

AGENDA
APPELLATE PRACTICE SECTION
ANNUAL MEETING of the SECTION and EXECUTIVE COUNCIL
June 14, 2018 - 10:30am
Hilton Orlando Bonnet Creek
Bonnet Creek Ballroom VI

Call-In: 888-376-5050

Participant Pin: 1953840310#

- I. Call to Order – Kristin Norse
- II. Introductions – Kristin Norse
 - Sarah Lahlou-Amine, Chair-Elect
 - Chris Altenbernd, Vice-Chair
 - Nick Shannin, Secretary/Treasurer
 - Duane Daiker, Immediate Past Chair
- III. Approval of Minutes for January 2018 Meeting (Exhibit A)
- IV. Chair's Annual Report – Kristin Norse
- V. Treasurer's Report – Nick Shannin
 - Financial Statements (Exhibit B)
- VI. Old Business
 - A. Social Media Campaign and The Record Blog – Dineen Wasylik, Kim Jones, and Laura Triplett
 - B. Bylaw Amendments – Duane Daiker/Nick Shannin
 - C. 5th DCA Remote Oral Argument Program – Nick Shannin/Chris Carlyle
 - D. 2018 Retreat Planning – Sarah Lahlou-Amine (Exhibit C)
October 4-6, 2018, Hyatt Regency Washington on Capitol Hill
 1. Reception at the Supreme Court

2. Section Service CLE Program
 3. Committee and EC Meetings
 4. Dinner with Keynote Speaker
 5. Planning Session
- E. AJEI/ECAPI 2018 Summit - Duane Daiker/Matt Conigliaro
November 8-11, 2018, Marriot Marquis, Downtown Atlanta

VII. New Business

- A. High School Moot Court Competition – Presentation by Annette Boyd Pitts (about 11:15 a.m.)

VIII. Bar & Section Committee Reports

- A. Council of Sections – Duane Daiker
- B. Continuing Legal Education – Chris Donovan
1. Request for Assistance in Generating CLE Topics
- C. Outreach – Jared Krukar
- D. Pro Bono – Joe Eagleton
- E. Programs – Carrie Ann Wozniak
- F. Legislation – Courtney Brewer
- G. Publications – Kimberly Jones
1. Pro Se Handbook – Bretton Albrecht & Raemy Charest
 2. The Record – Laura Triplett
 3. Florida Bar Journal Articles – Tom Seider
- H. Website – Jonathan Streisfeld

I. History – V. Hendricks

IX. Schedule of Annual Meeting Events

- A. Chair Reception, Wednesday, June 13, 7 pm to 9 pm, Hilton Bonnet Creek, Chair's Suite (Room 809)
- B. Moot Court Competition-Final Round, Bonnet Creek Ballroom VI, 2:30 pm to 5 pm
- C. Discussion with Justices of the Florida Supreme Court, Bonnet Creek Ballroom VI, 2:30 pm to 5 pm
- D. 25th Anniversary Dinner Celebration, Deep Blu, Wyndham Grand Orlando Resort Bonnet Creek, 6 pm to 9 pm
- E. An Evening in Paris Dessert Reception (Presentation of Adkins and Pro Bono Awards & Recognition of Retiring Florida Supreme Court Justices), Waldorf Astoria Grand Ballroom 1, 9 pm to 11:30 pm

X. Elections and Recognitions

- A. Nominations and Elections
- B. Awards and Recognitions

XI. Closing Remarks

- A. Remarks of Outgoing Chair – Kristin Norse
- B. Remarks of Incoming Chair – Sarah Lahlou-Amine

XII. Announce Next Meeting

October 4-6, 2018 – Section Retreat, Hyatt Regency Washington on Capitol Hill

November 8-11, 2018 – AJEI/ECAPI 2018 Summit, Marriott Marquis, Downtown Atlanta

XIII. Local Announcements

XIV. Adjournment

EXHIBIT A

**Executive Council Meeting
Florida Bar Appellate Practice Section
Doubletree by Hilton at the Entrance to Universal
Orlando, Florida
January 18, 2018, 12:00-2:00 p.m.**

Meeting Minutes

Attendance and Introductions

In person: Kristin Norse, Chair; Sarah Lahlou-Amine, Chair-Elect; Chris Altenbernd, Vice Chair; Nick Shannin, Secretary-Treasurer; Duane A. Daiker, Immediate Past Chair; Cheryl Wright, Program Administrator; Dixey Teel, Bar Administrator; Carrie Ann Wozniak; Dineen Wasyluk; Kimberly Jones; Laura Triplett; Christopher Donovan; Kansas Gooden; Joe Eagleton; Jared Krukar; Courtney Brewer; Christopher Carlyle; Alan Forst; Mary Walter; Morgan Weinsten; Lance Curry; Diane Dewolf; Mary Beth Kuenzel; Wendy Loquasto; Heather Kolinsky; Ceci Culpepper Berman; Vitaliy Kats; and Tom Hall.

