

AGENDA
APPELLATE PRACTICE SECTION
FALL MEETING of the SECTION and EXECUTIVE COUNCIL
October 5, 2018 – 12:00 p.m. to 1:30 p.m.
Jones Day, Washington, D.C.

Call-In: 888-376-5050, Participant Pin: 1953840310#

- I. Call to Order – Sarah Lahlou-Amine
- II. Introductions – Sarah Lahlou-Amine
 - Nick Shannin, Chair-Elect
 - Chris Donovan, Vice-Chair
 - Kimberly Jones, Secretary/Treasurer
 - Kristin Norse, Immediate Past Chair
- III. Chair’s Report – Sarah Lahlou-Amine
- IV. Approval of Minutes for June 2018 Meeting – Nick Shannin (Exhibit A)
- V. Treasurer’s Report – Chris Donovan (Exhibit B)
- VI. Old Business
 - A. Annual Meeting Recap – Kristin Norse
 - B. Bylaw Amendments Status – Sarah Lahlou-Amine
 - C. Vote to Ratify Approval of Legislative Positions – Sarah Lahlou-Amine
(See Legislative Committee Report in Exhibit E)
 - D. APS Member Statistics – Sarah Lahlou-Amine (Exhibit C)
 - E. ECAPI 2018 – Duane Daiker
 - F. Delegated Reserves Committee Report Regarding Referral to Sponsor
High School Moot Court Competition (Exhibit D)
- VII. New Business
 - A. Joint Membership Opportunity with Government Lawyer Section – Sarah
Lahlou-Amine

- B. Social Media Visibility – Dineen Wasyluk
- C. Section Finance Strategies – Sarah Lahlou-Amine

VIII. Bar & Section Committee Reports (Exhibit E)

- A. Council of Sections – Nick Shannin
- B. Continuing Legal Education – Kansas Gooden
- C. Outreach – Jared Krukar
- D. Pro Bono – Joe Eagleton
- E. Programs – Carrie Ann Wozniak
- F. Legislation – Courtney Brewer
- G. Publications – Bretton Albrecht
 - 1. Pro Se Handbook
 - 2. The Record
 - 3. Florida Bar Journal Articles
- H. Communications – Dineen Wasyluk
- I. History – V. Hendricks

IX. Schedule of Remaining Fall Meeting and Retreat Events – Sarah Lahlou-Amine
(Handout for Distribution at Meeting)

X. Announce Next Executive Council Meeting

Florida Bar Winter Meeting, January 17, 2019
Doubletree by Hilton Orlando at SeaWorld
Time and Location TBD

XI. Adjournment

EXHIBIT

A

**Executive Council Meeting
Florida Bar Appellate Practice Section
Hilton Orlando Bonnet Creek, Ballroom VI
Orlando, Florida
June 14, 2018, 10:30 a.m. – 12:30 p.m.**

Meeting Minutes

Attendance and Introductions

In person: Kristin Norse, Chair; Sarah Lahlou-Amine, Chair-Elect; Nick Shannin, Secretary-Treasurer; Duane A. Daiker, Immediate Past Chair; Cheri Wright, Program Administrator; Dixey Teel, Bar Administrator; Carrie Ann Wozniak; Steven Brannock; Richard Suarez; 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; Tom Hall; Caryn Lynn Bellus; Matthew Conigliaro; Jay Yagoda; Judge Morris Silberman; Valeria Hendricks; Jack Aiello; Hala Sandridge; Angela Flowers; David Knapp; John Crabtree; Siobhan Shea; Judge Wendy Berger; Jack Reiter; Bretton Albrecht; Stephanie Ray; Jonathan Streisfeld; Calianne Lantz; Gabrielle Charest-Turken; Daniel Mahfood; Rebecca Creed; Bryan Gowdy; Manuel Farach; and Anthony Musto.

On the phone: Dorothy Easley; Steven Stark; and Amanda Neff.

Minutes:

The January 18, 2018, meeting minutes had been previously circulated by Secretary Shannin. One amendment to the minutes was requested: to revise the retreat date under Chair-Elect Report on page 2 to October 4-6, 2018. Secretary Shannin amended the draft minutes to the revised date. Caryn Bellus moved to approve the minutes as amended; Matthew Conigliaro seconded. The motion to approve passed unanimously.

Chair Report:

Chair Norse thanked Chair-Elect Lahlou-Amine and the Retreat Committee for their continued planning efforts for the October retreat. Chair Norse also recognized Thomasina Moore and Joe Eagleton for their continuing dedication to the pro bono programs, and Siobhan Shea for her great idea of renaming the Appellate Practice Section Pro Bono Award in honor of the late, great John R. Hamilton.

