



# PALM BEACH COUNTY BAR ASSOCIATION

# BULLETIN

[www.palmbeachbar.org](http://www.palmbeachbar.org)

April 2005



## May 6 Law Day Luncheon to feature Jury Consultant, Jo-Ellan Dimitrius

Mark your calendars for this year's Law Day Luncheon, scheduled for Friday, May 6 at 11:45 a.m. at the Marriott City Place in West Palm Beach. This year's Law Week Theme is "The American Jury: We the People in Action". We are pleased to announce that this year's guest speaker will be famed jury consultant Jo-Ellan Dimitrius.

In 1984 she appeared in court for the first time to pick a jury. Since then she has consulted in over 1000 trials and picked over 600 juries. She has evaluated over 10,000 jurors, witnesses, lawyers and even judges during trial, and at least that many more in pre-trial focus groups and mock trials. She has served as the jury consultant in many of the most high profile cases of the 80's and 90's including: the Night Stalker (Richard Ramirez), McMartin Preschool, Rodney King, Reginald Denny, John Dupont, Frances Ford Coppola

["Pinocchio trial"], O.J. Simpson and most recently the Scott Peterson case.

Cost to attend this luncheon will be \$25 per PBCBA member and \$40 per non-member. Register today online at [www.palmbeachbar.org](http://www.palmbeachbar.org). A special thank you to our luncheon sponsors: Auslin Legal Staffing; Florida Court Reporting; Lexis Nexis; Mellon United National Bank; Alternative Resolution Consultants; Raindancer; Searcy, Denney, Scarola, Barnhart & Shipley; and Visual Evidence.

## Don't Forget to Vote!

Ballots have been mailed for the upcoming Director election to all members in good standing (members who are current on their dues). Please read the instructions carefully, as failure to do so will void your ballot. Ballots must be physically returned to the Bar office no later than 4 p.m. April 15 in order for it to be considered. Winners will be announced via e-mail and will be posted on the Bar's website, so if we don't have your e-mail address, please be sure to call it in to the Bar office today.

There are three director seats available and the following four members are running: **Alan Crane, Scott Murray, Bryan Poulton and Richard Schuler.**

For information about these candidates, click on [www.palmbeachbar.org/vote.php](http://www.palmbeachbar.org/vote.php)



## Law Week Judicial Reception April 20

Don't forget to stop by the Law Week's Annual Judicial Reception to be held this year on Wednesday, April 20 beginning at 5:30 p.m. This year's event will again be held at the Harriet at City Place and will serve as a kick-off for all of the many Law Week activities. Reservations are not required; however, this free event **is limited** to Bar members, the judiciary and their judicial assistants. Guests may attend for a fee of \$40 per person.

## Dues Statements Mailed

Annual membership dues statements will be mailed shortly to all PBCBA members for fiscal year 2005-2006, which begins July 1. If you do not receive a bill, contact Shoshannah at the Bar Office (687-2800) or [sspence@palmbeachbar.org](mailto:sspence@palmbeachbar.org). Please take a moment to review the list of the many benefits available to our members on page 20.

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## President's Message



### The Law and the Library

By Stanley D. Klett, Jr.

Computers and technology have drastically changed the way we research and study legal issues. Modern research most often involves sitting at your computer and punching in key words or phrases. There are fewer and fewer attorneys that resort to going to the law library and pulling out the law books. In another 10 years there may be none.

With these changes the question arises as to the future of law libraries. Throughout the State, and most importantly in our own Palm Beach County, the continued existence of law libraries available to the public is at risk. The shift of funding created by Article V, Revision 7, has created a funding crisis. The Law Library at the Courthouse in West Palm Beach has already been affected as Chief Judge Fine previously reviewed and reduced publications, orders and forms in order to lower the budget in anticipation of the reduced funding.

Approximately, \$115,000 was slashed from book expenditures.