On the phone: Judge Morris Silberman; Jack Reiter; Amanda Neff; Caryn Lynn Bellus; Bretton Albrecht; Elaine Walter; Matthew Conigliaro; Calianne Lantz; and Jonathan Streisfeld.

Minutes:

The September 2017 meeting minutes had been previously circulated by Secretary Shannin. One amendment to the minutes was requested: to remove the second appearance of Dixey Teel, Bar Administrator. Secretary Shannin noted that Administrator Teel was awesome enough to be worthy of inclusion twice, but agreed to delete the second appearance of her name as an attendee. Caryn Bellus moved to approve the minutes as amended; Duane Daiker seconded. The motion to approve passed unanimously.

Chair Report:

A. Updating Committee Lists: Chair Norse encouraged members that are not on a committee, to join if they are interested. Members are encouraged to contact officers for more information.

B. Practicing before The Second DCA: Chair Norse informed members that the CLE for Practicing before The Second DCA was a huge success, based on attendance, content, and on the universally positive feedback. Chair Norse thanked Duane Daiker, Jared Krukar, and all the other members who helped plan or attended this CLE.

C. Upcoming Events: Chair Norse discussed two upcoming events: (1) The Florida Bar Legislative Reception on January 24, 2018 at 5:30 p.m.; and (2) The Florida Supreme Court Historical Society Dinner on January 25, 2018 at 5:30 p.m. The Appellate Practice Section will be represented at both events. Members are welcome to attend. Chair Norse also reminded members that the Appellate Practice Section Annual Meeting is coming up on June 13-16, 2018 and thanked Carrie Ann Wozniak and Diane Dewolf for their planning efforts. In addition to the upcoming Annual Meeting, the Appellate Practice Section Awards are around the corner and members are encouraged to submit their nominations as soon as possible.

D. Appellate Practice Section Operations: Chair Norse informed members that the Appellate Practice Section Bylaws were still being amended and the new stylistic changes should be done in time for the Annual Meeting. Chair Norse announced that many Judicial Nominating Commission seats are available and members should consider submitting their names to provide appellate practitioner representation on these important commissions. Chair Norse also informed members that former Judge Gerald B. Cope, Jr. suggested new ways to collect appellate practice statistics for our attorneys to access.

Chair-Elect Report:

Chair-Elect Lalou-Amine discussed the emerging and exciting plans for our 2018 Retreat – the Appellate Practice Section march on the capital! The retreat will occur August 4-6, 2018 in our nation’s capital. Highlights for the retreat include a potential reception at the United States Supreme Court. Details to follow, hold the date!

Treasurer’s Report:

Treasurer Shannin reported on the financials attached to the agenda as *Exhibit B*. Budget estimate and actual expenses continue to generally track actual expenses, and the reserves remain stable.

Section Committee Reports:

A. Website and Social Media: Dineen Wasylik and members assisting with the social media campaign continue to receive positive feedback of the online format of *The Record* and our Appellate Practice Section social media profiles. All members are encouraged to “like” the Appellate Practice Section on Facebook and to follow and retweet on Twitter! Similarly, there are no new issues regarding the website which Jonathan Streisfeld continues to manage with aplomb.

B. Publications and The Record: Kimberly Jones, Publication Chair, provided an update regarding our publications where everything remains in flow for all production deadlines. She did put out the call, however, for additional authors for future articles for the Florida Bar.

C. Pro Se Handbook: Bretton Albrecht reported that the updated handbook, now translated into three languages, has been completed and distributed to prisons, District Courts of Appeal, and other locations of need. She also reported that the total expenditures were fiscally sound, successfully below the \$30,000 estimated for the Pro Se Handbook.

D. The Record: Laura Triplett conveyed that the switch of The Record from paper, to an online format is now fully complete, and is proving a success. Receiving articles has been much more fluid and a quicker turnaround between receipt of articles and publication. Any members interested in submitting an article should contact her for more information.

