Tampa
- Judge Dietz presented Book Award winner Anna-Marie Carter

D. Visit and address from Deputy Chief JCC, David Langham

- There is a set rules making process, so he recommends if there are rule changes contemplated, provide them to him now for next discussion
- Getting ready to do a computer rewrite of software
- New eJCC package to be rolled out
- Apologized regarding section dues for judges issue as he thought issue was resolved as well, but is will to keep trying if there are ideas to make it happen
- Thanked Dawn Traverso for working so hard to get judges to participate in Learn at Lunch
- Looking for a claimant's attorney and defense attorney to speak with him in February at Learn at Lunch seminar

II. Approval of Minutes of the May 16, 2015 Meeting

Joanne Prescott, Secretary

- Motion to approve minutes from May 16, 2015 meeting. Motion approved.

III. Treasurer's Report

Philip Augustine, Treasurer

- Roughly \$148,000.00 in bank, which is 22% over budget
- \$62,000.00 revenue
- Confirmed there is a permanent line item for the judicial dinner with 1st DCA

- Chait moved to increase budget for 1st DCA dinner to \$4,000.00. Motion passed.
- Chait and Winer encouraged attendance at the 1st DCA dinner.

IV. Committee Reports

A. Section CLE

- Every Learn at Lunch seminar slot is covered for the year
- Chris Thorne handling first seminar
- Judges participating in several
- WC Winter Retreat 2/14-2/18/2016 Beaver Creek, Colorado; Westin
- Important for attendance due to room contractual commitments and anticipated non-attendance by some past regulars

B. Legislative Committee

Rick Thompson & Chris Smith
Fausto Gomez

- Nothing going on now but waiting on *Castellanos* opinion
- Thompson recommended we lobby for increase in Judges salaries as Judges can not do so on their own
- Fausto Gomez spoke regarding this issue. It is an appropriation issue and will need it to be a “back of bill” appropriation issue, which would be the least painful and easiest way to make this happen. Support of industry is very helpful. Gomez requested we send a short summary of why we feel the increase is so important.
- Thompson suggested taking care of immediate problem, but also need a long term solution for steady increases
- Judge Humphries spoke to history of JCC salaries. Circuit judges and county judges are paid significantly more now, where in the past, the JCC salary increases mirrored other judges’ increases. Appreciative of support of section. He feels that if you want to attract the best and most capable judges and keep them, there is a need to increase salaries. Pitts echoed the sentiment and appreciative of relationship between Bar and Bench. With all of the challenges of the practice, we all need to protect each other as best as possible.
- Winer thanked Judge Pitts and Humphries for being members of the section and asked that they let other judges know that we support them and ask them to join as well.
- Chait spoke regarding how long some of these processes take, so it will be not just Winer's issue to deal with, but future chairs need to be cognizant as well
- Gomez spoke regarding if there is a rewrite of statute, rehab providers will be affected and will be lobbying

C. News & 440 Report

Jeff Appel, Editor

- Appel spoke regarding getting exposure of Facebook
- Formatting and time it takes to get published, some of the articles lose their relevance. Suggested a more informal format to get it out more quickly.
- Suggested including Judges' salary issue in Winter edition
- Send Appel firm announcements
- Appel asked that the section member judges pass it on to other judges

D. Membership Committee

Timothy Dunbrack

- Covered by Winer in Chair’s report

E. Forum Committee

Leo Garcia

- Next Forum scheduled for 4/7-4/8/2016
- Stressing that every member of Executive Council be there
- Striving to incorporate judges as speakers, will have 2 judge panels
- Expecting a good near next year as it is a big year for recertification of adjusters
- The preeminent education conference
- Gomez recommended a mock trial if we are unable to have oral arguments
- Chait advised that Rules Committee will have live meeting at Forum. Chait wants to cross-pollinate with other groups to get more publicity
- Cost for having 1st DCA attend is prohibitive at this time. Not sure how to measure whether having the oral argument there may pay for itself but Winer wanted to see if there was a continued interest in having this happen
- Manno suggested possibly doing it virtually the first time
- Garcia suggested Forum steering committee to address. Most likely will not happen 2016. Will make recommendation vote on in January.

F. Rules Committee

Mark Touby

- Rules Advisory Committee met yesterday. We got 95% of what we wanted as a section. We did not get the ability to elect a live JCC for final hearing or restricting state mediator to comp issues only. Committee approached by Judge Hill to join advisory committee.

G. Board Certification Committee

Phil Augustine

- 7 people took test, 2 passed the test
- Encourage all of us to sit for the test and recommend to others
- Also asked for volunteers to pre-test
 - Jeff Appel, Brian Sutter, Mark Touby and Mike Winer volunteered
- New applications due end of October, and test is in May
- Also recertified roughly 20 attorneys

H. Technology Committee

Richard Manno

- flabarwcs.com
- Try to advertise the website at the forum to get more people involved
- Need help to invite followers to Facebook page; we need to invite followers including clients
- News & 440 posted on Facebook
- Share with your friends on Facebook
- At the Bar's request, we may have more technology requirements
- Albert Garcia and Alan Kalinoski volunteered to assist

I. Sponsoring & Advertising

Richard Berman and
Lizzette Francisco

- Try to get advertisers on website. Francisco learned that the going rate for advertising on websites is roughly \$300 for bottom of page, \$600-\$1000 at top, \$150 set up fee

- Recommendation to section is that we charge \$300 for bottom of website and \$600 for top. However, it was discovered that we are unable to advertise on our website as it is a Florida Bar website. We can charge for advertising and then post it on the website.
- Manno will confirm whether we can advertise.
- Leibowitz said he believes it is in our contract with the Bar when the website was created.
- Berman excused from the committee. Geoff Bichler volunteered to Co-Chair.
- Touby suggested looking at other sections websites to see if anyone else does. Touby also suggested charging more.
- Lorna Brown-Burton, Fla. Board of Governors Liaison to section. Will check with communications committee. There will be a new handbook about what we can and can't have on the website as a section. She suggested we wait before we do anything until that is published.

