

**APPELLATE PRACTICE SECTION
EXECUTIVE COUNCIL MEETING**

September 24, 2020

1:30 PM – 3:30 PM

Virtually via Zoom

[https://zoom.us/meeting/register/tJIpfuqqjwsGdCpGbszmVEOCkblzqrDrB55](https://zoom.us/join/zoom/register/tJIpfuqqjwsGdCpGbszmVEOCkblzqrDrB55)

AGENDA

- I. Call to Order – Chris Donovan, Chair
- II. Introductions – Chris Donovan
 - Kim Jones, Chair-Elect
 - Carrie Ann Wozniak, Vice Chair
 - Kansas Gooden, Secretary/Treasurer
 - Nick Shannin, Immediate Past Chair
- III. Chair’s Report – Chris Donovan
- IV. Approval of Minutes from June 2020 Meeting – Chris Donovan (Exhibit A)
- V. Treasurer’s Report – Carrie Ann Wozniak (Exhibit B)
 - A. Current Financial Statement
 - B. COVID-19 Impact on Bar Revenue
- VI. Old Business
 - A. Spring Retreat (May 20–23, 2021) – Chris Donovan
 - B. Global Sponsorship Package, 2020–2021 – Geneva Fountain
 - C. Internal Operating Procedure Manual – Kim Jones
- VII. New Business
 - A. Website and Email Blast Redesign – Morgan Weinstein
 - B. Professional Social Media Manager – Dineen Wasyluk

VIII. Liaison Reports

- A. Appellate Court Rules Committee – Hon. Stephanie W. Ray
- B. Appellate Practice Certification Committee – Duane Daiker
- C. Board of Governors – Robin Bresky
- D. Council of Sections – Nick Shannin

IX. Section Committee Reports

- A. Continuing Legal Education Committee – Elaine Walter
- B. Communications Committee – Dineen Wasyluk and Morgan Weinstein
- C. Delegated Reserves Committee – Duane Daiker
- D. Diversity and Inclusion Committee – Jared Krukar and Hon. Stephanie Ray
- E. Fellows Program Committee – Courtney Brewer and Jamie Billotte Moses
- F. Finance Committee – Carrie Ann Wozniak
- G. High School Moot Court Committee – Brandon Breslow
- H. Legislative Committee – Courtney Brewer
- I. Outreach Committee – Mary Walter
- J. Pro Bono Committee – Joseph Eagleton & Eric J. Netcher
- K. Programs Committee – Diane DeWolf
- L. Publications Committee – Tom Seider
 - 1. *The Record* – Courtney Fernald
 - 2. *Florida Bar Journal* – Heather Kolinsky
- M. Section History Committee – Valeria Hendricks
- N. Self-Represented Litigant Committee – Raemy Charest-Turken and Chance Lyman

X. Closing Remarks of Chair – Chris Donovan

XI. Announce Next Executive Council Meeting

APS Winter Meeting
Thursday, January 14, 2020
Rosen Shingle Creek in Orlando (*tentative*)
Time and Additional Details TBA

XII. Adjournment – Chris Donovan

EXHIBIT

A

APPELLATE PRACTICE SECTION
EXECUTIVE COUNCIL MEETING

June 18, 2020
Virtually via Zoom

MEETING MINUTES

- I. Call to Order – Nick Shannin, Chair, 10:00 A.M.

Chair Shannin welcomed everyone to the Appellate Section's historic first ever virtual Zoom annual meeting.

- II. Introductions – Nick Shannin

Chris Donovan, Chair-Elect
Kim Jones, Vice-Chair
Carrie Ann Wozniak, Secretary/Treasurer
Sarah Lahlou-Amine, Immediate Past Chair

Attendees:

- III. Chair's Report – Nick Shannin

Chair Shannin noted that the committee meetings had many more attendees than usual due to the virtual nature, which is a silver lining.

Chair-Elect Donovan noted that the Pro Bono Committee meeting had 28 attendees for its virtual meeting. He also reminded the attendees that the Executive Council meeting was being recorded.