E. Florida Bar Journal Articles: Tom Seider says we can always use more authors; if members are interested, contact him.

F. CLE Committee: Chris Donovan, CLE Chair, relayed that the Practicing Before The Second DCA CLE seminar was not only a success but netted over \$6,000 in profit. While there remain questions regarding how the “new accounting system” implemented by The Florida Bar will affect future CLE’s, this seminar proves that financial success can still be obtained regardless of how the accounting occurs. With regard to upcoming seminars, Chris relayed that the Appellate Practice Section Certification Review Course, the biannual “full version,” is approaching. Another CLE, entitled “Gideon Denied” will discuss post-conviction release appeals in a four hour web-based CLE. June 7, 2018 is the date for a planned Practicing Before The Florida Supreme Court seminar. Lastly, another live seminars is in the works on appellate technology with Tom Hall and Jack Reiter

co-chairs. However, room exists for another co-chair for that seminar, so any members interested should contact Chris.

G. Telephonic/Website CLE: Kansas Gooden relays that the conversion from telephonic to website monthly hour-long CLE's has gone exceedingly well. The new format is more flexible with regard to time, is proving more profitable, and has higher monthly attendance. Lots of great topics are in the queue, but any interested can contact Kansas to volunteer to suggest future topics or speakers.

H. Outreach Committee: Jared Krukar, Outreach Committee Chair, explained that the Outreach Committee had streamlined its concept to two foci: (1) to organize the committee to be on top of new events in a timely fashion; and (2) to integrate its committee membership by way of teleconference meetings. Jared discussed that recent sponsored events had been properly attended with tables and representatives, including the Diversity Committee's November symposium and hosting a table at the Practicing Before The Second DCA seminar. The committee plans to also attend and host tables at the upcoming Barry University diversity picnic.

F. Pro Bono: Joe Eagleton, Pro Bono Chair, discussed the continuing efforts of the CLE Committee to assist legal aid organizations statewide. He also discussed the continuing and ongoing effort to match great Attorneys with great need. The Florida Bar Guardian ad Litem Program has recognized the Appellate Practice Section for its excellence in providing assistance, having been listed as one of the most robust pro bono appellate organizations in the nation. Kudos well-deserved by the entire section and its many pro-bono volunteers.

G. Programs: Carrie Ann Wozniak, Program Chair, discussed upcoming events including the 25th Appellate Practice Section Anniversary Dinner which will be held in conjunction with the June 14, 2018 annual meeting of the Florida bar. The dinner will be held at Deep Blu, adjacent to the Bonnett Creek Hilton.

Closing and Adjournment:

Chair Norse thanked the section members in attendance, in person or by telephone, for their participation in the meeting. She encouraged everyone to make their reservations for the June Florida Bar Annual Convention. Following her closing remarks, her motion to adjourn passed unanimously.

EXHIBIT B

THE FLORIDA BAR
Appellate Law Section
For the Ten Months Ending Monday, April 30, 2018

