

AGENDA FOR SEPTEMBER 1, 2023
MEETING OF THE CLE COMMITTEE
OF THE BUSINESS LAW SECTION OF THE FLORIDA BAR
3:00 PM – 4:00 PM PLAZA II

I. WELCOME AND INTRODUCTIONS

Hon. Caryl E. Delano, Judicial Chair
Luis E. Rivera, Chair
Kathleen DiSanto, First Vice Chair
Daniel Etlinger, Second Vice Chair

II. LEADERSHIP VISIT

III. OLD BUSINESS

1. Approval of Minutes of June 21, 2023 Meeting (attached as Exhibit A)
2. Review of Mission Statement and Officer Roles (attached as Exhibit B)
3. BLS CLE Diversity policy (attached as Exhibit C)
4. How to Create a CLE Checklist (attached as Exhibit D)
5. CLE committee website

<https://flabizlaw.org/committees-task-forces/standing-committees/continuing-legal-education-committee/>

- Website Updates:
 - Removed “2021 Committee Goal.”
Add Committee Goals going-forward?
 - Deleted “Join the CLE Committee Listserv”
 - Need to Update “Planning a Seminar” Section
Replace with new “How to Create a CLE Checklist”
- 6. Report from BLS Leadership Boot Camp
 - Each substantive committee will host 3-5 paid CLEs per year.
 - The CLE Committee is a resource hub for the Section. The CLE Committee should be involved in planning and organization of every CLE.
 - Each substantive committee will designate a liaison to the CLE Committee by Executive Council meeting at Annual Retreat.

IV. NEW BUSINESS

7. Recent CLEs/Events:

Date	Event
Jan. 12, 2022	Recent legislative changes to service of process bill: a new ball game
Jan. 25, 2023	Panel Discussion: The Benefits & Pitfalls of Subchapter V
Feb. 28, 2023	Mental Health First Aid: Skills and Strategies for Handling Everyday Emotions and Stress
March 2 – 3, 2023	39th Annual Federal Securities Institute
April 5, 2023	IP Roundtable
April 12, 2023	A.B.C. (Fla. Stat. §727): The State Court Alternative to Bankruptcy Court
April 19, 2023	Practices, Procedures & Professionalism: Bankruptcy Judges of the Orlando Division of the Middle District of Florida
May 2, 2023	Mental Health First Aid CLE Series- Mental Health Issues in Those Around Us
June 22, 2023	The New UCC Article 12: Why, When and What Does It Do?
June 23, 2023	Practical Preservation, Collection and Use of ESI and Digital Evidence During Litigation and Trial Seminar
July 18, 2023	Mental Health First Aid CLE Series- Dealing with Difficult Clients
Sept. 1, 2023	Legislative Update

8. Upcoming CLEs

Date	Event	Sponsor
Sept. 1, 2023	Legislative Update	
Sept. 1, 2023	Inside Information: Understanding Data Privacy Legal Protections for U.S. Consumers & Employees	Computer Law & Tech.
Sept. 1, 2023	Discovery in Bankruptcy: from Contested Matters to Adversary Proceedings	Bankruptcy Judicial Liaison
Sept. 1, 2023	Building Your Career: From Resume to First Chair & Beyond	
Sept. 2, 2023	Updates from a Forensic Accountant & Valuation Perspective: the Surfside Building Collapse & Others	Corporations, Securities, & Financial Services

Sept. 2, 2023	Litigating Confirmation Issues in a Sub V Case: Fair and Equitable, Best Interest Test, and Feasibility	Bankruptcy/UCC
Sept. 2, 2023	Business Court Roundtable	
Sept. 2, 2023	Show Me the Money! An Overview of Economic Damages Calculations	Business Litigation
Sept. 2, 2023	Beyond the Code: Mastering the Art of Software Licensing Strategies	IP Committee
Oct. 26, 2023	Webinar: from Business Litigator to Problem Solver	Business Litigation
Nov. 2, 2023	The Judge Michael G. Williamson View from the Florida Bankruptcy Bench- Tampa	
Nov. 3, 2023	The Judge Michael G. Williamson View from the Florida Bankruptcy Bench- Miami	
Feb. 11, 2024	40 th Annual Federal Securities Institute	Corporations, Securities, & Financial Services

9. Florida Bar Journal Pipeline- published articles

Fla Bar Issue	Title / Author
November/December 2022	Should <i>Durham v. Ocwen</i> Affect the Interpretation of “Assignee” Under Florida’s Version of Article 9 of the Uniform Commercial Code? (Juan Mendoza)
January/February 2023	Subchapter V: A Big Deal for Small Business (Robert A. Stok, Tuvia Sandler, and Sam Sachs)
March/April 2023	Yours, Mine, And Ours: May a Bankruptcy Court Authorize the Sale of a Co-Owner’s Interest Free and Clear of its Creditors’ Claims? (Daniel Etlinger)
May/June 2023	Recent Legislative Changes to Service of Process: A New Ball Game? (Giacomo Bossa and James B. Murphy, Jr.)
July/August 2023	Use of the Constructive Knowledge Standard When Evaluating “Evident Partiality” Challenges to Arbitration Awards in Florida (Patricia A. Leonard and Ella A. Shenhav)
September/October 2023	Crisis Communications and Image Restoration – There’s Insurance for That? (Russell A. Sibley, Jr.)

