

EXECUTIVE COUNCIL MEETING MINUTES FOR 2/21/02

Call to order: Meeting called to order at 4:55 p.m.

Adoption of November 8, 2001, Meeting Minutes: A motion was made to adopt the minutes from the November Executive Council Meeting. However, review of the minutes from the November Meeting did not reflect that the minutes from the previous (i.e., October 25, 2001) meeting had been actually adopted in November (although a motion to that effect had been made and had been seconded). After discussion, the general consensus was that the October minutes had been adopted in November. A motion was made to amend the November minutes to reflect the fact that the October minutes had been adopted and then adopt the November minutes. The motion was seconded and the motion carried unanimously. Accordingly, the November Meeting minutes were adopted as amended.

Secretary/Treasurer's Report: Damon Kitchen reported that the Section's fund balance as of December 31, 2001 was \$177,949 (up \$20,539 from the January 1, 2001 fund balance of \$157,410); that total Section revenue as of December 31, 2001 was \$30,065; and that total Section expenses as of December 31, 2001, were \$9,526.

Cathy Beveridge once again raised issue of awarding seminar scholarships for writing an article for the Bar Journal or Check-off. Scholarships are to be awarded as follows: \$150 scholarship for a published Check-Off article; \$250 for a published Bar Journal article. Cathy was concerned about how the Section was tracking who was getting these scholarships. After discussion, it was agreed that after an article is published, the Publication Committee Co-Chairs will be responsible for getting the name of the article author reported to Angela Froelich; Angela will send a letter giving the author scholarship credit.

CLE Committee Report: Cathy Beveridge gave a report as follows:

Currently, 49 individuals are registered to sit for the Certification Exam and 42 are registered for the Certification Review Course. In view of the considerable decline in attendance from last year, Cathy posed the question of whether the Section wished to continue the Certification Review Course after this, or possibly next, year. Cathy pointed out that this program has taken the place of the Employment Discrimination program held in Miami, which historically had much better attendance. Cathy also expressed concern about being able to continue to draw "top flight" speakers to give the Certification Review Course, in view of the fact that these individuals are in limited number and may not be willing to give a presentation when there is such a low attendance turn out.

EXHIBIT "A"

David Linesch commented that a drop off in attendance was anticipated, but it is his opinion that the Certification Review Course should occur annually. In addressing Cathy's concern about draining the talent pool, David stated that as more and more individuals become certified, the Section should call upon these people to serve as course instructors.

Damon Kitchen stated that when he had been initially asked to co-chair the Certification Review Course by Rich McCrea two years ago, it was his understanding that the Review Course was not intended to be a permanent addition to the CLE program roster, but instead was to be put in place for the first few years since the issue of certification for the Section was new. Damon noted, however, that after the success of the initial Certification Review Course some members of the Executive Council were talking about how they thought the Course — because of its high number of CLE credit hours and its comprehensive coverage — would be an ideal "labor & employment law immersion course" for new associates who were not planning to sit for the exam. Damon stated that despite co-chairing the Certification Review Course, he has never been in favor of "teaching" certification and that if the emphasis is going to be on providing labor & employment law training to people who are not planning on taking the test, the Section should return to the Employment Discrimination Program.

Rob Sniffen stated that it had always been a goal of the Certification Review Course to serve as an educational "immersion course" and agreed with Dave Linesch that the Review Course should continue to be offered. Rob also queried that if the Course is going to be discontinued, when does the Section decide to do so? Rob pointed out that individuals who don't get the chance to sit for a Certification Review Course would be critical of a decision to eliminate the Course.

Rob then suggested that the Section should reward the firms that contributed time and material to the Certification Review Course; especially the Zinober & McCrea firm, which prepared several sets of written materials and gave a lengthy oral presentation.

Rob made a motion to give plaques to the firms who participated in, and contributed to, the Certification Review Course. This motion was seconded and passed.

Dave Linesch made a motion to also authorize a half page newspaper ad thanking participants (i.e., both firms and persons) for putting the Certification Review Course together. This motion too, was seconded and carried.

Cathy next advised the Executive Council that the Stetson Program Labor and Employment Law Program (not the trial skills program) should go forward in the Spring, if it goes forward at all. Cathy said if the program does go forward, the Executive Council needs to move it to another date.

Cathy advised the Executive Council members to sign up for Advanced Labor Topics Program in New Orleans.

EEO Committee Report: No report.

Employee Benefits Committee: No report.