	<u>Budget</u>	<u>Variance</u>	<u>Actual</u>	<u>Variance</u>	<u>Prior Year</u>
3001-Annual Fees	55,600	1,665	57,265	1,865	55,400
3002-Affiliate Fees	<u> </u>	80	<u>80</u>	<u>0</u>	<u>80</u>
Total Fee Revenue	55,600	(1,745)	57,345	(1,865)	55,480
3301-Registration-Live		20,000	20,000	20,027	(27)
3311-Registration-Phone		40	40	(1,765)	1,805
3321-Registration-Webcast		16,254	16,254	15,793	460
3331-Registration-Ticket		<u>0</u>		<u>(3,435)</u>	<u>3,435</u>
Total Registration Revenue	0	(36,294)	36,294	(30,620)	5,673
3351-Sponsorships	39,500	(29,500)	10,000	7,500	2,500
3391 Section Profit Split	40,000	(18,558)	21,442	10,410	11,032
3392-Section Differential	<u>6,000</u>	<u>(3,860)</u>	<u>2,140</u>	<u>60</u>	<u>2,080</u>
Other Event Revenue	85,500	51,918	33,582	(17,970)	15,612
3899-Investment Allocation	<u>10,737</u>	<u>17,323</u>	<u>28,060</u>	<u>(8,004)</u>	<u>36,063</u>
Non-Operating Income	10,737	(17,323)	28,060	8,004	36,063
Total Revenue	151,837	(3,444)	155,281	(42,452)	112,829
4131-Telephone Expense	1,000	606	394	51	444
4133-Internet Service	100	100		0	
4134-Web Services	8,000	(2,583)	10,583	(2,817)	7,765
4301-Photocopying	75	75		0	0
4311-Office Supplies	<u>150</u>	<u>150</u>		<u>45</u>	<u>45</u>
Total Staff & Office Expense	9,325	(1,651)	10,976	(2,722)	8,255
5051-Credit Card Fees	600	(1,585)	2,185	(1,932)	254
5121-Printing-Outside	<u>4,456</u>	<u>203</u>	<u>4,253</u>	<u>(4,253)</u>	
Total Contract Services	5,056	(1,383)	6,439	(6,185)	254
5501-Employee Travel	1,176	(976)	2,152	(45)	2,108
5561-Judges Travel	<u>1,500</u>	<u>1,500</u>		<u>0</u>	
Total Travel	2,676	524	2,152	(45)	2,108
6001-Post 1st Class/Bulk	100	61	39	(21)	18
6251-Promotion Sponsorship	31,500	(3,106)	34,606	(34,356)	250
6301-Mtgs TFB Annual Meeting	20,000	20,000	0	0	0
6311-Mtgs General Meeting	7,600	3,829	3,771	(248)	3,524
6319-Mtgs Other Functions	8,500	8,224	276	23,013	23,288
6451-Committee Expense	1,500	1,500		0	
7001-Grant/Award/Donation	1,500	1,500		0	
7999-Other Operating Exp	<u>1,500</u>	<u>1,383</u>	<u>117</u>	<u>32</u>	<u>149</u>

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	<u>Budget</u>	<u>Variance</u>	<u>Actual</u>	<u>Variance</u>	<u>Prior Year</u>
Total Other Expense	72,200	33,391	38,809	(11,580)	27,229
8011-Administration CLE		(2,450)	2,450	350	2,800
8021-Section Admin Fee	24,325	(770)	25,095	(840)	24,255
8101-Printing In-House	300	207	93	(76)	17
Total Admin & Internal Expense	24,625	(3,013)	27,638	(566)	27,072
9692-Transfer Out-Council of Sections	300	300		300	300
Total InterFund Transfers Out	300	300	0	300	300
Total Expense	<u>114,182</u>	<u>28,167</u>	<u>86,015</u>	<u>(20,797)</u>	<u>65,218</u>
Net Income	<u>37,655</u>	<u>(31,611)</u>	<u>69,266</u>	<u>(21,655)</u>	<u>47,611</u>
2001-Fund Balance, Beginning	445,016	4,456	449,472	36,418	413,054
Fund Balance, Ending	<u>482,671</u>	<u>(36,067)</u>	<u>518,738</u>	<u>(58,073)</u>	<u>460,665</u>

THE FLORIDA BAR
Appellate Law Section
For the Twelve Months Ending Saturday, June 30, 2018