10. Florida Bar Journal Pipeline: Upcoming articles

Fla Bar Issue	Title / Author	Status	Deadline
November/December 2023	Mark Wolfson	Pending	Sept. 1
January/February 2024	Jocelyne Macelloni, <i>Protecting Interests or Hindering Real Estate Deals?</i>	Pending	Nov. 1
March/ April 2024	N/A	Need article	January 1
May/June 2024	N/A	Need article	March 1
July/August 2024	N/A	Need article	May 1
September/October 2024	N/A	Need article	July 1

11. Committee Management – Florida Bar Journal Submission Process

Fla Bar Issue	Article Due to CLE Committee	CLE Committee Editor
November / December	September 1	Chair
January/February	November 1	Vice-Chair
March /April	January 1	Second Vice-Chair
May / June	March 1	Chair
July /August	May 1	Vice-Chair
September / October	July 1	Second Vice-Chair

12. Other business/Good of the Order

**REPORT/MINUTES FOR JUNE 21, 2023
MEETING OF THE CLE COMMITTEE
OF THE BUSINESS LAW SECTION OF THE FLORIDA BAR**

I. Welcome and Introductions

- a. Utibe Ikpe called the meeting to order at 12:05 pm.
- b. Chair Ikpe welcomed attendees and invited introductions.
- c. Attendees—
 - i. Chair, Utibe Ipke
 - ii. Luis E. Rivera, First Vice chair
 - iii. Jacqueline Calderin, Second Vice Chair
 - iv. Kathleen DiSanto
 - v. Daniel Etlinger

II. Old Business

- a. **Approval of Minutes (Attached as Exhibit A)**
 - i. After review, Ms. Calderin moved to approve the minutes. Second by Ms. DiSanto. No objections being made, the minutes were approved unanimously.
- b. **Review of Mission Statement and Officer Roles (Attached as Exhibit B)**
 - i. Chair Ipke presented the mission statement and described the function of the committee and its officers.
- c. **BLS CLE Diversity policy (Attached as Exhibit C)**
- d. **How to Create a CLE Checklist (attached as Exhibit D)**
 - i. The Committee discussed the proposed Checklist and whether the CLE Committee Chair should be among first points of contact for BLS CLEs.
- e. **CLE committee website**

<https://flabizlaw.org/committees-task-forces/standing-committees/continuing-legal-education-committee/>

 - Chair Ipke has communicated with Tracy Eller regarding the following website updates, which are in process:
 - Update “2021 Committee Goal”
 - Delete “Join the CLE Committee Listserv”
 - Update “Planning a Seminar” Section
 - Replace with new “How to Create a CLE Checklist”

III. Leadership Visit

- a. Welcome and Introductions from Douglas Bates. What can Leadership do to help?

- b. Discussed CLE Planning Event Checklist.
 - i. Interplay between CLE Committee, Retreat Committee, and Substantive Committees
 - ii. Labor Day Retreat sponsors want opportunities to put on CLE at the Retreat and it is important to help them
 - iii. Section CLE needs to be a push. Great benefit for members and Section earns 80% of profit.
 - iv. In the past, CLE Committee co-sponsored most of not all Section CLEs. CLE Committee quality control and promoted the larger goals of the Section.
 - v. Leadership to do a Zoom “Boot Camp” for chairs and vice-chairs to address some of these issues, but Leadership encourages a bigger role for CLE Committee
 - 1. Leadership recommends the CLE Committee prepare a Best Practices for distribution.
- c. Leadership recommends preparation of a “Best Practices Handbook” for CLE Committee Leadership
 - i. What we do and how to do it.
 - ii. CLE Committee should have representation from both substantives and standing committees, especially Sponsorship
- d. Judicial Reimbursement Policy
 - i. A judicial reimbursement policy is being considered at the Executive Committee level.
 - ii. The “new” policy will be discussed at the proposed leadership “Boot Camp.”

