

**FLORIDA BAR LABOR & EMPLOYMENT LAW SECTION  
EXECUTIVE COUNCIL MEETING MINUTES  
Orlando—October 23, 2003**

**I. Call to Order.** Meeting called to order at app. 5:15 p.m. by Cathy Beveridge, Section Chair. The first 15 minutes of the meeting was a Joint Executive Council Meeting with the City, County and Local Government Law Section. Kenneth Buckman, Chair of the City, County and Local Government Law Section provided greetings to the two executive councils and noted that he was pleased with that day's seminar, noting roughly 50-60 attorneys in attendance. A short discussion followed regarding the site of next year's PELR Seminar, with Steve Meck noting that Tampa was problematic due to hotel issues. Steve Meck joined the co-program chairs of this year's PELR CLE seminar, Mike Brogan and Jeffrey Mandel (recipients of lavish praise from General Counsel Meck (the PELRmeister, himself a recipient of mega kudos) and the two Section Chairs) in recommending that we return to the Hyatt Airport Hotel in Orlando next year. Cynthia Sass expressed concern regarding the cost of the guest rooms at the Hyatt (\$140 plus tax and parking). Alan Forst smiled, as he was staying at the nearby Renaissance Hotel for \$50, booked through Priceline. And, thus concluded the joint executive council meeting, as the members of the CC&LG Law Section left (stuffing a fair number of mints in their pockets).

**II. Secretary/Treasurer's Report.** In an inspiring display of brevity and wit, the new Section Secretary/Treasurer called attention to the current Financial Statement and Minutes from the June 26, 2003 Annual Meeting. Cary Singletary, a charter member of the mythical Florida Labor and Employment Law Practice Hall of Fame, noted that the minutes failed to reflect that he had been approved to continue as an Executive Council Member at the Annual Meeting. The new Treasurer jokingly noted that this was no mistake, but quickly removed his opposition following Cary's offer to buy him a drink (silly rabbit, it was an open bar!). Former Secretary Damon Kitchen, declared to be the finest Secretary/Treasurer since Cathy Beveridge, made the motion to adopt the minutes as amended to note that Cary was approved as a Council member at the previous meeting. Marc Snow seconded the motion. The minutes were approved with amendment. Discussion of the Budget was deferred for discussion at the end of the meeting.

**III. New Business.** The Chair (not to be confused with the sofa or the grandfather clock) called attention to a letter from Florida Bar President Miles McGrane, III, regarding the Legal Needs of Children Program. She asked the members to review it with an eye toward discussing at the next meeting whether there is anything that the Section can do with respect to this program. Special guests Andrew and Victoria Forst perked up at the mention of Needs of Children, with Andrew noting that he needs some food and drink. A number of members seconded the motion before realizing that Andrew is not an EC member and we still had some items to discuss before the reception.

**IV. Committee Reports (the Chair's Report was deferred until the end of the meeting).** Damon (not Frank, not Jeff) Kitchen gave the report of the brand spanking new Legal Education Committee. Damon gave kudos to Jeff and Steve for a fine start to the PELR program and agreed that the cost of hotel rooms was an issue worth investigating. He asked the Continuing Legal Education (CLE) and Current Legal Developments (CLD) subcommittees to look into this issue. Cynthia Sass, CLE Subcommittee chair, added her kudos regarding PELR.

CLD Subcommittee Chair Steve Meck introduced his new subcommittee, which will keep abreast of legislative developments, write articles, brainstorm ideas for articles and speakers, and serve as a catch-all Legal Education subcommittee.

Damon noted that Walter Aye is working on updating the Section website.

Michael Spellman commenced his report on behalf with a motion to change the name of his subcommittee from Judicial Education to Judicial Outreach. Stuart Rosenfeldt seconded this motion, which passed unamanously, uanimosly, anonymityisly, aw, it passed without opposition. Cathy noted that the Section's proposal to change the by-laws (to be considered by the Board of Governors in December) would be accordingly amended. Damon asked that the EC also request amendment of the by-laws to substitute the Chair of the Legal Education Committee for that of the CLE Chair as an Officer and Member of the Executive Council and Executive Committee. Frank Brown made the motion and Jeff Mandel seconded it and it passed unanimously (c'mon, you didn't really think I couldn't spell that (especially with spellcheck!)). Michael Spellman continued with his subcommittee report. The JO subcommittee is working toward training State judges regarding employment law matters. The education (or outreach, if any judges are reading this) efforts are beginning in all 20 circuits. The materials are completed, but the biggest problem identified by the subcommittee is locating qualified attorneys -- familiar with both plaintiff and management issues -- in each circuit to facilitate the education. Additionally, CLE and Young Lawyer CLE tapes are being sent to each Circuit. A suggestion was made to also send the Check Off Case summaries to each Circuit by e-mail. The distinguished subcommittee chair added that he was writing an article for the Check Off (most often heard statement at EC meetings: "my subcommittee is writing an article for the Check Off") with a plea for volunteers to speak at the judicial outreach meetings (well, luncheons, because judges and Agency Chairmen need to eat). Several EC members expressed concerns that some attorneys may deviate from the materials, grandstand, and reflect poorly on the section. No names were mentioned, but they were all thinking of (insert name here). Suggestions were offered to use Board Certified attorneys as speakers. Concerns were added regarding the training of the speakers. Cynthia Sass, a true voice of reason on the Council, noted that our concerns should be more focused on getting judges to show up for these education sessions (again, it's called free food!). Finally, the eminent and polished Section Chair asserted that we should discuss this project, including the training of the speakers and the budget for the project, at the next meeting. Michael Spellman ended this lengthy discussion by noting that tapes were being copied and invitations were going out.