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. Treasurer Shannin thanked Cheri Wright for revamping our budget format to be more readable and accessible.

Prior Business:

A. Social Media Campaign: Dineen Wasylik reports there have been many “views” and “clicks” to access *The Record* online and it has been a great first year. Next step is to automate! Laura Triplett agrees that the next step is to automate and encourages members to submit more articles for publishing.

B. Bylaws Amendments: Duane Diaker reports that the Byzantine Bylaw revision process is still proceeding and that additional minor edits had been recommended by the reviewing staff from the Florida Bar. Nick Shannin moved that the bylaws inclusive of edits recommended by Florida Bar review, be ratified. That motion passed unanimously. Mr. Shannin also noted that future, additional Bylaws changes may be recommended to re-align officer roles to current practice.

C. Fifth DCA Remote Oral Arguments: Nick Shannin and Christopher Carlyle reported that remote oral arguments are now available within the Fifth DCA, but only presently from the Marion County Courthouse.

D. APS Retreat: Sarah Lahlou Amine reports that a lot of great events are planned for this year's retreat! The first-ever out-of-state Section retreat will be in Washington D.C. Events include: CLE, a reception, and much more! Judge Alan Forst scored us a reception that may even be sponsored by Justice Thomas. The Supreme Court reception will occur on the Thursday night we arrive, October 4, 2018. Friday will include a CLE about the Supreme Court and Washington DC federal courts; Committee and Executive Council meetings – though Committee meetings may be remotely online; and a Section Dinner on Friday – maybe with or without a speaker. Saturday will include our planning session. Hala Sandridge reports on the retreat planning: how do we implement the changes? Suggestions include getting a professional facilitator, so that the facilitator can do the leg work first. Members address that the APS is reserved and conservative with money. Treasurer Shannin's motion to amend the budget for retreat from 30k to 40k is approved unanimously.

E. ECAPI: Matt Conigliaro reported on the new and improved Eleventh Circuit Court program, encouraging members to take advantage of this federal practice program.

F. Florida Bar Continuing Legal Education: Tony Musto reports that The Florida Bar's focus for CLE is diversity and being aware of different ways to diversify including any and all speaker selections to better represent our collective Bar membership.

Special Guest Speakers:

A. Speakers from Florida Bar BOG: Dori Foster Morales, candidate for President-Elect, stopped by to assure us that we are appreciated. Michael Higer, Florida Bar President, reported that the reputation of The Florida Bar, and its lawyers, has never been better. Our voices, particularly those from the Appellate Practice Section, were heard by the Governor during the Constitutional Revision Committee meeting. He also confirmed that the BOG agrees: Kristin Norse is a phenomenal leader! Michelle Suskauer, Florida Bar President Chair-Elect stopped by to cheer on the APS and Solo and Small Firms. She also re-emphasized the diversity push for all committees and CLE panels.

Section Committee Reports:

A. Council of Sections: Nicholas Shannin has agreed as the officer-in-Orlando, to attend the meeting on Saturday. He will relay any details of interest at our fall meeting.

B1. CLE Committee: Chris Donovan, CLE Chair, reports that APS CLE's are thriving! Celine Humphries further relays that the idea to launch a biannual Appellate Practice Section Certification Review Course to increase attendance was a great success. Another CLE, entitled "Gideon Denied" was a dynamite CLE done by webcast. On the first day, we broke even with a total of 27 attendees and subsequently made money in syndication. The Practicing Before The Florida Supreme Court seminar held on June 7, 2018, was a big hit!

B2. Telephonic/Website CLE: Kansas Gooden relays that the conversion from telephonic to web-based 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. Thanks to Kansas Gooden and Amanda Neff for the planning and hard work. Lots of great topics are in the queue, but any interested can contact Kansas to volunteer to suggest future topics or speakers.

C. Outreach Committee: Jared Krukar, Outreach Committee Chair, emphasized progress for the Outreach Committee is 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 recent Barry University diversity picnic.

D. Pro Bono: Joe Eagleton proudly displayed the prestigious and impressive "I Am For The Child" award that was presented to our Section through collaboration with The Florida Bar's guardian ad litem program. Kudos also to Thomasina Moore for the collaboration to make that award possible. Joe also noted that we have now doubled our output to over 50 cases a year – way to go pro bono team!

