

Workers' Compensation Section Executive Council Meeting
Omni Resort
Championsgate, FL
April 10, 2019

Meeting convened at 3:00 pm

I. Welcome, Presiding – Leo Garcia, Immediate Chair

- Introduction of new members, Thomas Portuallo and Karen Gilmartin
- Reiterated dinner with executive council tonight and 1st DCA tomorrow
- Elections-vote by tomorrow

II. Approval of Minutes – Joanne Prescott, Secretary

- Motion to approve minutes as presented. Motion carried.

III. Treasurer's Report- Phil Augustine, Treasurer

- \$243,000.00 in the bank.
- Membership dues higher than budgeted.
- Motion to approve budget. Motion carried.

IV. Committee Reports

A. Section CLE – Dawn Traverso, Chair

- May 2019 Trial Advocacy workshop. 28 students signed up so far.
- 2020 Winter Ski Seminar-Committee formed to assist in planning. FJA to combine efforts with joint seminars.

B. Legislative Committee, Fausto Gomez, Section Lobbyist and Paul Anderson, Chair

- Speaker stopped bill on JCC salary increases. Stand alone bill will not likely work. May need to do something within Section budget and Appropriations.
- Expect changes in Med. Mal.
- Proposed Senate Bill not favorable to Section. Attorney fee bill with other provisions. NCCI scored it with 3% reduction in rates. Goes against fees. House Bill- does not claimant's address fees, but notes defense fees have increased, while claimant's fees have decreased within same period. Focuses more on medical cost reduction, rx and hospital. So really not an issue of cost drivers.
- Fairly well bottled in senate. Moving vehicle in house.
- No sign that the Governor has a specific target. He tries to work with the Legislature.
- Note: Robert Cohen has resigned as Deputy Chief Judge.
- Does IW speaking up help? Anderson says they have reached out to groups to speak. Typically, there are 40 people there to speak, but never enough time.

C. News & 440 Report –Glen Wieland

- Desperately looking for editor. Rather, reached out to newsletter publications experts. If we can allocate \$5,000.00, we can get 6 publications, but not as detailed as normal. Basic reports, and we can sell advertisements. Try to also find a chair for the report, not to be editor, just someone getting articles together. Lisa Tipton

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would package it and be put out. Wieland motions to approve Lisa Tipton as our publication expert, seconded by Hyde.

D. Membership – Timothy Dunbrack and Sean McCormack, Co-Chairs

- Slight increase 12-16 members. Roughly 1,200 members. We will recognize McConnaughay and Rissman to memorialize their generosity for donating table at the WC Convention. Will have membership table at Forum as well.
- 3 more CLE's.
- McCormack wants to give away one yearly free membership. Motion to approve. Seconded.
- Augustine suggested do a profile of wc atty on line and in the newsletter.

E. Forum Committee, Leo Garcia and Mark Touby, Co-Chairs

- Garcia and Touby working hard to get this going. This year it is in new wing because this is the biggest year. 540 registrants. Typically 50-60 walk-ins. Should be the biggest year yet. Law firm sponsors are in a hall. 1st DCA will hear oral arguments for the first time. Thanks to Anderson, Rogner and Winer for arranging the 1st DCA to be present.

F. Rules Committee - Tracey Hyde, vice chair.

- Meeting tomorrow at 5, Judge Langham speaking. Hyde reached out to him since last committee meeting to address issues.
- May start addressing rule amendment changes early next year.
- Touby says it is a slow process, but it is a difficult process to get a rule changed or amended, but if there is no dire need, then it may not be addressed.

G. Judiciary Committee - Rogers Turner, Chair

- Goal remains to advocate for increased JCC salaries; JCC's on board with our goal.
- Please fill out OJCC survey.
- Impressed with Miami Inns of Court.