IV. New Business

a. Recent CLEs & Events

Chair Ipke updated the committee on recent CLE events presented by the Business Law Section and its substantive committees—

Date	Event
January 12, 2022	Recent legislative changes to service of process bill: a new ball game
January 25, 2023	Panel Discussion: The Benefits & Pitfalls of Subchapter V
February 28, 2023	Mental Health First Aid: Skills and Strategies for Handling Everyday Emotions and Stress
March 2 – 3, 2023	39th Annual Federal Securities Institute
April 5, 2023	IP Roundtable
April 12, 2023	A.B.C. (Fla. Stat. §727): The State Court Alternative to Bankruptcy Court

April 19, 2023	Practices, Procedures & Professionalism: Bankruptcy Judges of the Orlando Division of the Middle District of Florida
May 2, 2023	Mental Health First Aid CLE Series- Mental Health Issues in Those Around Us

b. Upcoming CLE Opportunities

- i. Chair Ipke and committee members also discussed upcoming CLE events presented by the Business Law Section and its substantive committees—

Date	Event
June 22, 2023	The New UCC Article 12: Why, When and What Does It Do?
June 23, 2023	Practical Preservation, Collection and Use of ESI and Digital Evidence During Litigation and Trial Seminar
July 18, 2023	Mental Health First Aid CLE Series- Dealing with Difficult Clients
Nov. 2, 2023	The Judge Michael G. Williamson View from the Florida Bankruptcy Bench- Tampa
Nov. 3, 2023	The Judge Michael G. Williamson View from the Florida Bankruptcy Bench- Miami

c. The Florida Bar Journal Pipeline: Published Articles

Chair Ipke updated the committee on recent articles published in *The Florida Bar Journal*—

Fla Bar Issue	Title / Author
September/October 2022	Third Party Releases in Chapter 11 (Mariane Dorris)
November/December 2022	Should <i>Durham v. Ocwen</i> Affect the Interpretation of “Assignee” Under Florida’s Version of Article 9 of the Uniform Commercial Code? (Juan Mendoza)
January/February 2023	Subchapter V: A Big Deal for Small Business (Robert A. Stok, Tuvia Sandler, and Sam Sachs)
March/April 2023	Yours, Mine, And Ours: May a Bankruptcy Court Authorize the Sale of a Co-Owner’s Interest Free and Clear of its Creditors’ Claims? (Daniel Etlinger)
May/June 2023	Recent Legislative Changes to Service of Process: A New Ball Game? (Giacomo Bossa and James B. Murphy, Jr.)

d. *The Florida Bar Journal Pipeline: Upcoming Articles*

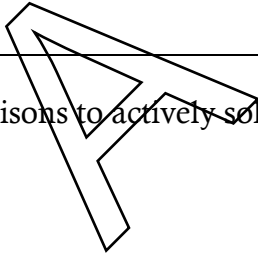
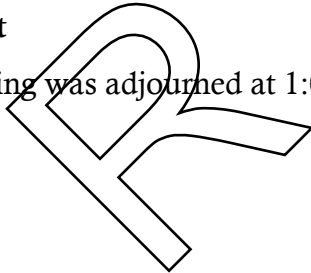
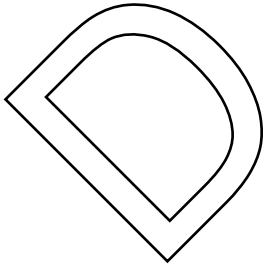
Chair Ipke updated the committee and substantive committee liaisons on upcoming opportunities for publication in *The Florida Bar Journal*—

Fla Bar Issue	Title / Author	Status	Deadline
July/August 2023	Use of the Constructive Knowledge Standard When Evaluating “Evident Partiality” Challenges to Arbitration Awards in Florida (Patricia A. Leonard and Ella A. Shenhav)	Submitted	May 1
September/October 2023	N/A	Need article	July 1
November/December 2023	N/A	Need article	Sept. 1
January/February 2024	N/A	Need article	Nov. 1
March/ April 2024	N/A	Need article	January 1
May/June 2024	N/A	Need article	March 1

A call was made to remind for liaisons to actively solicit articles at their substantive committees.

V. **Adjournment**

a. The meeting was adjourned at 1:02 pm.



FLORIDA BAR BUSINESS LAW SECTION- CLE COMMITTEE

Mission Statement

The CLE Committee supports the substantive committees of the Business Law Section in their efforts to provide continuing legal education programs and articles for The Florida Bar Journal. The CLE Committee serves as a liaison between the substantive committees, their designated representatives, and the Business Law Section Administrator to facilitate the scheduling and marketing of CLE programs and provides editorial oversight for Bar Journal articles.