E. Programs: Carrie Ann Wozniak reported that everything was all set for the fantastic dinner celebrating the Appellate Practice Section's 25th Anniversary as well as the amazing Parisian themed dessert reception. [Editor's note: both events were well-planned and came out beautifully. Très magnifique!]

F. Legislation: Courtney Brewer echoed what had been previously stated regarding the legislative front: that the concerns with potential amendments by way of the Constitutional Version Committee had been allayed and that nothing was presently on the radar of immediate concern. As always, the committee will be vigilant to react to any new developments should they occur.

G1. Publications: Kimberly Jones, Publications Chair, provided an update regarding our publications, noting that everything remains on target for production deadlines and that the Appellate Practice Section can proudly note that it has had an appellate article in every issue with *The Florida Bar Journal* this year. As always, if people are interested in writing articles, contact her, Tom Seider regarding *The Journal*, or Laura Triplett regarding *The Record*.

G2. Pro Se Handbook: Bretton Albrecht reported that the updated Pro Se Handbook has been printed in each of its languages and distributed. She noted that they are presently working with prison library administrators to ensure these handbooks would be available to those individuals who may need these instructive manuals most.

H. Website: Jonathan Streisfeld noted that the improved website was up, but that they can use assistance with proofreading and acquiring information to be uploaded. He also requested to members that rather than just sending a flyer for uploading to also include a quick "blurb" synopsis of information to go with the flyer or other item to be uploaded.

I. Historian: Valeria Hendricks thanked everyone for previously sent photographs and assured everyone that they would be on rotating display at our Appellate Practice Section dessert reception. [Editor's note: And they were! They looked great!]

Elections:

A ballot was distributed with the previously nominated individuals for the 2018–2019 Appellate Practice Section officers and new Executive Committee members as follows:

Nick Shannin, Chair-Elect; Chris Donovan, Vice Chair; Kim Jones, Secretary/Treasurer; and Executive Committee member (terms expiring 2021): Jessie Harrell, Jamie Billotte Moses, Linsey Sims-Bohnenstiehl, Mary Walter, and Tom Young.

The floor was open for additional nominations or discussion. Matt Conigliaro moved to close nominations and to elect the nominees by acclamation. The motion passed unanimously and the above officers and board members were elected for their respective terms. Sarah Lahlou-Amine automatically elevated from Chair-Elect to Chair by operation of our Bylaws.

Recognitions:

Prior to handing the gavel to her successor, new immediate past Chair Norse recognized the hard work done by all of the contributing members of the committee. She specifically commended each of the committee chairs and officers, recognizing their achievements on behalf of the section.

Immediate past Chair Norse then passed the gavel to newly elected Chair Sarah Lahlou-Amine. Chair Lahlou-Amine's first act was to recognize the amazing work put in by Kristin Norse and, with the assistance of her fellow officers, provided the outgoing chair with a framed and engraved mint edition copy of one of Chair Norse's favorite superheroes, Wonder Woman.

At Chair Lahlou-Amine's request, Chair-Elect Shannin offered the following Haiku to the outgoing chair:

Our Chair Kristen Norse
Needs no lasso nor clear jet;
She's a true Wonder!

Closing and Adjournment:

With the recognitions complete, Sarah Lahlou-Amine thanked everyone for their support and agreement to continue the upward and forward progress of the committee, commended everyone of the committee, requested that everyone consider joining the Section for its fall retreat, and looked forward to the year ahead. Following her closing remarks, her motion to adjourn passed unanimously.