Today's meeting was attended by 77 total APS members and guests. Virtual attendees include: Cheri Wright (Program Administrator), Nick Shannin (Chair), Chris Donovan (Chair-Elect), Kimberly Jones (Vice Chair), Carrie Ann Wozniak (Secretary/Treasurer), Sarah Lahlou-Amine (Immediate Past Chair), Ceci Berman, Ben Kuehne, Kimberly Berman, Matt Conigliaro, Heather Kolinsky, Elaine Walter, Jack Reiter, Tom Hall, Courtney Brewer, Angela Flowers, Chelsea Kirkpatrick, Tom Young, Steve Brannock, Joe Eagleton, Mark Tinker, Robin Bresky, Jamie Moses, Hon. Stephanie Ray, Jessie Harrell, Geneva Fountain, Caryn Bellus, Tom Seider, Amy Dilday, Anthony Musto, Kansas Gooden, Linsey Sims-Bohnenstiehl, Duane Daiker, Hon. Rachel Nordby, Hon. Alan Forst, Hon. Morris Silberman, Louis Reinstein, Maureen Matheson, Laura Roe, Nichole Segal, Samuel Alexander, , Thomasina Moore, Bretton Albrecht, Jeffrey Crockett, , Jennifer Dixon, , Jack Aiello, Alexis Fields, Sarah Corbett, Jared Krukar, Keith Upson, Mary Walter, Samuel Walker, Miguel Chamorro, Hon. Norma Lindsey, Morgan Weinstein, Larry Fleurantin, Chris Carlyle, Courtney Fernald, Deborah Marks, David Karp, Eric Netcher, Diane DeWolf, Michelle Hardin, Marlene Watson, Sarah Weitz, Wendy Loquasto, Daniel Bushell, Calianne Lantz, Jonathan Streisfeld, Raemy Charest-Turken, Angelo Patacca, Siobhan Shea, Bryan Gowdy, Dineen Wasylik, Gary Lesser (Candidate for TFB 21-22 President), Stephen Senn, and Charles Auslander.

IV. Approval of Minutes from February 2020 Meeting – Carrie Ann Wozniak (Exhibit A)

The February 2020 Meeting Minutes were previously circulated as Exhibit A to the Meeting Agenda. Vice Chair/Treasurer Kimberly Jones voted to approve, Morgan Weinstein seconded. The minutes passed unanimously.

V. Treasurer's Report – Kim Jones (Exhibit B)

Vice Chair/Treasurer Jones gave the report. The Section is doing well financially and the Bar recently reported that there is enough money to go three years with a remaining \$80,000 balance. The Section had been planning for sponsorships and hoped to bring in more sponsors, but with the pandemic this has not been possible.

VI. Old Business

A. Spring Retreat – Chris Donovan

Chair-Elect Donovan reported that the Retreat Committee has had many more committee meetings than he planned. As of two weeks ago the hotel allowed the Section to reschedule the retreat for some time in the spring. The Section is still negotiating with the dinner venue but that will be \$6,000 for liquidated damages instead of much more with the hotel and other venues. As of last week it will be in the spring TBA.

B. 2nd DCA Legislative Position and Legislative Committee Update – Courtney Brewer

Legislative Committee Chair Brewer reported that during the February 2020 meeting, the Section adopted a position to assist the Second District Court of Appeal with efforts to obtain budgeting to fund a new courthouse. Ms. Brewer reported that the Legislature appropriated \$21 million for the new courthouse. Ms. Brewer thanked everyone who called their legislators. Chair Shannin advised that the Section needs to continue monitoring this to make sure the budgeting turns into an allocation. Judge Silberman advised that the governor intends to veto by line item a number of things, and he hopes that this is not vetoed. Construction will need to start soon to have it finished in time for the expiration of the lease. Tom Hall mentioned that the Section should lobby the governor because this is a critical allocation, and the governor said there are going to be drastic cuts to the budget.

VII. New Business

A. Florida Bar APS Adkins and Pro Bono Awards – Nick Shannin

John R. Hamilton Pro Bono Award: Chair Shannin announced that Stephen R. Senn is the 2020 winner. Sarah Lahlou-Amine spoke on his pro bono activities and dedication.