Officer Roles/ Responsibilities

- Chair:
 - Serves as the primary point of contact for CLE Committee with third parties and coordinates communication with other BLS Committees and BLS leadership
 - Schedules officer and committee meeting as needed to supplement the meetings held during The Florida Bar and BLS conferences
 - Communicates as needed with CLE Committee members between meetings
 - Ensures that all appropriate matters come before the CLE Committee at committee meetings
 - Coordinates the CLE Committee's efforts with respect to BLS members' submissions of articles for publication in The Florida Bar Journal
 - Represents the CLE Committee and reports on its activities at all BLS Executive Council meetings, or arranges for substitute representation if the Chair is unable to attend

- Vice-Chair:
 - Assists the Chair in fulfilling his or her responsibilities
 - Encourages and coordinates the participation of substantive BLS Committees in CLE Committee meetings
 - Takes minutes of all meetings and circulates the minutes to Committee officers
 - Drafts a written report to the Executive Council summarizing the CLE Committee meetings in advance of Executive Council meetings
 - Serves as the Chair at any Committee meeting that the Chair is unable to attend

- Second Vice-Chair:
 - Assists the chair and second vice chair in fulfilling their responsibilities
 - Provides continuity for CLE Committee leadership

- Judicial Chair:
 - Supports the efforts of the Chair, Vice-Chair, and Second Vice-Chair
 - Provides continuity as new BLS members assume leadership positions in the CLE Committee

BUSINESS LAW SECTION DIVERSITY EQUITY AND INCLUSION CLE POLICY

Adopted by The Business Law Section of The Florida Bar on June , 2022

The Business Law Section (“BLS”) supports proactive measures to ensure that individuals from all backgrounds are afforded fair opportunities to participate in CLE programs. All CLE programs sponsored or co-sponsored by the BLS will meet the objectives of the BLS Diversity Committee Strategic Plan to eliminate bias and enhance diversity.

Program organizers will invite and include prospective moderators and faculty members to create CLE panels that meet the objectives of the BLS Diversity Committee Strategic Plan. This includes, among others, moderators, and faculty members from historically underrepresented communities (e.g., racial and ethnic demographic groups/people of color, women, persons with disabilities, and LGBTQ+ individuals).

The Inclusion, Mentoring and Fellowship Committee (“IMF”) will create a subcommittee (the “DEI Subcommittee”), which shall be chaired by the Vice Chair of the IMF Committee and may include representatives from any other BLS committees, subcommittees, task forces and other entities (“BLS Entities”). The DEI Subcommittee shall monitor the BLS’s CLE programming to ensure that BLS Entities conduct CLE programs in accordance with this policy. The DEI Subcommittee will have authority to engage and assist any BLS Entities found not to be in compliance with this policy. Final decisions with respect to BLS Entities conducting CLE programs in accordance with this policy shall rest with the BLS Executive Committee. IMF shall report the DEI Subcommittee’s findings at regularly scheduled meetings of the Executive Council.

The implementation date for this Diversity Equity and Inclusion CLE Policy shall be July 1 , 2022.

BUSINESS LAW SECTION
OF THE FLORIDA BAR

CONTINUING LEGAL EDUCATION COMMITTEE

CLE Planning Event Checklist

Step 1 – Contact BLS Leadership and the CLE Committee

- BLS Program Administrator – [Insert Name and Email Address Here]
- CLE Committee Chair – Utibe Ikpe uikpe@melanbudwick.com

Step 2 – When? (Determine Optimal Date)

- Avoid similar industry events on the same day/week
- Clear date against [The Florida Bar Master Calendar](#)

Step 3 – Where? (Identify Venue, Determine Event Technology Needs)

- In-person, virtual, or hybrid?
- Virtual or Hybrid – Use InReachCE
Offered in after-market library (cost is generally \$40 per CLE hr. to attend)
- In-person – Identify venues, research pricing, visit potential locations

Step 4 – What? (Establish Goals and Brainstorm Event Topic)

- Review Board of Legal Specialization and Education (BLSE) [Policy 5.01](#)
- Identify Topic – Current issues that will enhance an “attorneys’ professional competence and skills.” [BLSE Policy 5.01\(a\)\(1\)](#).
- Identify speakers
 - “An individual or group qualified by practical or academic experience.” [BLSE Policy 5.01\(a\)\(3\)](#).
 - Consider [BLS Diversity Policy](#)
- [Apply for CLE Accreditation](#) (BLSE Policy 5.02)
 - Create outline, gather bios and submit to BLS Program Administrator to secure BLSE CLE accreditation from BLSE
 - Consider the program level (e.g. basic, intermediate or advanced) and what types of CLE credit are available (e.g., general, ethics, professionalism, substance abuse, mental illness awareness, bias elimination, or technology)
 - [Application for Accreditation](#) due at least 30 days in advance of event. Consider applying [online](#).
 - Resources—
 - [How to Complete the Online Course Accreditation Application](#)
 - [Frequently Asked Questions About the Online Course Accreditation Application Process](#)

Step 5 – Who / Why? (Develop a Marketing Plan)

- Identify what Florida Bar Sections and Committees could be interested in the program
- Create marketing plan (emails, social media ,etc.)