**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 – January 8, 2018

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**RECORDING ATTENDANCE:** 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 Scott Pence if you have not been receiving the links.

**1. Opening:** Scott Pence called the meeting to order at 11:34 a.m.

Officers acknowledged in addition to chair Scott Pence were, Vice-Chair Reese Henderson, Vice-Chair Neal Sivyer, Secretary, Robert Doan.

The minutes from the December 11, 2017, meeting were approved.

PLEASE USE THE ATTENDANCE REPORTING LINK CIRCULATED BY SCOTT TO RECORD YOUR ATTENDANCE.

**2. Subcommittee Reports:**

A. ABA Forum on Construction Law Liaison: Cary Wright is the liason. The Mid-Winter Meeting will be January 17-19 in Fort Myers, FL. Early bird registration runs through December 15. Check your emails for a link. The fall meeting in Boston was the highest attended meeting to date. There are 12 divisions within the ABA forum on construction law, plus a younger lawyer division. Contact Cary if you are interested in getting involved with the ABA Forum.

B. ADR Subcommittee: Deborah Mastin is chair. No report this month.

C. Certification Exam: Alex Espino is chair. No report this month.

D. Certification Review Course: Mindy Gentile and Deb Mastin are chairs. No report this month. 2018 Review Course will be March 8-10. JW Marriot Grand Lakes.

E. Construction Law Institute: Sanjay Kurian is the chair. Most speakers and topics are lined up for 2018. Registration links coming soon. Contract Sanjay or Jason Quintero for information on 2018 or if you would like to join the subcommittee. Next year’s CLI will be March 8th (golf tournament and reception) – 10th. JW Marriot Grand Lakes.

F. Construction Litigation: Neal Sivyer is chair. Last webinar on “expert Witnesses” was on November 20th. You can buy the course on the Bar website and watch on demand. The next topic may be delay and schedule analysis. You can sign up through the RPPTL website or follow the link on the RPPTL CLE email that went out recently.

G. Construction Regulation: Fred Dudley and Steve Sellers are chairs. No report.

H. Construction Transaction Subcommittee. Claramargaret Groover is chair. No report this month.

I. Contractors University Subcommittee: Lee Weintraub is chair. The events are geared toward contractors, not attorneys. Daytona Beach (February 2018) and Brevard County (November 15, 2017). There will be 3-5 per year. The goal is to have up to 5 presenters and up to 15 contractors. Contact Lee or Cary to get involved. There will be an email about potentially launching a sister program for engineers.

J. Legislative Subcommittee: Sanjay Kurian is chair and Sean Mickley is co-chair. There are several pieces of legislation including SB536, which is a modification to the statute of repose. There is also legislation related to Ch. 558 (SB680), which is similar to what was proposed last year. There is also an effort to change the notice of non-payment on bonds, that would make the process more involved and require additional information similar to a sworn statement. Scott Pence reported there will be weekly calls starting in January to track construction related bills.

K. Membership Subcommittee: The chair is David Zulian. His email address is [dazulian@napleslaw.com](mailto:dazulian@napleslaw.com). There were 663 members per last month’s report.

L. Newsletter: Tim Bench is chair: Latest issue just went out. They are working on the next edition. Tim would like to include information in each quarterly email regarding subcommittee news and updates, so subcommittee chairs please provide him with an executive summary of your subcommittee’s current activity, e.g. the information you provide in your telephonic report. The newsletter subcommittee is also seeking 1 to 2 article submissions of 250 words or less for the newsletter per issue.

M. Publications: Please contact Brett Henson and Kelly Humphries if you have any ideas for articles or would like to peer review articles of others. We would like to have a construction article in Action Line every quarter. Two articles were in the last edition. There will be another article in the upcoming Summer edition on arbitration clauses and whether they are appropriate for your client or not. There are no other articles in the pipeline currently. Email Brett at [bhenson@slk-law.com](mailto:bhenson@slk-law.com) or Kelly at [khumphries@gunster.com](mailto:khumphries@gunster.com) for ideas or to volunteer to peer review.

N. Small Business Programs: Lisa Colon Heron is the chair. The committee monitors small business regulations at the federal level (SBA and other matters) that may affect our clients. No report this month.

O. Tech Subcommittee: Hardy Roberts is the leader. Today’s call is being recorded for a podcast, which will be available in the iTunes store.

P. Website: Brent Zimmerman is chair. Send Brent an email if you have comments or suggestions. The CLE credits have posted for meetings through November of last year.

Q. CLE: Randy Dow ([rdow@boydjen.com](mailto:rdow@boydjen.com)) and Scott Lehman are the chairs. Scott reported that we need speakers and topic ideas for upcoming months, through June and July. An application for CLE course numbers has been submitted for recent CLE’s. The numbers will be circulated when they come out. Please contact Randy or Scott if you are interested in presenting or have any suggestions.

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

**3. New Business:**  None.

**4. Continuing Legal Education Presentation:** (Started at 11:44 A.M. and ended at 1:05 P.M.)

Our speaker was **James W. Martin**, Esq., of James W. Martin, P.A. in St. Petersburg, FL.  Mr. Martin’s presentation is entitled “**Drafting Settlement Agreements (That Stay Out of Court).**” NOTE: **Volunteer speakers for future CLE presentations are encouraged to notify new chair Randy Dow as soon as possible.** Presentations should be in 45-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.

**5. Closing:**

No further business was conducted after conclusion of the CLE presentation and Q & A period following. The meeting was adjourned at 1:05 p.m.

**REMINDER:** The next regularly scheduled meeting of the committee will be held on Monday, **February 12, 2017,** beginning at 11:30 a.m., as a regular conference call. The dial in info is: 888-376-5050 / Pin ***7542148521#***