Adkins Award: Chair Shannin announced that Anthony C. "Tony" Musto is the winner. He noted that we look forward to the formal in-person presentation of these awards as soon as possible.

B. Fellows Program: New APS Fellow Selected – Jamie Moses/Courtney Brewer (Exhibit C)

Committee Chair Jamie Moses announced that the Section had nine exceptional applicants with many recommendations for the Fellows Program. Chelsea Kirkpatrick was selected as the Section's inaugural fellow. She graduated from George Washington Law School in 2006 and has been practicing in Fort Lauderdale with an immigration law emphasis. Sarah Lahlou-Amine will be her mentor.

C. Global Sponsorship Package, 2020-2021 – Kim Jones (Exhibit D)

Vice Chair/Treasurer Kim Jones introduced Geneva Fountain, our sponsorship coordinator. Court Surety is our sponsor this year and has provided some good sponsorship package suggestions for consideration given the pandemic. The Section is looking for two more sponsors such as court reporters and binding companies. The Finance Committee is reviewing the sponsorship package but does not anticipate changing it very much. If anyone has contacts with potential sponsors, please contact Ms. Fountain.

VIII. Liaison Reports

A. Appellate Court Rules Committee – Tom Hall

Tom Hall advised that Judge Stephanie Ray is the incoming chair of the Appellate Court Rules Committee. The ACRC now has six cases pending with the Florida Supreme Court including the annual cycle. This is probably the last 3-year cycle report because rules committees now present proposed rule changes as they are passed instead of in a cycle. ACRC had its first meeting via Zoom this week. County court to DCA appeals is ready to be addressed once the governor signs the bill. Nonfinal orders and immunity are also being addressed. The Dispute Resolution Committee proposed amending all mediation rules to state that any mediator will be bound by the ethical requirements for mediators even if not certified. Mr. Hall recommended that the Section keep track of all rule amendment proposals that all rules committees are working on to possibly file comments. ACRC was the only committee to propose a separate rule on Marcy's law. Judge Ray thanked Mr. Hall for being an outstanding ACRC Chair.

Guest Gary Lesser spoke to the Executive Council about running for Florida Bar President.

B. Appellate Practice Certification Committee – Kansas Gooden

Kansas Gooden advised that 22 initial board certification applications were received. The Committee gave applicants the option to delay taking the test until next year given the pandemic. 16 took the exam and 10 passed.

C. Board of Governors – Robin Bresky

Ms. Bresky reminded the attendees that the General Assembly will be tomorrow at 9:30 with the new Bar President, President-Elect, and YLD leaders being sworn in. She advised on the mental health initiatives of the Bar. The Board of Governors hopes to have an in-person meeting in July. Attendance of the bar meetings has been better with the virtual meeting.

D. Council of Sections – Nick Shannin

Chair Shannin reported that the Council of Sections met yesterday. Chair Shannin is now an officer of the Council of Sections. If any section wants to comment on social issues, please run it by bar counsel. Our section will have swag with an ad hoc Swag Committee. Chair Shannin will be chair.

IX. Section Committee Reports

A. Continuing Legal Education Committee – Kansas Gooden

Ms. Gooden reported that the Section hosted the Advanced Appellate Workshop with great feedback. Practicing with the 5th DCA was in November. The Board Certification course was earlier this year, along with Prevailing in Dependency Court. The Section recently hosted a CLE on practical tips for virtual oral arguments. A free CLE on preservation of error in a Zoom world with Nick Shannin and Sarah Lahlou-Amine will occur. The Section's sponsor will present a CLE on supersedeas bonds later this summer. Some of the live programming is being rescheduled again to the spring. The Section will have a fall series focused on practice development including mental health and wellness (secondary PTSD with difficult cases), marketing, trust accounting, mentoring, being a solo, dealing with trial counsel, cybersecurity, and pros dealing with pros.