EXHIBIT

B

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	May	June	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	493.00	702.00	17,448.65
3331-Registration-Ticket											2,100.00	2,604.69	4,704.69
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	2,593.00	3,306.69	42,193.34
3351-Sponsorships										10,000.00	9,750.00	4,750.00	24,500.00
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	5,253.73	1,425.81	28,121.77
3392-Section Differential	20.00	260.00	80.00	240.00	440.00	100.00	360.00	120.00	240.00	280.00	120.00	280.00	2,540.00
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	15,123.73	6,455.81	55,161.77
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	1,291.89	(2,584.03)	26,767.49
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	1,291.89	(2,584.03)	26,767.49
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	19,008.62	7,178.47	181,467.60
4131-Telephone Expense					261.50				58.83	73.34		71.07	464.74
4134-Web Services			2,667.50			2,204.25		4,601.25	1,109.75		3,603.00	3,875.10	18,060.85
4311-Office Supplies											66.07	215.26	281.33
Total Staff & Office Expense			2,667.50		261.50	2,204.25		4,601.25	1,168.58	73.34	3,669.07	4,161.43	18,806.92
5051-Credit Card Fees	573.44	334.42	(10.26)	8.97	4.03	3.65	12.30	1.91	3.08	240.40	167.82	216.19	1,555.95
5121-Printing-Outside				4,253.10							205.47		4,458.57
Total Contract Services	573.44	334.42	(10.26)	4,262.07	4.03	3.65	12.30	1.91	3.08	240.40	373.29	216.19	6,014.52
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		6.26	45.71
6251-Promotion Sponsorship				1,250.00	27,355.63		1,000.00		5,000.00			(5,000.00)	29,605.63
6301-Mtgs TFB Annual Meeting												59,265.32	59,265.32
6311-Mtgs General Meeting					23.92		36.02	3,658.00	42.31	11.15		8.15	3,779.55
6319-Mtgs Other Functions					152.33		44.76		64.54	14.08		60.35	336.06
7001-Grant/Award/Donation											250.02	1,611.87	1,861.89
7999-Other Operating Exp			49.75	8.65					58.82			12.25	129.47
Total Other Expense			49.75	1,258.65	27,531.88		1,080.78	3,661.49	5,165.67	61.19	250.02	55,964.20	95,023.63
8011-Administration CLE		350.00		350.00	350.00		350.00	350.00	350.00	350.00	350.00		2,800.00
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					6.60	99.68
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	350.00	6.60	27,994.68
9692-Transfer Out-Council of Sections											300.00		300.00
Total InterFund Transfers Out											300.00		300.00
Total Expense	21,240.94	4,427.80	3,400.62	6,732.27	28,199.91	2,268.54	2,626.67	8,639.80	6,722.33	742.43	4,942.38	60,348.42	150,292.11
Net Income	51,178.82	22,196.30	5,396.13	3,958.73	(12,270.42)	2,593.04	12,422.48	(19,367.40)	(12,057.64)	16,229.16	14,066.24	(53,169.95)	31,175.49

THE FLORIDA BAR
Appellate Law Section
For the Two Months Ending Friday, August 31, 2018

	<u>July</u>	<u>August</u>	<u>Total</u>
3001-Annual Fees	\$47,080.00	\$9,120.00	\$56,200.00
3002-Affiliate Fees	80.00		80.00
Total Fee Revenue	47,160.00	9,120.00	56,280.00
3321-Registration-Webcast	325.45	702.00	1,027.45
3331-Registration-Ticket		13,640.00	13,640.00
Total Registration Revenue	325.45	14,342.00	14,667.45
3351-Sponsorships		1,000.00	1,000.00
3391 Section Profit Split	11,761.27	9,316.72	21,077.99
3392-Section Differential	120.00	280.00	400.00
Other Event Revenue	11,881.27	10,596.72	22,477.99
3899-Investment Allocation	7,805.33	1,572.98	9,378.31
Non-Operating Income	7,805.33	1,572.98	9,378.31
Total Revenue	67,172.05	35,631.70	102,803.75
4131-Telephone Expense	66.05	66.04	132.09
4134-Web Services		1,140.75	1,140.75
Total Staff & Office Expense	66.05	1,206.79	1,272.84
5051-Credit Card Fees	129.29	345.50	474.79
Total Contract Services	129.29	345.50	474.79
6251-Promotion Sponsorship	2,000.00		2,000.00
6301-Mtgs TFB Annual Meeting	(1,163.85)		(1,163.85)
6311-Mtgs General Meeting	0.42		0.42
6319-Mtgs Other Functions	14.98	3,824.57	3,839.55
Total Other Expense	851.55	3,824.57	4,676.12
8021-Section Admin Fee	17.50	25,038.50	25,056.00
8121-Graphics & Arts		62.50	62.50
Total Admin & Internal Expense	17.50	25,101.00	25,118.50
Total Expense	1,064.39	30,477.86	31,542.25
Net Income	66,107.66	5,153.84	71,261.50

EXHIBIT

C

FLORIDA BAR APPELLATE PRACTICE SECTION, 2016

Members:

1278

Board-Certified Members:

151 (there are 175 Florida Bar members board-certified in appellate practice)

Years of Practice

0-5: 162 (13%)

6-10: 172 (13%)

11-15: 165 (13%)

16-20: 162 (13%)

21-25: 185 (14%)

26-30: 144 (11%)

31-35: 126 (10%)

36-40: 79 (6%)

41-45: 55 (4%)

46-50: 19 (1%)

51-55: 6 (< 1%)

56-60: 2 (< 1%)

61-65: 1 (< 1%)

Years of Section Membership:

0 (New Members): 126 (10%)