V. Chair's Report

Mike Winer

A. Membership Drive-in the past, using grass roots method to increase. We drove membership up within 1 years by 25%. He is setting goal for membership committee to bring in 100. He is going to set up District Teams to be lead by Team Captain.

- Getting a list of all attorneys e-filing in each district.
- District Captains
 1. 1st DCA-Martin Leibowitz and tim
 2. 2nd DCA- Jeff Appel and Albert Garcia
 3. 3rd DCA-Rick Morales and Bob Strunin
 4. 4th DCA-Richard Berman and Neal Falk
 5. 5th DCA-Sean McCormack and Joanne Prescott
- Dunbrack is connecting with young lawyers and hopefully setting up mentoring for agreeing to be in section.

B. JCC pay raises

- C. How are we going to act as a body in the wake of the *Castellanos* decision?
- D. There will be a group to represent the section that will go to Tallahassee if there is a special session.

VI. Chair-Elect's Report

Alan Kalinoski

- Not a lot to go over until get a decision on *Castellanos*
- Wants to enhance relationships between claimant and defense bar
- Remain fiscally responsible
- Have not decided on location for retreat yet

VII. Unfinished Business

A. Bylaw amendment

- Rogner still wants more judges to join sections. We made change to bylaws to make a nonvoting honorary member, non-dues paying. That did not work. The Honorary membership/nonvoting is still of interest to some judges, as some judges are uncomfortable about voting status because we have a lobbyist. They will join a . However, dues have to be paid. We though DFS would pay. The only way they can join is if they pay
- Any activewe have to take out "Honorary members pay no dues." we have to vote the council, and then vote as a section, and then go to the Bar to approve the change through the Board of Governors.
- Winer proposed bylaw change to delete last sentence "Honorary members pay no dues." Motion is approved.

VIII. New Business

A. Motion made to approve Gomez's contract. Motion approved.

B. Election of officers for 2016-2017

- Discussion of recommendation to reappoint Joanne Prescott as Section Secretary and Phillip Augustine as Treasurer and Paul Anderson as Chair-Elect. Motion to approve incoming officers. Motion approved.

C. Jake Schickel-Vision 2016-Florida Board of Governors is attempting to implement new policies and rules regarding out of state Bar admissions and technology. Specifically, the Bar has changed legal information system; trying to institute a Board level Technology Committee to cross over all sections which will cause an increase in mandated CLE credits from 30-35, presumably to cover the addition technology requirements.

- With regard to bar admissions, the reciprocity allowed by most states now may be adopted as the Florida Bar's policy as well. The Board is investigating whether to implement this policy and allow out of state attorneys to practice in Florida by motion with no requirement that take the Florida Bar. Schickel is concerned that the final report is going to the Board of Governors, and this may be voted on in October. There will be an open forum on 9/18. Schickel recommended talking to our liaison and vote if we want to take a stance. Schickel quoted a report that states that 70% of lawyers want reciprocity to go other places, but 60% want reciprocity for others to come in. This supposedly is the national trend.
- Burton-Brown, the section's liaison said it will not be voted on until Spring. They want feedback in open forum. 9/18/2015. Committee on Vision 2016 is made up of lawyers and non-lawyers. Supreme Court and Florida Bar Board of Governors will have final say. One of the pros of have the motion for reciprocity would allow Bar to discipline and we could have restrictions for admission.
- Proposal is on the bar website
- Morales suggested going to Bar website to find representatives and contact them with regard to our opinions.
- Garcia spoke about pros and cons

- Sutter recommended we address it today. Mike Winer suggested we wait and educate ourselves. However, it was agreed that before we take a vote, we will all educate ourselves and call a special meeting to address
- Committee formed to address issue including Kalinoski, Winer, Traverso, Sutter, McCormack and Morales
- Chait spoke regarding the Judicial Survey Meeting tomorrow and his attendance to support judges.
- Winer recognized Judge Pitts, Mike Rudolph and Glen Wieland for the hard work to get the judicial luncheon at the Convention arranged and using alternative vehicles for sponsoring

D. Excused absences- Christopher Smith; Paolo Longo and Chris Petrucelli. Motion made to approve excused absences. Motion approved.

X. Future Meetings

A. Executive Council Meeting-1/22/2016 Joe's Stone Crab, Miami

B. 32nd Winter Retreat, 2/13-2/19/2016

C. Long Range Planning Meeting & Retreat 5/13-5/15/2016

Attendees:

Mike Winer
 Alan Kalinoski
 Joanne Prescott
 Philip Augustine
 Bill Rogner
 Paul Anderson
 Richard Berman
 Geoff Bichler
 Richard Chait
 Karen Cullen
 Tim Dunbrack
 Neal Falk
 Lizzette Francisco
 Albert Garcia
 Leo Garcia
 Jeff Jacobs
 Martin Leibowitz
 Richard Manno
 Sean McCormack
 Rick Morales
 Mike Rudolph

Bob Strunin
Brian Sutter
Rick Thompson
Mark Touby
Dawn Traverso
Glen Wieland
Willie Mae Shepherd

Guests:

Jeff Appel
Anna-Marie Carter
Honorable Robert Dietz
Fausto Gomez
Rafael Gonzalez
Stacy Hosman
Honorable Ralph Humphries
Honorable David Langham
Honorable Neal Pitts
Jake Schickel

Motion to adjourn approved at 4pm