H. Board Certification – Paul Anderson, Chair

- Recertification applications all made through except for 2 because they did not want not submit info.
- Board Certification test is in May, quite a few have applied. Graded in June

I. Technology Committee, Richard Manno

- FB, twitter, and website
- concerned about uplink to technology link...
- Floridabarwc.org
- Anderson suggested updating Emeritus list on website. Shepherd will look into how to have them listed, if retired or passed away.

J. Sponsorship & Advertising, Lizzette Francisco, Chair

- 17 law firm sponsors for the Forum. Thank you!

K. Gender Bias & Diversity, Karen Cullen, Liaison

- Attended the Gender Diversity Committee meeting on 1/8/19. Topics included Blue Ribbon Designation for firms committed to gender diversity. Put on hold as Bar concerned about antitrust issues.

L. Constitutional Revision Committee, Robert Strunin, Liaison

- Process completed and will address again in 20 years.

V. Chair Report –Leo Garcia

- One award to co-chair of Forum, has had to rely on him a tremendous amount as Garcia was chair of the section this year. Outstanding service and commitment to the Forum, 2018-19, Mark Touby.
- Passing of gavel to Wieland, incoming chair.
- Richard Berman-this was supposed to be his last meeting, but family issues arose. He sent a letter thanking the council. Garcia thanked Berman for his service.

VI. Chair Elect Report – Glen Wieland

- Long Range Planning Meeting to be held October 24-26; working on hotels and restaurants
- Presented plaque to Garcia who has served as Chair this past year for Outstanding Service 2018-19.

VII. New Business

- A. Current leadership track is July 1st, Wieland Chair, Augustine chair elect. Touby nominated as chair elect designate. Motion to approve, seconded.
- B. Renewal of fausto gomez's contract, details remained same except for dates and corporate name. Will need new contract with Converge. Anderson spoke to Converge people. Very pleased. They are very responsive. Motion to approve, seconded.
- C. Section sponsorship for judicial luncheon in August, \$2500. Motion to approve, seconded.
- D. Excused absences: Richard Chait, Richard Berman, Dawn Traverso, Robert Strunin. Motion to approve, seconded.
- E. Pallo-Should the Section allow Mediators opportunity to have a seat at the table? Need to change bylaws, unless they are primarily defense or claimant attorneys. Garcia brought up this is an open session.
- F. Also need to amend bylaws to include that incoming chair to not be voted out.

VIII. Upcoming Live CLE Program

- Workers' Compensation Trial Advocacy Workshop
May 17-18, 2019
OJCC-Rohde Building, Miami, FL

IX. Upcoming Monthly Audio Webcast (Learn at Lunch programs)

1. May 8, 2019 - Topic: FMLA, WC and ADA
Speaker: Tracey Hyde
2. June 12, 2019 - PTSD
Speaker: Alan Kalinoski
3. July 10, 2019 - Topic: Big Top Mediation;
Speakers: Karen Cullen & Sean McCormick
4. September 11, 2019
5. October 9, 2019

X. Future Meetings:

- A. Workers' Compensation Conference
Judicial Luncheon – Tuesday, August 13, 2019

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B. Out of State Retreat & Long Range Planning – October 24-26, 2019
Chicago, IL
Hotel TBD

XI. Adjourn

Motion to Adjourn. Motion carried. Meeting adjourned at 4:15 pm.

Attendees:

Paul Anderson
Philip Augustine
Karen Cullen
Tim Dunbrack
Rosemary Eure
Lizzette Francisco
Karen Gilmartin
Leo Garcia
Tracey Hyde
Alan Kalinoski
Paolo Longo
Richard Manno
Sean McCormack
Rick Morales
Keith Pallo
Tom Portuallo
Joanne Prescott
Christopher Smith
Brian Sutter
Rick Thompson
Mark Touby
Rogers Turner
Tom Vecchio
Glen Wieland
Mike Winer
Lorna Brown-Burton
Sheridan Crump
Fausto Gomez
Willie Mae Shepherd

Bill Rogner
Rick Thompson

Neil Ambekar
Michael Srebnick

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