1-5: 313 (24%)

6-10: 262 (21%)

11-15: 577 (45%)

Gender:

Male: 744 (58%)

Female: 534 (42%)

Race (907/1278 reported):

African American: 15 (1.5%)

American Indian/Alaskan Native: 1 (< 1%)

Asian/Pacific Islander: 10 (1%)

Hispanic: 63 (7%)

Other: 15 (1.5%)

White/Non-Hispanic: 803 (89%)

*Percentages calculated from the 907 members who reported

Employment Type (745/1278 reported):

Associate: 182 (24.5%)

Corporate Counsel: 9 (1%)

Government Attorney: 70 (9.5%)

Law Faculty: 6 (1%)

Managing Partner: 47 (6%)

Of Counsel: 31 (4%)

Partner/Shareholder: 285 (38%)

Private Law Practice: 112 (15%)

Retired: 3 (< 1%)

*Percentages calculated from the 745 members who reported

Member Cities (in FL, 5 or more members):

Within First DCA (19%):

Gainesville: 13
Jacksonville: 54
Pensacola: 10
Tallahassee: 125 (22 report to be in government)

Within Second DCA (24%):

Bartow: 5
Clearwater: 7
Ft. Myers: 18
Naples: 19
St. Petersburg: 20
Sarasota: 18
Tampa: 169

Within Third DCA (28%):

Boca Raton: 32
Coral Gables: 41
Miami: 222
Miami Beach: 6

Within Fourth DCA (19%):

Coral Springs: 5
Ft. Lauderdale: 93
Hollywood: 13
Palm Beach Gardens: 8
Plantation: 13
West Palm Beach: 70

Within Fifth DCA (11%):

Daytona Beach: 13
Ocala: 6
Orlando: 85
The Villages: 5
Winter Park: 9

*Rough percentages based on cities with 5 or more members

Jurisdictions in addition to FL:

7 members in GA
5 members in NY
3 members in NC and VA
2 members in AL, DC, PA, TX
1 member in CO, GU, ID, IL, MA, MS, OH, OR, TN, WA, WV

EXHIBIT

D

MEMORANDUM

TO: Sarah Lahlou-Amine
FROM: Ceci Berman
RE: Delegated Reserves Committee report
DATE: September 19, 2018

Per your request, following is a report from the Delegated Reserves Committee:

Currently, the committee is handling one referral. The referral stems from a motion made by Siobhan Shea at the June 2018 Executive Council meeting to give \$12,400 to FLREA to support the moot court competition program for Florida high school students. Bon proposed donating \$10,000 in general scholarships and \$2,400 for students who would not otherwise be able to participate in the competition due to financial hardship (two scholarships for \$1,200 each). Also discussed at the EC meeting was ongoing, future support for this program.

The committee is actively meeting regarding this referral and will be holding its third meeting on the issue on September 21, 2018. During that meeting, committee members will be speaking directly with Annette Boyd Pitts from FLREA to discuss some of the program's biggest needs and to obtain other information.

The committee anticipates taking final action on this referral before the October 2018 Executive Council meeting.

EXHIBIT

E

CLE CHAIR'S REPORT

From: Kansas R. Gooden, CLE Chair

Date: September 11, 2018

I. CLE Schedule

The Committee is excited to announce that we have the next year of CLEs planned, as well as some CLEs slotted for 2020. The schedule is follows:

2018

Modern Appellate Practice

- This is the section's first all-tech CLE. We have structured this as a live, half-day event. It provides 5 tech CLE hours, as well as 1 hour of ethics.
- As of 9/11, we had 17 live and 15 webinar attendees. I anticipate that this program will sell well in the aftermarket.
- Date: September 14, 2018, 8 am – 1 pm
- Location: FIU School of Law, Miami, Florida
- Chairs: Jack Reiter and Tom Hall
- Sponsor: Florida Surety Bonds
- Presentations
 - *Critical Things Appellate Lawyers Need To Know About Technology And The Practice Of Appellate Law*
 - Jack Reiter, Gray Robinson, Miami
 - *Writing Briefs That Will Be Read On A Computer – Making It Easier For The Judge*
 - The Honorable Melanie May, Fourth District Court of Appeal, West Palm Beach
 - *Technology And The Issues It Creates: Keeping Yourself Out Of Trouble – Ethics, Privacy, Security, Etc.*
 - Professor Jan Jacobowitz, University of Miami School of Law, Miami
 - *Pending Technology Related Rule Changes You Need To Know*
 - Paul Regensdorf, Attorney at Law, PLLC, Palm City
 - *Using Your Tablet At Oral Argument*
 - Jack Reiter, Gray Robinson, Miami
 - John Crabtree, Crabtree & Auslander, Miami
 - Raoul Cantero, White & Case, Miami

Family Law Appeals – How Could They Possibly Be Any Different than Other Appeals?