This coming year, Elaine Walter will be chair and Courtney Brewer will be vice chair. Allan Bonner and Eric Levine will be coordinating the webinars. Chair Shannin thanked the committee leaders for all their work.

B. Communications Committee – Dineen Wasylik, Jonathan Streisfeld, and Morgan Weinstein

Ms. Wasylik advised that the Section has a new Instagram page. She thanked Mr. Streisfeld for everything he has done over the years as chair.

C. Delegated Reserves Committee – Ceci Berman

Chair-Elect Donovan updated the Executive Council on the high school moot court competition.

D. Diversity and Inclusion Committee – Jared Krukar and Hon. Stephanie Ray

Judge Ray and Mr. Krukar reported that the committee held a joint meeting with the Outreach Committee, and it went well. Co-Chair Krukar advised that Judge Ray is coordinating a panel with Florida State University in July. In the fall there will be an appellate program for high school and college students.

E. Fellows Program Committee – Courtney Brewer and Jamie Billotte Moses

See above.

F. Finance Committee – Kim Jones

Vice Chair/Treasurer Jones asked that anyone with accounting/monetary background that wants to join the Finance Committee, please do so.

G. Legislative Committee – Courtney Brewer

Ms. Brewer noted that the bill regarding jurisdiction from county court to DCAs passed the Legislature and is unlikely to be vetoed. Travel expenses for DCA judges and Florida Supreme Court Justices were included as well.

H. Outreach Committee – Mary Walter

Ms. Walter advised on current efforts including ways to have a presence at virtual bar events and other virtual connection opportunities.

I. Pro Bono Committee – Joseph Eagleton

Mr. Eagleton reported that the committee had a great meeting Monday morning. He gave a special thanks to vice chair Eric Netcher for lots of assistance including screening cases. The first pro bono CLE was in February 2020 and the sessions have been recorded and placed on a Youtube channel. The Section is celebrating its three-year anniversary of partnership with the GAL Program. The committee discussed outreach with legal aid organizations and DCAs to remind them of the committee's willingness to help.

J. Programs Committee – Diane DeWolf

Ms. DeWolf reported that all the committee's events have been canceled this year. She thanked Cheri Wright for negotiating all the Section's contracts. The committee has a great future dessert reception and retreat events planned.

K. Publications Committee – Bretton Albrecht

Ms. Albrecht introduced the new publications committee chair Tom Seider and thanked the publications committee for their work. Tom Seider thanked Laura Roe for reimagining The Record in digital format. Heather Kolinsky is taking over the Journal. Tremendous work has been done on the Pro Se Handbook and Mr. Seider thanked everyone for their work.

L. Section History Committee – Valeria Hendricks

Chair Shannin requested that any historical information be given to this committee.

M. Self-Represented Litigant Committee – Raemy Charest-Turken (Exhibit E)

Ms. Charest-Turken reported that edited Pro Se Handbooks are being updated. The committee realized that the handbook is not in the county jails, so they have compiled a list of contact information for all these jails and are requesting funds to print and copy along with postage the handbook for each county jail. The committee requested up to \$3,000 to use for this expense.

Chair Shannin called the question and the vote was unanimously approved.

Tom Hall advised that the Florida Court Technology Committee is working with the Department of Corrections so that inmates will be able to file court documents electronically.

X. Elections of 2020-2021 Officers and Representatives – Nick Shannin (Exhibit F)

Elections were held for the 2020-2021 officers and Executive Council and all slated positions were approved.

XI. Closing Remarks of Chair and Passing of the Gavel – Nick Shannin

Chair Shannin announced a virtual happy hour at 5:00 tomorrow.

XII. Announce Next Executive Council Meeting

APS Fall Meeting
Thursday, September 24, 2020 (*tentative*)
Time, Format, and Additional Details TBA

XIII. Adjournment – Chair Chris Donovan

Duane Daiker moved to adjourn and it was approved unanimously.

