

Florida Bar, Family Law Section - Continuing Legal Education Committee
Minutes of Mid-Year Meeting - Orlando, Florida
September 22, 2010

Sr. Co-chair, Doug Greenbaum called the meeting to order at 10:50 a.m. on September 22, 2010.

Roll Call

The following individuals were in attendance: 1) Doug Greenbaum, 2) Odette Bendeck, 3) Hon. Norberto Katz, 4) Julia Wyda, 5) Dr. Deborah O. Day, 6) Charlie Jamieson, 7) Ralph T. White, 8) David Riggs, 9) Patricia Alexander, 10) Tami Clemenza Wilson, 11) Michael Gilden, 12) Sheena Benjamin Wise, 13) Mary Jhoftiezer, and 14) C. Debra Welch. The Hon. Diane Kirigin and Carrin M. Poras were also present for a time.

Adoption of Prior Meeting Minutes

A motion was made and seconded to adopt the minutes of the meeting of July 19, 2010. The motion passed unanimously.

Recent CLE's. Julia Wyda gave a report regarding recent CLE's. She reported that Ralph White and Stuart Manoff did an excellent job with the CLE on charging liens. One hundred ten (110) people attended. Likewise, the Legislative Update Seminar, held in October was also successful and attended by one hundred fifty (150) people.

Revenues/Profitability. Doug Greenbaum reported that he had requested Summer Hall to run an analysis of CLE revenue totals for prior years. He reported that she advised that for 2007-2008, revenues totaled \$22,588; for 2008-2009, revenues totaled \$50,494; and for 2009-2010, revenues totaled \$66,140. The \$66,140 includes revenues from the "lunch and learn" seminars.

Doug Greenbaum noted, based on discussions at the last meeting that we undertake fewer "lunch and learns" during the remainder of the 2010 year, it can be reasonably expected that revenues will be down for the 2010 - 2011 year. He reported that the bulk of dollars for the section come from the certification review course and the telephonic seminars. Therefore, as we discuss bundled or series seminars, we also need to give serious consideration to the issue of profitability.

Report of subcommittee on themed CLE bundles. Magistrate Katz spoke regarding the work of the subcommittee on themed CLE bundles. He reported that the subcommittee had conceptually developed a series directed toward trial preparation and presentation skills, a possible title for which would be "From Novice to Master; Perfecting Your Trial Skills." He explained that the idea would be to compliment the Trial Advocacy program which is offered as a section service/CLE. On behalf of the sub-committee he advanced the following series of five (5) possible seminars:

- 1) Preparing and filing proper pleadings (You Can't Always Get What You Want). This seminar would address issues not always considered or sometimes overlooked in pleadings.
- 2) Proper discovery (Yo, Ho, Ho and A Bottle of Rum: Digging for Buried Treasure). This seminar would be focused on how to conduct proper discovery, and how to use discovery tools to investigate issues.
- 3) Expert Discovery (Blinded By The Light). This seminar would focus on conducting proper discovery regarding experts.
- 4) Proper trial preparation (Let's Get This Party Started). This seminar would focus on the preparation of openings, closings, and various witness examinations.
- 5) Actual trial (Where the Rubber Meets the Road.)

Magistrate Katz reported that it is envisioned that this series would be a lead up to the Trial Advocacy seminar currently scheduled for August 2011. This bundle may be for those practitioners who "dabble" in family law and/or as a primer for the new lawyer. It may also be for those who cannot afford the cost of the Trial Advocacy program. Magistrate Katz offered the sub-committee's ideas to the committee indicating that the committee would need to give further consideration to the 5 sub-parts, as above, whether the seminars would be in-person or telephonic, and what the cost ought to be.

Magistrate Katz moved that the committee adopt and put on the above series with five sub-parts, with live and in-person components, and cost to be determined.

A discussion of the motion ensued. Magistrate Kirigin, Carin Porras, and Doug Greenbaum expressed concern about whether the series would diminish the impact/effect of the Trial Advocacy program. They also expressed concern about whether people might think of it as a replacement for the Trial Advocacy program. Carin stated that the Trial Advocacy program was more of a section service, but that they were trying to implement changes to make it more economically advantageous - in addition to it being a great program.

Magistrate Katz explained that the sub-committee had a charge which they carried out as they understood it. He stated the sub-committee could go back to the drawing board or not, as the committee wished. However, he underscored that he regularly observes many attorneys who are just dabbling in family law and don't know what they are doing. He suggested that those folks are not going to Trial Advocacy. A series of seminars such as what has been proposed by the sub-committee would give them the opportunity to take advantage of a less advanced/intense trial preparation

program. He stated the section does a great job in reaching out to the choir but that there are a lot of singers out there who are not being reached.