- Date: November 14, 2018, 1 pm – 5 pm
- Webinar

- Chair: Jamie Billotte Moses
- Presentations:
 - Finality in Family Law: Appealing Orders in Cases That Never End
 - Joe Eagleton, Tampa
 - Non-Final Appeals for the Family Law Lawyer
 - Nick Shannin, Orlando
 - Family Law Issues in the LGBTQ+ Community
 - Cristina Alonso, Pembroke Pines
 - Case Law Update and Ethical Considerations in Family Law Appeals
 - Jamie Billotte Moses, Orlando

2019

Hidden Essential of Appellate Practice

- Date: February 1, 2019, 8 am – 5 pm
- Location: Fourth District Court of Appeal Courthouse, West Palm Beach
- Chairs: Kim Kanoff Berman and Dan Rogers
- The Chairs are finalizing the program. It will be submitted to the Bar for credit by November 9, 2018.
- Course registration should go live by November 23, 2018.

Board Certification Bootcamp Webinar

- Date: February 7, 2019
- Webinar
- Chair: Celene Humphries
- The Chair is finalizing the program.

Administrative/Ch. 120 Appeals Webinar

- April, May or July – We are in the process of finalizing dates and the program
- Webinar
- Chairs: Kathi Giddings and Diane Dewolf

Art of Objecting

- Date: June 5, 2019, 8 am – 5 pm
- Location: Hillsborough Bar Association Building, Tampa
- Chair: Ceci Berman
- We are in the process of finalizing the program.

Advanced Appellate Workshop

- Dates: August 6, 2019 through August 8, 2019 (3 days)
- Location: Nova Southeastern School of Law, Plantation
- Chairs: Judge Melanie May and Nancy Gregoire
- We are excited to bring back this intensive 3 day writing workshop. This geared towards younger appellate attorneys looking to hone their craft. There will be many

appellate judges and board certified appellate practitioners involved in the curriculum.

Practicing Before the Fifth District Court of Appeal

- October, November or December – We are in the process of finalizing dates
- We are also in the process of finalizing the location. It will either be at the courthouse or Orange County Bar Association.
- Chair: Chris Carlyle

2020

Practicing Before the First District Court of Appeal

- Location: First District Court of Appeal, Tallahassee
- Chair: Courtney Brewer

Practice Before the Florida Supreme Court

- Location: Florida Supreme Court Courthouse, Tallahassee
- Chair: Courtney Brewer
- We co-sponsor this event with the government section

Comparison of the District Courts of Appeal

- This will be done at the Bar Convention.
- Chairs: Ceci Berman and Judge Alan Forst

II. Sponsorship Liaison

The Committee has created an informal position to assist the Chair with securing sponsorships for CLEs. Last year, we found that the Chair spent many hours trying to secure sponsorships. This time was taken away from planning the programming and other administrative tasks. We believe this new informal position will help free up the Chair to plan CLEs. Vitaliy Kats has graciously stepped into this role and has hit the ground running.

If this position is successful, the section may want to make it a more formal position, like the co-chairs of the webinar series. It can also assist with succession planning. For instance, the sponsorship liaison could step into the webinar co-chair position once that person moves up to chair.

iii. Financials

I am currently awaiting the financial reports for the CLEs conducted over the past two years. I am hoping to have this information by the time of the Retreat and Executive Council meeting.



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September 26, 2018

By E-Mail only

Ms. Sarah Lahlou-Amine

Re: Appellate Practice Section, Outreach Committee Report

Dear Sarah:

This is the mid-year report of the Appellate Practice Section's Outreach Committee, prepared in advance of the Section's Washington D.C. Retreat.

In advance, I'd like to thank my co-chair, Keith Upson, and my vice-chair, Mary Walter, for their continuing hard work and dedication. I'd also like to thank our active members and liaisons, without whom we would not have had such success both within our Committee and with outside organizations.

Outreach's Continuing Goals and Missions

Since I became chair in mid-2017, the Outreach Committee has focused on fostering diversity in our practice and section, on finding ways to be more inclusive of our government membership, and more recently, in looking for opportunities to work with law students before they join the practice of law. By virtue of being the lucky volunteer sitting across the table from Immediate Past Chair Kristin Norse last year, we have also had the privilege of developing the Section's new logo.