Federal Labor Standards Committee: Alan Gerlach reported that a scheduled meeting with Butch Kennedy of the DOL had been canceled. Alan stated that unlike previously, now employees of the Wage & Hour Administration must submit detailed outlines and agendas concerning their presentations to outside agencies. Nevertheless, Alan says on March 22, 2002, there will be a former Wage and Hour Administration employee as a speaker at the Committee meeting. Alan also says that in June, the DOL will meet with the Committee.

Individual Rights Committee: No report.

Labor Relations Committee: Robbie Miles reported that his Committee is still trying to set up some luncheons. They're also trying to get an article published on the issue of solicitation.

Legislative Committee: No report.

ADR Committee Committee: No Report (although Stuart Rosenfeldt stated that the Committee is very committed).

Long Range Planning Committee: Dave Linesch and Cary Singletary gave a report on behalf of the Committee. Dave re-raised the subject of exploring "the collaborative law process." Dave indicated that he was not prepared to do presently, but that he wants to present some recommendations regarding the collaborative law process at the annual meeting.

Cary stated that he's spoken to Mel Reuben, who serves on a national committee on collaborative law. Cary thinks Reuben would be willing to come to speak to our group on the subject if the Council would be interested. Dave & Cary will gather more information on this issue.

Stuart wanted to know if Reuben might be available to be a luncheon speaker, perhaps at the Advanced Labor Topics Program.

Cary next raised the issue of whether the Section can use our surplus funds in a constructive manner.

Alan Gerlach suggested spending money to update and upgrade the Section's website.

Walter Aye stated that Stetson Law School used to handle the Section's website but its MIS person left.

Dave Linesch suggested that we use the fund surplus to hire a webmaster.

Walter said Andy Adkins is the person to hire for this task. Walter advised that Adkins has done websites for other Bar groups. Walter offered to call Adkins and get a proposal. Walter then asked about the content that the Section would want on the website

Dave moved to let Walter approach Adkins to get a bid to upgrade and maintain the site and then submit the bid within 30 days for a vote and a budget. This motion is seconded and carried. Dave asked for everyone to get website ideas to Walter within the next 7 days.

Dave next advised that he has an idea to use some of the fund surplus to subsidize labor law libraries in some courts and law schools throughout the State.

Rob Sniffen suggested sending CLE course materials to county law libraries and law schools.

Dave offered to put together a proposal on the issue of enhancing law libraries state-wide.

Cary raised the issue of whether the Section should increase the number of scholarships and/or increase the amount of the scholarships the Section already has. Cary moved to increase our budget to double the scholarship amount (now \$1,000 per scholarship) to both existing and new schools. The motion was seconded. Discussion of the motion ensued.

Cathy wanted to get an idea on how much it will cost to get books to 67 counties before the Section commits to increasing the scholarships.

Cary amended his motion to just send the \$1,000 scholarships to the four new law schools as well as the existing ones. The motion was seconded and carried.

Publications Committee: Damon Kitchen and Michael Spellman gave reports.

Damon indicated that he has been Publications Co-Chair for about five years and wanted to step down from that role in order to let someone else have a chance doing it.

Mike advised that the Check-off is currently with the Bar Printing Office. Mike reported that he has had numerous problems with the Bar Printing Office and that the December Check-Off had to be scrapped because of these problems. Mike said there have been numerous delays by the Bar and as a result, many time-sensitive articles are now outdated. Most of the problems are associated with layout and editing. Mike wanted to know if the Section must use the Bar Printing Office. Angela Froelich said no, there were other options. Angela said the problem is that the Bar's only employee who is doing the newsletter layouts, does them for each section of the Bar and is overworked.

Dave Linesch made a motion for Mike to work with Angela (and the Florida Bar if the cost exceeds \$5,000) to get bids for a printer to do layout and/or printing (at their discretion) with offices in several areas in the state in order to handle the Check-Off. This motion was seconded and carried.

Stetson Trial Skills Program: The dates for the Stetson Trial Skills Program are July 17 to 22, 2002.

Judicial Education Committee: It was reported that Jill Schwartz spoke at the statewide education conference for the judges and advised that her presentation was well received. Jill has set up three test markets and plans to hold three seminars in these areas within this Executive Council term

Chair's Report: Stuart is now at another firm, but has the same telephone and address. Stuart said he's much happier now.

New Business: None.

Old Business: None

Adjournment: A motion was made to adjourn. This motion was seconded and carried. Meeting adjourned at 5:57 p.m.