

Construction Law Committee

Memorandum of Committee Minutes

To: All Construction Law Committee Members
The Florida Bar: Real Property, Probate and Trust Law Section

From: Robert E. Doan, Secretary

Re: Meeting Minutes – May 13, 2013

NEW RECORDATION OF ATTENDANCE: In an effort to conserve committee time for discussion of pending issues all attendance **must** be recorded BY EACH MEMBER through the use of Google Documents. An email with the link to log attendance is sent out the day of each meeting. Please contact Hardy Roberts if you have not been receiving the links.

1. Opening: Chair, Arnold Tritt, called the meeting to order at 11:30 a.m.

A. The minutes for the committee's previous meeting of April 8, 2013, were approved as circulated.

B. Officers acknowledged, in addition to the chair were: Chairman, Arnold Tritt, Hardy Roberts, 1st Vice Chair, Lisa Colon-Heron, 2nd Vice Chair; Scott Pence, 3rd Vice Chair (and Chair of the Legislative Committee,) and Secretary, Robert Doan.

2. Welcome New Members and Guests: Arnie Tritt reported there have been several new members per month. No guests were announced on the call.

3. New Business: None.

4. Tech Report: Hardy Roberts said there is nothing new.

5. Subcommittee Reports:

A. ABA Forum Liaison: Cary Wright reminded members that the annual meeting was held on April 25-27, 2013, at Dana Point, California. A meeting for young attorneys getting involved will be in Washington D.C. in December. The Fall meeting will also be in D.C. in September. The mid-winter meeting will be January 30-31 in the Bahamas (Atlantis) and will feature several CLC members as speakers.

B. Construction Regulation: A full written report was distributed to the listserv prior to the meeting by Fred Dudley (via email from Arnie Tritt.) If you did not receive the email, please email committee secretary Robert Doan for a copy (robert@lawgainesville.com) There are cases involving lien notices, and a case regarding the engineering board (regarding procedural issues.) Fred has added some new boards and legislative items to keep an eye on that could affect our industry. No Ch. 713 changes of substance this year from the legislature.

C. Publications: Sean Mickley. No Report. If anyone has article ideas, or would like to be a peer reviewer, email Sean.

IMPORTANT REMINDER: Committee members are invited to submit proposed articles on a construction law topic for peer review and possible publication in The Florida Bar Journal.

D. 2013 Construction Law Institute: Chair Reese Henderson reported March 20-22 is the tentative date for 2014 and the location will be the Rosen Shingle Creek again based on very positive feedback from this year. The Committee will meet Friday, May, 24th at 330pm at the RPPTL Convention in St. Petersburg.

E. Certification Review Course: Lee Weintraub reported the committee will begin meeting soon. Contact Lee with ideas for speakers.

F. Certification Exam: Steve Lesser reported that 37 applicants took the test out of 45 that applied on May 9, 2013. Steve reported that most applicants over the years have renewed in the 90-95%+ rate when their 5 year term runs.

G. Chinese Drywall: No Report.

H. Small Business Programs: Lisa Heron-Colon, reported that the bill they were following in the session died in committee. SBA changed the dollar amount WBE's can bid for in a recent action. Contact Lisa for details.

I. Surety and Insurance: No report.

J. Website: No report.

K. Legislative: Scott Pence distributed a written summary of bills we were tracking. The most significant bill was SB 286 limiting design professional liability which was signed by the governor.

L. E-Discovery: Tim Doth spoke for Perry Adair. Perry is preparing an article on preservation of electronically stored information.

M. CLE: Chair Lisa Colon-Heron requested volunteers to serve as speakers for CLE presentations in June and beyond. Contact Lisa if you need the CLE course numbers to submit for credit. Lisa will be sending out CLE approval information between now and the next meeting. The Bar did not approve the business topic CLE from the April meeting, so there will be no credit for the April 2013 meeting.

REMINDER: Each committee member is responsible for posting their own CLE credits on TFB website; neither the committee nor subcommittee can do so.

6. Continuing Legal Education Presentation: (Started at 1145am and ran until 12:28pm)

Lisa introduced Chris Dunn. He spoke on workers' compensation department "stop-work orders," and the procedural processes that follow.

NOTE: Volunteer speakers for future CLE presentations are encouraged to notify Chair Colon-Heron as soon as possible. Presentations should be in 25-minute segments, but may be continued to a subsequent meeting if more time is required, and may include more than one speaker; discussion and debate will be welcome.

7. Closing:

No further business appearing at this time, the meeting was adjourned at 12:29 p.m.

REMINDER: The next scheduled meeting of the committee will be held on Monday, **June, 10, 2013**, beginning at 11:30 a.m., as a regular conference call. The conference number is 888-376-5050, and the pass code is 1326538415#.