Odette Bendeck suggested that the program number be reduced to three (3) and offered in even years, while the Trial Advocacy program is offered in odd years. Carin Porras asked that the committee not create a series which competes with Trial Advocacy. Magistrate Katz suggested that the series be promoted in terms of a more basic or preliminary level and be designed to feed Trial Advocacy. Odette Bendeck questioned whether a discount could be given to those lawyers who wanted to participate in both.

Patti Alexander pointed out that the concept of a telephonic seminar series has been done before and was successful. She chaired the telephonic theme series using the acronym PEACE. She suggested that it be telephonic only because an in-person component would be more likely to detract from the Trial Advocacy program. She urged that marketing be targeted to “dabblers,” young lawyers or novices. She did not like the idea of this being a prelude to Trial Advocacy because Trial Advocacy is a constant.

Patti Alexander clarified that when she spoke at the July meeting and suggested the whole idea of a theme, it was to advance “the theme” of the chair. She supports resurrecting the idea of a theme, telephonic series because it was a significant money maker for the section.

Carin Porras said that she disagreed with the assessment (at the last meeting) that the telephonic seminars should be eliminated because of the alleged/perceived reduced quality of such seminars. She further stated that because the telephonics really reach out to the audience about which Magistrate Katz was speaking, the telephonics provide a great source of income to the section and also serve to bring people in who may not wish to incur the cost of attending the in-person seminars.

Julia Wyda made a friendly amendment to the pending motion that the number of seminars be reduced from five(5) to three (3) for 2011.

Patti Alexander suggested that the series be done in the Spring of even numbered years, because if offered at that time, they would not compete with Trial Advocacy. She opined that the purchase should be as an entire series. Magistrate Katz did not accept the amendment as to requiring the purchase be for the entire series.

Magistrate Katz requested the chair call for the vote. The vote was called and the sub-committee proposal was unanimously passed with the friendly amendments (excluding the requirement that the series be purchased in total).

A discussion ensued with regard to the cost/pricing of the seminar series. Magistrate Kirigin suggested that the discussion be tabled until the Chair learned from the Bar/Executive Committee

what pricing options and possible discounts were available. Magistrate Katz so moved. The motion passed unanimously.

The 2010 and 2011 CLE Calendars.

Regarding the 2010 calendar:

- ▶ The Case Law Update Seminar is confirmed for November 3, 2010. Magistrate Katz and RT White will be serving as co-chairs.
- ▶ Speakers under consideration for the December 8, 2010, Ethics Seminar are Judge Ray McNeal and Sara Sullivan. Magistrate Katz is working to get a judge from Orange County to speak. Odette Bendeck reported that Eddie Stephens has joined her, Jeannie Etter, and Evan Marks in chairing the program.
- ▶ The Evidence Seminar remains scheduled for November 2010. A specific date has not yet been provided. Ken Gordon is the Chair. Odette Bendeck is to provide a specific date.
- ▶ The previously considered programs, Ask a Psychologist and The Collaborative Process were eliminated from the 2010 calendar. However, Magistrate Katz will be working with Julia Wyda on this The Collaborative Process.

Regarding the 2011 calendar:

- ▶ The Office Management Seminar scheduled for March 2011 will be available in person. Magistrate Katz will be working with Odette Bendeck and Sheena Benjamin Wise on this program and in an effort to have it presented via the web.
- ▶ The seminar on Immigration, Domestic Violence, Hague Convention and Passport issues remains scheduled for May 19, 2011 with Bonnie Sockel-Stone serving as Chair. If Judge Amy Karan is unavailable to speak, then it was suggested that Judge Judy Kreger be asked.
- ▶ Dr. Deborah Day will be joining Allyson Hughes, Alberto Romero, Doug Greenbaum and Sheena Benjamin Wise in chairing the seminar on Children's Issues: Parenting and Support scheduled for September 2011.

A discussion ensued regarding other possible seminar topics. Suggested subjects included: 1) Support after the age of 18 - litigating special needs and/or disability issues. (It Ain't Over 'Till It's

Over!) November 18, 2011 was proposed as a possible date. It was suggested that Gordon Brydger be contacted regarding this seminar possibility. 2) “Who Says Family Law Is Not Appealing? Preserving The Record.”

Magistrate Kirigin, on behalf of the Executive Committee, made a specific request to have a “sexy” CLE Calendar posted to the web-site. Doug Greenbaum said he would ensure that it was done.

Everyone was encouraged to attend the SPRING RETREAT in Napa Valley, which promises to be a wonderful program.

The next meeting of the committee will be January 27, 2011.

On behalf of the Executive Committee, Magistrate Kirigin, extended sincere thanks to everyone for their hard work.

A motion was made and seconded to adjourn the meeting. The motion passed unanimously. The meeting was adjourned at 12:42 p.m.

Respectfully submitted,

C. Debra Welch
Secretary
2010 - 2011 Continuing Legal Education Committee
Family Law Section, The Florida Bar