Frank Brown, publications subcommittee, discussed the need for articles for the Check Off and Florida Bar Journal. Frank introduced Scott Fisher, who is serving with Ray Poole as publisher/editor of the Check Off this year. Scott noted that there is an October 31 deadline for submission of articles for the next edition of the Check Off, with the next deadline being January 31. Scott's goal is a build up of an inventory of articles.

Cary Singletary provided the report of the Long Range Planning Committee. Cary is working on setting up some Executive Council dinners to follow EC meetings, though he noted the problem of people RSVPing for the dinner, not showing up, and not paying, with the Section eating the bill. Cary proposed sending a dinner bill in advance. Cary added that the LRP

Commission is willing to take responsibility for the dinners, including the dinner speakers and dealing with the aforesaid problem. On a different note, Cary noted his concern with regard to a deemphasis of L&E law at Stetson in the wake of Dean Vause's death. He stated that the section might want to do outreach at other schools to fill the void. Two other issues being addressed by the Committee are CLE (though Cary noted his reluctance to step on the CLE subcommittee's toes) and reporting on how the new Committee structure is working. Finally, Cary introduced Mike Malfitano, Section Chair in 1988-89 and E&L legend, who is a new member of the LRP Committee.

Courtney Wilson, the eminent and distinguished past chair of the Section, spearheaded the presentation of the Committee Report for the Membership Outreach Committee. Man-of-the-Hour Jeffrey Mandel reported that the Law School Liaison Subcommittee was speaking with faculty at state law schools with respect to L&E courses, scholarships, and liaisons with the Section. Jeff or his representative will be at a Stetson scholarship presentation in November.

Marc Snow provided the report of the New Membership/Outreach Subcommittee. This subcommittee has met a couple of times. Marc noted that a Listserve was highly recommended for communication amongst the Section members. He was planning to work with Section Computer Geek Walter Aye, as communication is the subcommittee's primary concern. Damon and Cathy asked Marc to coordinate with Walter with respect to bringing a proposal on a Listserve to the EC's attention at the next meeting. Marc also noted that the subcommittee is concerned about publicizing the benefits of the Section to our membership, with two Check Off articles, written by high ranking public officials (well, they both have three kids, that should count for something), soon to be submitted. As stomachs were growling, Courtney concluded the Committee Report with a quick wrap up of the activities of the ABA Liaison Subcommittee and Local/Voluntary Bar Association Liaison Subcommittee, each of which has met and began, well, liaising.

Cathy provided the report of the Special Projects Committee. The SPC is looking at the issues of EC and Officer succession.

**V. Chair's Report.** Chair Beveridge deferred a vote on the Section's budget for the November EC meeting. She noted that she wanted the EC members to study the budget details, pointing out that the Section went from a treasury of \$146,611 to \$94,178 in one year. Immediate past president Courtney Wilson stressed that it was merely a coincidence that the \$52,000 gap matched what his new sports car cost (no, he didn't really say that). Cathy added that, based on current projections, our section end balance could be as low as \$25,027 at the end of 2004-2005, particularly since she has more expensive automobile tastes than Courtney (no, I'm just kidding about that also). CLE Income is down. Membership is down. Travel Expenses and website expenses are up (though there is some question as to whether our website expenses are recurring, which we need to determine at the next meeting).

**VI. Next Meeting and Adjournment.** Cathy suggested that we spend less time on Committee reports at the next meeting, in order to spend more time on discussing the budget and such issues as to whether we should offer the Certification Review course every year and whether we should combine the Stetson CLE program with the Litigation Seminar. At 8:30 p.m.

(well, it seemed like the meeting went that long, though it was more like 6:45), Stuart Rosenfeldt set a new Section record when, for the 20<sup>th</sup> consecutive EC meeting, he made the motion to adjourn and commence the reception. This motion was seconded by everyone. The Committee then adjourned for a joint reception with those CC&LG Law Section people. Refreshments were served.

### **Members in Attendance**

Cathy Beveridge  
Alan Forst  
Damon Kitchen  
Cynthia Sass  
Courtney Wilson  
David Block  
Frank Brown  
Sherril Columbo  
Leslie Langbein  
Stanley Kiszkiel (welcome back!)  
Jeffrey Mandel  
Stephen Meck  
Stuart Rosenfeldt  
Ronald Rosengarten (is it my imagination, or did Ron manage to go a whole meeting without suggesting that the Section engage in lobbying?)  
Donald Ryce (welcome back!)  
Cary Singletary  
Marcus Snow  
Michael Spellman  
Leslie Reicin Stein  
Cathy Stutin  
Angela Froelich, Program Administrator

### **Excused or Unexcused Absences**

Everybody Else

### **Special Guests**

Scott Fisher  
Mike Malfitano  
Ernest Mueller  
Debbie Crumbley Brown  
The Invisible Man  
Paul Donnelly  
Dan Kunkel  
Andrew and Victoria Forst