	July	August	September	October	November	December	January	February	March	April	Total
3001-Annual Fees	\$47,240.00	\$8,585.00	\$440.00	\$360.00	\$160.00	\$120.00	\$280.00		\$40.00	\$40.00	\$57,265.00
3002-Affiliate Fees		80.00									80.00
Total Fee Revenue	47,240.00	8,665.00	440.00	360.00	160.00	120.00	280.00		40.00	40.00	57,345.00
3301-Registration-Live	6,400.00	13,600.00	(800.00)	800.00							20,000.00
3311-Registration-Phone							40.00				40.00
3321-Registration-Webcast	9,046.33	501.37	803.10	569.10	657.70	202.20	1,369.35	664.50	1,343.25	1,096.75	16,253.65
Total Registration Revenue	15,446.33	14,101.37	3.10	1,369.10	657.70	202.20	1,409.35	664.50	1,343.25	1,096.75	36,293.65
3351-Sponsorships										10,000.00	10,000.00
3391 Section Profit Split	2,835.23	3,228.54	1,328.09	5,300.29	9,649.33	(1,193.63)	(5,145.72)	1,337.90	(69.50)	4,171.70	21,442.23
3392-Section Differential	20.00	260.00	80.00	240.00	440.00	100.00	360.00	120.00	240.00	280.00	2,140.00
Other Event Revenue	2,855.23	3,488.54	1,408.09	5,540.29	10,089.33	(1,093.63)	(4,785.72)	1,457.90	170.50	14,451.70	33,582.23
3899-Investment Allocation	6,878.20	369.19	6,945.56	3,421.61	5,022.46	5,633.01	18,145.52	(12,850.00)	(6,889.06)	1,383.14	28,059.63
Non-Operating Income	6,878.20	369.19	6,945.56	3,421.61	5,022.46	5,633.01	18,145.52	(12,850.00)	(6,889.06)	1,383.14	28,059.63
Total Revenue	72,419.76	26,624.10	8,796.75	10,691.00	15,929.49	4,861.58	15,049.15	(10,727.60)	(5,335.31)	16,971.59	155,280.51
4131-Telephone Expense					261.50				58.83	73.34	393.67
4134-Web Services			2,667.50			2,204.25		4,601.25	1,109.75		10,582.75
4311-Office Supplies											
Total Staff & Office Expense			2,667.50		261.50	2,204.25		4,601.25	1,168.58	73.34	10,976.42
5051-Credit Card Fees	573.44	334.42	(10.26)	8.97	4.03	3.65	12.30	1.91	3.08	1,253.92	2,185.46
5121-Printing-Outside				4,253.10							4,253.10
Total Contract Services	573.44	334.42	(10.26)	4,262.07	4.03	3.65	12.30	1.91	3.08	1,253.92	6,438.56
5501-Employee Travel			518.63	616.55			1,009.53	7.65			2,152.36
Total Travel			518.63	616.55			1,009.53	7.65			2,152.36
6001-Post 1st Class/Bulk								3.49		35.96	39.45
6251-Promotion Sponsorship				1,250.00	27,355.63		1,000.00		5,000.00		34,605.63
6311-Mtgs General Meeting					23.92		36.02	3,658.00	42.31	11.15	3,771.40
6319-Mtgs Other Functions					152.33		44.76		64.54	14.08	275.71
7999-Other Operating Exp			49.75	8.65					58.82		117.22
Total Other Expense			49.75	1,258.65	27,531.88		1,080.78	3,661.49	5,165.67	61.19	38,809.41
8011-Administration CLE		350.00		350.00	350.00		350.00	350.00	350.00	350.00	2,450.00
8021-Section Admin Fee	20,667.50	3,710.00	175.00	245.00	52.50	52.50	122.50	17.50	35.00	17.50	25,095.00
8101-Printing In-House		33.38				8.14	51.56				93.08
Total Admin & Internal Expense	20,667.50	4,093.38	175.00	595.00	402.50	60.64	524.06	367.50	385.00	367.50	27,638.08

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	July	August	September	October	November	December	January	February	March	April	Total
9692-Transfer Out-Council of Sections Total InterFund Transfers Out											
Total Expense	<u>21,240.94</u>	<u>4,427.80</u>	<u>3,400.62</u>	<u>6,732.27</u>	<u>28,199.91</u>	<u>2,268.54</u>	<u>2,626.67</u>	<u>8,639.80</u>	<u>6,722.33</u>	<u>1,755.95</u>	<u>86,014.83</u>
Net Income	<u>51,178.82</u>	<u>22,196.30</u>	<u>5,396.13</u>	<u>3,958.73</u>	<u>(12,270.42)</u>	<u>2,593.04</u>	<u>12,422.48</u>	<u>(19,367.40)</u>	<u>(12,057.64)</u>	<u>15,215.64</u>	<u>69,265.68</u>

EXHIBIT C



THE APPELLATE PRACTICE SECTION OF THE FLORIDA BAR

MAKE PLANS TO ATTEND!
2018 Appellate Practice Section Retreat



The Appellate Practice Section Is Headed to Washington D.C. — and You Are Invited!

Following up on the Section's successful and well-attended 2016 Key West retreat, the Section is excited to announce it will hold its next biannual retreat in Washington D.C. October 4-6, 2018. The Section's Executive Council meeting will occur in conjunction with the retreat. The hotel location remains to be determined and you'll be getting more information soon, but for now be sure and save the date. Given that Washington D.C. is the home of our three branches of federal government, opportunities abound for a very exciting agenda. If you have any programming ideas, retreat co-chairs Hala Sandridge hala.sandridge@bipc.com and Tom Hall thall@mills-appeals.com welcome your input.



— APS Retreat, Key West, 2016



— APS Retreat, Key West, 2016

Participation in the retreat will be open to all Section members. We look forward to seeing you there!

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