

**Workers' Compensation Section Executive Council Meeting**  
**Joe's Stone Crab, Miami**  
**11 Washington Ave., Miami Beach, FL 33139**  
**305-673-0365**  
**January 21, 2011 - 11:30 p.m. – 1:00 p.m.**

**I. Presiding:** Rick Thompson, Chair

Welcome - Introductions

Judge Langham attended lunch. Judge Langham will be hosting trial ad seminar in new Miami Judges' Offices.

Attendees:

Rick Thompson  
Joanne Prescott  
Brian Sutter  
Richard Chait  
Bill Berke  
Paul Anderson  
Bob Strunin  
Mike Winer  
George Cappy  
Judge Langham  
Mike Rudolph  
Timothy Dunbrack  
Neal Falk  
Diana Castrillon  
Allison Schefer  
Glen Wieland  
Alan Kalinoski  
Rick Morales  
Rich Berman  
Christopher Smith  
Mark Touby  
Dawn Traverso  
Jeff Jacobs

**II. Minutes from 8/10:** Jacqueline Steele, Secretary (absent)

Prepared by Jacqueline Steele, Secretary      Exhibit A Attached

Minutes accepted, seconded and approved.

**III. Treasurer's Report:** Alan Kalinoski, Treasurer      Exhibit B Attached

Collections are usually done in August, so revenues behind. However, we are under budget for expenditures. \$10,000 charge for attrition at Winter Retreat last year will not happen this year as all rooms filled this year.

Budget accepted, seconded and approved.

#### IV. Committee Reports

##### A. BOG Report, Jake Schickel, BOG Liaison

Civil litigators moving into efilings. Rule 2.240 re: confidentiality, need to delete certain information as we have already been doing in Work Comp. Bar putting on free seminar re: efilings on Legal Span website online. Florida Bar has new website. Jake recommended editing our profiles on Find a Lawyer.

Jake also discussed his experience running for President of Florida Bar and limitations on campaigning. **Needs our support by word of mouth.** 2 other candidates. Would be first WC practitioner to be President. 75,000 lawyers in Florida Bar with active standing. Requested we get more involved in Bar activities. Ballots come out 3/1 electronically and paper, end of election is 3/21.

Judge Langham thanked Jake for his service to section.

##### B. Section CLE: Dawn Traverso, Chair

Learn at Lunch seminars continue although last 2 had to be cancelled and will be rescheduled. In February, Judge Langham will speak, in March, Attorney's Fees and Costs.

Continuing to generate revenue with post-sales for materials.

30 registrations for Winter Retreat due to early registration. Should not have loss of revenue due to pre-registration and prepayment.

Discussed joining with judges prior to Conference of Judges for a joint seminar in Tallahassee. Timing prevented it from working this year, but will shoot for next year.

Chris Petrucelli was nominated to be Section CLE Chair.

##### C. HB 903 Appellate Challenge: Brian Sutter, Chair

Oral argument last Thursday on Kauffman, expect opinion in couple of months. BF is pending. Briefs all submitted.

Constitutionality issue also in civil court through dec action.

FWA recommends that other cases need to be pending, can not have all eggs in one basket.

Amicus Brief filed on both cases on behalf of the section.

D. Legislative Committee: Paul Anderson, Chair

Probably not much this legislative session.

However, Richard, Jeff and Rick will be in contact with Fausto during legislative session.

E. News & 440 Report: Mike Winer, Editor

Next edition ready to be emailed. Always looking for articles, next edition in March.

F. Appellate Issues Committee: Bill Rogner

Bend case

Louisiana case re: undocumented workers can not get work comp, to be taken to US Supreme Court.

G. Membership Committee: Paulo Longo, Chair

We are going to recruit paralegals. We have listed of all certified paralegals. We are also going to recruit at law school level. Tim Dunbrack and Paulo Longo have telephone conferences scheduled with 12 law schools at end of February.

Richard Chait suggested marketing Trial Advocacy program to law schools. Jeff Jacobs suggested Trial Ad program just for law students.

Have a table at the Forum to recruit attendees who are not members already.

Down 18% in membership now.

**V. Chair's Report:** Rick Thompson, Chair

A. Election to fill Vacant Ex. Council Seat – Ray Holley

Phillip Augustine and Robert Rodriguez were nominated.

Phillip Augustine will take Judge Holley's seat, term to begin in July, 2011.

B. Book Award Scholarships

Discussed funding WC section book award and funding. Tim and Paolo will discuss with law schools during conferences and will make proposal.

C. Term Limits

Richard Chait discussed abandoning term limits. Currently, term limit is 12 years, and then can be reelected after 6 years. Argued that we need continuity of wisdom.

Dawn Traverso suggested that term limits serve purpose of obtaining new members with new ideas, and continuity is maintained by emeritus members.

Motion to amend bylaws to eliminate term limits. Motion seconded. Motion did not pass.

D. General Discussion

**VI. Chair-Elect's Report:** Jeffery Jacobs, Chair Elect

A. The Forum:

**Date changed to April 11<sup>th</sup>-12<sup>th</sup>** (Monday, Tuesday) at Omni Championsgate due to hotel overbooking despite our contract. We were provided numerous concessions due to hotel breaking contract. Substance remains same although speakers will rotate. Will have a new Judge's panel in Track 2. Ad in News & 440, brochures mailed today. **Please advertise by word of mouth** so that the section will make a profit. All attorneys, claims professionals, rehab personnel, mediators, paralegals and legal assistants. Attorneys get up to 20 CLE's. Last year had close to 400, but concern we may lose some adjusters this year.

Golf tournament will be on Wednesday in memory of Judge Wieland with a portion of proceeds going to our section.

B. Trial Advocacy Workshop: June 10<sup>th</sup>-11<sup>th</sup>.

Moved to Miami-Dade District judges' offices.

**VII. New Business:**

A. Jake Schickel's campaign for Bar President

Motion for section to endorse Jake Schickel as Bar President, seconded and approved.

B. Vote on request for excused absence

**Bill Rogner**  
**Jacqueline Blanton Steele**  
**Martin Leibowitz**  
**Chris Petrucelli**

Motions to excuse absences of above members, seconded and approved.

C. Elder Law Section

Motion to allow Elder Law Section to change name to “Elder and Disability Law Section,” seconded and approved.

**VIII. Future Meetings:**

- A. New Orleans Retreat – May 19-21, 2011  
The Roosevelt – A Waldorf Astoria Hotel

Motion to adjourn, seconded and approved.