Our Activities Since the Annual Meeting

After many revisions and levels of debate and approval, we have developed a new logo for the Section. My understanding is that it will be officially unveiled at the Retreat. We are honored to have been a part of the process of creating it.

Our committee has been as active as possible, although some of the opportunities from years past no longer exist. We have recently started working with CLE with the goal of having an Outreach table at every live CLE the Section presents. I have appointed Alexis Fields as our



new liaison to the CLE Committee for just this purpose. Our first attempt at collaboration met with mixed results at Modern Appellate Practice, simply due to the logistics of the location. I have no doubt the collaboration between the committees will only improve as time goes on.

We have also been working hard over the past year to develop a new set of “talking points.” Effectively, this is an updated reference guide for our liaisons, giving them easy points of discussion to ease barriers of entry to conversations with other groups. Mary Walter and Kevin Franz have spearheaded the effort to take the collective suggestions from our active membership at the last two meetings and turn them into a working document. The document is finished and we will be distributing it to our liaisons in short order.

I continue to converse with a number of government attorneys, most frequently Raemy Charest-Turken, identifying opportunities to be more inclusive to government and lower-income appellate practitioners. We have some ideas that I plan to discuss at the Committee Meetings next month.

Finally and most recently, I have been working with Joe Eagleton in an effort to become involved with the Federal Court of Veterans’ Claims visit to Tampa in late October. Unfortunately, as of this morning, it looks like there is little opportunity for us to get involved at this date. Regardless, it was worth the effort to reach out and has garnered us some additional contacts at Stetson Law.

Upcoming Events

Many of the events that we sponsored or attended last year with such great success are unfortunately not happening this year. I’ve been informed that the Kozyak Minority Mentoring Picnic is likely not happening, although I have some members confirming that for me. The Diversity & Inclusion Committee is not putting on the Path to Inclusion Seminar that was our crowning achievement/activity last year.

I’ve personally become more involved in Diversity & Inclusion, being appointed to the Florida Bar Committee and joining its local counterpart in Hillsborough County. I’ve also been regularly speaking with HCBA chair and D & I Vice Chair John Schifino to create some joint opportunities there. There are other diversity-oriented events happening in early spring that we will be looking forward to as well.

Our liaisons are always on the lookout for new opportunities, and they have been tasked with contacting their assigned organizations before the upcoming meeting and sending me any opportunities to discuss. We should have more to go on after our Committee Meeting.

And again, we are working more with CLE, to turn those events into networking, marketing, and membership-oriented occasions.



Our Committee's Members and Their Dedication to the Mission

Our Committee's membership continues to grow. We significantly reduced our numbers (on paper) when I came on as chair, eliminating the non-active persons from our membership and liaisons. Since then, the committee has thrived, and I believe we have more active members now than we had passive members in 2016-17.

We continue to fill vacated liaison positions and to create more as we discover new links to other organizations. My goal is to use those positions as mentorship positions first, with the ultimate goal of turning them into gateway positions to give active roles to our newer, less experienced members. Meanwhile, we've become more inclusive and better at communicating via our listserv and through the use of web conference software at our Florida Bar meetings (offered for those who cannot attend in person).

Outreach and its members are honored to fly the figurative—soon to be literal—flag for the Section wherever we go on behalf of the Section. We look forward to a productive Retreat and the opportunities that await in the remainder of the 2018-19 year.

Sincerely

A handwritten signature in blue ink, appearing to read "Jared M. Krukar".

Jared M. Krukar
Outreach Committee Chair, 2018-19
The Florida Bar Appellate Practice Section

**The Florida Bar Appellate Practice Section
Pro Bono Committee Report
September 18, 2018
Prepared by Joe Eagleton, Committee Chair**

The Pro Bono Committee last met in person at the Florida Bar Convention in June. Since then, the Committee has been engaged in numerous activities to further our dual mission of (1) providing legal services to those in need and (2) providing Section members with opportunities to give back and get involved through appellate-specific pro bono work.

