

## Report from the Appellate Practice Section

The Appellate Practice Section has reorganized and reinvigorated its Appellate Pro Bono Committee. Under the leadership of Pro Bono Committee Chair, Bryan Gowdy the Pro Bono Committee has developed a network of appellate lawyers willing to undertake pro bono representation in all the DCA's and the Supreme Court. These appellate lawyers represent a diverse array of appellate expertise in all different areas of appellate practice. The clerks of all the appellate courts have been contacted to inform them of the availability of these volunteers for pro bono appellate representation.

We also voted as a Section to support Florida Law Related Education's Moot Court program, both with funding and volunteer appellate lawyers to serve as judges.

In the wake of continued tightened state court budgets, the Section has stepped up to the plate to encourage the continued participation of our judicial representatives and government lawyers. In order to continue the participation of judges after the courts' budgets froze their travel the Section voted to allow a limited stipend for judges to attend the Florida Bar's Annual meeting. The Section also approved scholarships for government and legal

aid attorneys to attend the Advanced Appellate Advocacy CLE and reduced rates for other CLE.

The Section was honored to see our Judicial Representative, the Honorable Peggy A. Quince installed as Chief Justice of the Supreme Court of Florida and the installation of many of our members to the appellate judiciary. Returning as Vice Chair of the Section retiring Supreme Court Justice Raoul G. Cantero, III has been extremely active as an officer of the Section and as Liaison to the Supreme Court's Historical Society. Retiring Supreme Court Justice Kenneth Bell joined the Section and serves as our Liaison to the Real Property Section.

Appellate judges have been active in the Section, most notably in the area of continuing appellate legal education. This summer Second DCA Judges Chris Altenbernd, Fifth DCA Judge Jacqueline Griffin, Fourth DCA Judges, Larry Klein and Melanie May, Eleventh Circuit Judge Gerald Bard Tjoflat, and First DCA Judges William Van Nortwick, Jr. and Peter Webster all taught in the Advanced Appellate Advocacy Seminar at the Coastal Law School in Jacksonville. In October the Section co-sponsored this year's Eleventh Circuit Appellate Practice Institute in Atlanta, at which Eleventh Circuit Judges Gerald Bard Tjoflat, Stanley Marcus, and Senior Judge James Hill, along with Justice Raoul Cantero, all spoke. In Tampa, Second DCA

Judges Morris Silberman, Daryl Casanueva, Chris Altenbernd, Stevan Northcutt, and Nelly Khouzam, all volunteered for the Family Law Appeals Seminar, which is also available as a webinar. Chief of the Fourth DCA Judge Robert Gross, along with Fourth DCA Judges Dorian Damoorgian, Barry Stone and Larry Klein, and Third DCA Judge Frank Shepherd all spoke at our May Hot Topics in Appellate Practice Seminar in Broward. Finally, Former Justice Raoul G. Cantero III, First DCA Judge Peter D. Webster, and Fifth DCA Judge Jacqueline Griffin, taught our monthly telephonic CLE's which provide continuing appellate education with little cost and no travel expense.

This year the Appellate Practice Section renovated our website and we are expanding ways of providing electronic access to the Section's information and CLE. We successfully completed our first CLE webinar and our monthly telephonic CLE's continue to be a way of providing continuing appellate legal education to lawyers and judges throughout the state. To reduce printing costs and make the Guide more accessible and up to date, we were able to finally produce the Appellate Practice Guide online, under the Editorship of Rebecca Steele. The Section also saved a tremendous amount of printing expenses by making the Record, our primary publication, entirely electronic. The Record, along with the Guide, is also

online through our website, as it the Section's Pro Se Appellate Handbook, which our volunteers continue to update and which is translated into Spanish and Creole with grant assistance from the Florida Bar Foundation.

Consistent with the Section's own cost saving measures, we have also adopted a resolution to restore plans for statewide electronic filings in appeals.

The Appellate Practice Section has filed an amicus brief in *Pleus v. Christ*, SC09-565, in response to the unanimous request of the judges of the Fifth District Court of Appeal. The Executive Council convened on an expedited basis and approved by a vote of 21 to 2 under the Section's bylaws the filing of an amicus brief. Pursuant to its standing policy on amicus curiae positions, the Executive Committee of the Board of Governors of The Florida Bar approved the filing of the amicus brief. The agreed motion for leave to file the brief, granted by the Court, makes clear that the positions taken in the amicus brief are solely that of the Section and do not necessarily reflect the positions of either The Florida Bar or the judges of the Fifth District Court of Appeal.

The Section is preparing a bylaw change to be voted on by its general membership at the Annual Meeting. The proposed change, approved by the

Executive Council will, if passed, allow law students and law professors to join the Section's Affiliate Membership.

The Section is planning its fourth Appellate Practice Section Retreat. At the retreat the Section will again be updating and our Internal Operating Procedures and maintaining the Section's history. We are also looking forward to the Annual Discussion with the Supreme Court and Dessert Reception and Awards at the Annual Meeting of the Florida Bar.

It has been a great honor and big learning experience to serve as Chair. I have had the benefit of a great team of seasoned appellate lawyers and jurists on my board: Past Chair Steven Brannock, Chair-Elect Dorothy Easley, Vice Chair Raoul Cantero, Secretary Treasurer Matt Conigliaro, and Editor of the Record Jack Reiter. I am especially proud of the commitment the board has demonstrated to the Bar, to the administration of justice, and to the advancement of appellate practice in our State. I know I leave the Section in very able hands in their leadership.

Respectfully submitted,

Siobhan Helene Shea, Chair Appellate Practice Section