EXHIBIT

B

THE FLORIDA BAR
Appellate Law Section
For the One Month Ending Friday, July 31, 2020

Reference	July	CY YTD 2021	FY 20-21 Budget	PY YTD 2020	CY Budget % Utilized
3001-Annual Fees	\$51,332.50	\$51,333	\$58,250	\$48,203	88.12%
3002-Affiliate Fees			\$105		0.00%
Total Fee Revenue	51,332.50	\$51,333	\$58,355	\$48,203	87.97%
3301-Registration-Live			\$84,000	\$28,465	0.00%
3321-Registration-Webcast				\$44	0.00%
3331-Registration-Ticket			\$32,250		0.00%
Total Registration Revenue		\$	\$116,250	\$28,509	0.00%
3351-Sponsorships			\$42,000	\$1,500	0.00%
3391 Section Profit Split	21,177.09	\$21,177	\$42,000	\$13,672	50.42%
3392-Section Differential	745.00	\$745	\$5,625	\$680	13.24%
Other Event Revenue	21,922.09	\$21,922	\$89,625	\$15,852	24.46%
3401-Sales-CD/DVD			\$8,000		0.00%
3411-Sales-Published Materials			\$300		0.00%
Sales, Rents & Royalties Revenue		\$	\$8,300	\$	0.00%
3899-Investment Allocation	12,903.19	\$12,903	\$20,712	\$1,358	62.30%
Non-Operating Income	12,903.19	\$12,903	\$20,712	\$1,358	62.30%
Total Revenue	86,157.78	\$86,158	\$293,242	\$93,922	29.38%
4134-Web Services	(2,937.27)	(\$2,937)	\$22,100		(13.29%)
4311-Office Supplies			\$150		0.00%
Total Staff & Office Expense	(2,937.27)	(\$2,937)	\$22,250	\$	(13.20%)
5031-A/V Services			\$4,500		0.00%
5051-Credit Card Fees	78.87	\$79	\$3,000	\$404	2.63%
5121-Printing-Outside	2,278.53	\$2,279	\$250		911.41%
Total Contract Services	2,357.40	\$2,357	\$7,750	\$404	30.42%
5501-Employee Travel			\$4,348	(\$55)	0.00%
5531-Board/Off/Memb Travel			\$3,000		0.00%
5561-Judges Travel			\$7,000		0.00%
5571-Speaker Travel			\$10,000		0.00%
Total Travel		\$	\$24,348	(\$55)	0.00%
6001-Post 1st Class/Bulk			\$175		0.00%
6251-Promotion Sponsorship			\$5,000		0.00%
6301-Mtgs TFB Annual Meeting			\$30,000	\$	0.00%
6311-Mtgs General Meeting			\$4,330		0.00%
6319-Mtgs Other Functions			\$40,000		0.00%
6321-Mtgs Meals			\$24,000		0.00%
6331-Mtgs Room Rental			\$6,604		0.00%

Reference	July	CY YTD 2021	FY 20-21 Budget	PY YTD 2020	CY Budget % Utilized
6451-Committee Expense			\$900		0.00%
7001-Grant/Award/Donation	517.60	\$518	\$2,050		25.25%
7999-Other Operating Exp			\$600	\$1,025	0.00%
Total Other Expense	517.60	\$518	\$113,659	\$1,025	0.46%
8011-Administration CLE			\$11,700		0.00%
8021-Section Admin Fee	24,180.00	\$24,180	\$29,309	\$22,752	82.50%
8101-Printing In-House			\$400	\$3	0.00%
8131-A/V Services			\$4,680		0.00%
8141-Journal/News Service			\$850		0.00%
8171-Course Approval Fee			\$150	\$150	0.00%
Total Admin & Internal Expense	24,180.00	\$24,180	\$47,089	\$22,905	51.35%
9692-Transfer Out-Council of Sections	500.00	\$500	\$500		100.00%
Total InterFund Transfers Out	500.00	\$500	\$500	\$	100.00%
Total Expense	24,617.73	\$24,618	\$215,596	\$24,279	11.42%
Net Income	61,540.05	\$61,540	\$77,646	\$69,643	79.26%
2001-Fund Balance, Beginning		\$617,512		\$505,582	0.00%
Fund Balance, Ending		\$679,052	\$	\$575,225	0.00%