Here is a brief recap of what the Committee has been up to over the last few months:

- **Legal Services.** As always, the Committee has been busy screening potential cases and sending requests for volunteers out to the pro bono list-serve. This has included several appeals referred to us from legal aid organizations around the state, numerous dependency and termination of parental rights appeals brought to our members courtesy of the Section's partnership with the Statewide Guardian ad Litem Program, and of course, our usual smorgasbord of pro se requests in family law, foreclosure, and small claims cases. Special thanks to the Committee's Vice Chair, Eric Netcher, and to Sarah Weitz, for their efforts to assist with the screening of cases.
- **New and Expanded Partnerships.** The Committee has also been involved in the effort spearheaded by Sarah Lahlou-Amine to offer an exciting new pro bono initiative to our members. Specifically, the Committee is pleased to facilitate the Section's partnership with the Veterans Consortium Pro Bono Program, a service that provides assistance to unrepresented veterans or their family members who have filed appeals at the U.S. Court of Appeals for Veterans Claims. Stay tuned for further information about this program, and about how to get involved.

In addition, the Committee is expanding its partnership with the Guardian ad Litem Program to include more complex and challenging appeals for our repeat volunteers, many of whom have now become subject-matter experts in dependency issues as a result of handling these appeals through the Section. As always, thanks to Thomasina Moore for her continued efforts to engage and reward Section members who have volunteered their time to this worthy cause.

- **Internal Updates and Outreach.** Finally, the Committee is hard at work on behind-the-scenes projects to improve our ability to serve the Section. For example, we are working on improvements to our tracking system to better catalog cases in which our Committee provides assistance and to enable us to more diligently follow up to determine outcomes and recognize our volunteers. We are also working on updating and formalizing our list of board-certified mentors, so be on the lookout for a potential email about that later this Fall. And we continue to explore ways to grow our membership and to increase awareness of our Committee, including through ongoing outreach to legal aid organizations and the court system.

**The Florida Bar Appellate Practice Section
Publications Committee Report
Bretton Albrecht, Committee Chair**

The Record:

The Record has recently published several articles on Section events and programs and welcomed Florida's newest DCA judges to the appellate bench. We are currently soliciting articles and have a list of substantive topics available for any aspiring authors. Those interested in helping out with the Record should contact Laura Triplett (tripletl@flcourts.org).

The Journal:

For the Journal, we have an article in every issue, and we have enough volunteers for a while. However, we always welcome article submissions and topic ideas. Please keep in mind that only 6 issues of the Journal are being published now (down from 10). Those interested in authoring an article should contact Tom Seider (TSeider@bhappeals.com).

The Handbook:

At the June meeting, we obtained approval for the cost of updating the online (HTML) versions of the Handbook, including making them ADA compliant. To accomplish this, Lisa Graham is in the process of converting the Handbook over to WordPress. She has completed a first draft, and we have discussed revisions. She'll be circling back to Raemy with another draft.

The Committee thanks Laura, Tom, and Raemy for their hard work on these great publications!

In addition, Cheryl Wright is contacting attorneys to gauge continued interest in participating on the Self-Represented Litigant Committee from a list that we recently updated. Those interested in assisting with the Handbook should contact Raemy Charest-Turken (Gabrielle.CharestTurken@myfloridalegal.com).

Finally, please also note that we have recruited two co-editors for the Pro Se Handbook:

Chance Lyman, Co-Editor of the Pro Se Handbook
Buchanan Ingersoll & Rooney PC
chance.lyman@bipc.com

Stephen Senn, Co-Editor of the Pro Se Handbook
Peterson & Myers, P.A.
ssenn@petersonmyers.com

Appellate Practice Section Legislative Committee Report

September 18, 2018

By: Courtney Brewer, Chair of Legislative Committee

The Legislative Committee's work monitoring the Constitutional Revision Commission proposals has concluded, with just one appellate/court-related amendment appearing (for now) on the November ballot. Revision 1 would expand the rights of victims of crime (including requiring criminal cases and appeals be completed by certain deadlines), raise the mandatory retirement age of judges to 75, and prohibit courts from deferring to an administrative agency's interpretation of any statute or rule.

Florida's next legislative session will run from March 5-May 3, 2019. Committee meetings will likely start gearing up sometime this fall or winter. The Legislative Committee will continue to monitor any proposed legislation affecting appellate practice or the courts. Typically that is done by reviewing those bills flagged by the General Counsel for The Florida Bar as touching on legal practice. If this session proves to be a busy one on that front, however, we will likely use the model adopted during the CRC process of having committee members flag and follow proposals to keep us apprised of legislative developments.

Additionally, the Board of Governors of The Florida Bar approved the roll-over of the Section's three legislative positions for the 2018-2020, which will be up for a ratification vote by the Executive Council at the APS October meeting. Those positions are as follows:

1. Supports maintaining an independent judiciary in the appellate courts.
2. Supports pay raises for appellate judges and support personnel consistent with the Supreme Court of Florida's budget requests.
3. Opposes term limits for judges at any level of Florida's state court system.