Despite the cutting of collections the cost of running the Law Library is still in excess of \$500,000 annually. Absent a commitment from the Palm Beach County commission for funding there will be further cutting and potentially the inability to maintain the Law Library; certainly not at anything close to the present level.

It would seem a shame to have one of the premier Courthouses in the State but not be able to maintain a law library. The greater shame would be the further denial to the public of access to the Courts. Currently, approximately 70% of the users of the Palm Beach County Courthouse law library are non-attorneys. It is also available for classes for paralegals, training and research. Many of the users are trying to find information, or forms, to represent themselves in civil and domestic matters. These are people that cannot afford attorneys but do not qualify for legal aid. In fact, over 50% of the family law cases have no attorney representing the parties. This is fairly significant as the Palm Beach County law library gets in excess of 70,000 visitors each year.

Further, the impact on at least some of the legal community cannot be overlooked. I may be in the minority but I still use the law library occasionally to look up matters before or after a hearing. I know I am not alone because I see and recognize some of my brethren coming and going when I am there.

If you feel strongly about the right and need to have a working and functional library you can join the efforts of the Law Library Advisory committee. You can get information by contacting Judge Fine's office as to what you can do to help. The committee has met and reviewed recommendations of a consultant. Ideas and suggestions on funding, revenue sources, cost saving measures and technology have been discussed and are being considered. Your input or help with the commissioners would be appreciated. The Law Library is a resource that I would hate to see our Bar and our citizens lose.

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The mission of the PBCBA is to foster professionalism, serve its members, and enhance public access to the legal system through education and service.

**LETTERS TO THE EDITOR**

The Palm Beach County Bar Association Bulletin welcomes your comments on topics relating to the law, the legal profession, the Palm Beach County Bar Association or the Bar Bulletin. Letters must be signed, but names will be withheld upon request. The editor reserves right to condense.



Send letters to:  
EDITOR Bar Bulletin  
Palm Beach County Bar Association  
1601 Belvedere Road, #302E  
West Palm Beach, FL 33406

**Volunteers needed to serve on committees**

This is the time of year that the president-elect, Ted Leopold, will begin working on appointing volunteers to serve on the many Bar committees. Your involvement is essential to the success of this organization. Please give us the benefit of your ideas and talents by volunteering to serve on one or more of our Committees. If you are **currently** serving on a committee, please be sure to **fill out** the form to indicate your willingness to continue serving. Committee preference forms were recently mailed to all Bar members. Additionally, the form is also available on-line at the Bar's web site – www.palmbeachbar.org. Please take the time to volunteer to serve YOUR Bar Association.

*Annual installation banquet  
set for June 4*

Mark your calendar now for the PBCBA's Annual Installation Banquet which has been scheduled for Saturday, June 4 at the Breakers Hotel in Palm Beach. A reception will be held from 7:00 - 8:00 p.m. with dinner and dancing immediately following.



Judge Harold Cohen



Judge Mary Lupo

**YLS Honors Retired Judges**

In Appreciation of their service to the bench, the Young Lawyers Section sent beautiful gift baskets to retiring Judges Mary Lupo, Harold Cohen, Hubert Lindsey, and John Wessel. The gift baskets contained personal favorites for each judge, such as pecans and a gift certificate to the Home Depot for a new chainsaw for Judge Lindsey and cigars and greyhound photos for Judge Cohen. These four judges sat on the Bench collectively for 100 years! The YLS members hope each judge will enjoy their much deserved retirement.



Judge Hubert Lindsey



Judge John Wessel

**Monthly Board Meeting Attendance**

|           | July<br>Retreat | Aug | Sept. | Oct. | Nov. | Dec. | Jan. | Feb. |
|-----------|-----------------|-----|-------|------|------|------|------|------|
| Klett     | x               | x   | x     | x    | x    | x    | x    | x    |
| Leopold   | x               | x   | x     | x    | x    |      | x    | x    |
| Farach    | x               | x   | x     | x    | x    | x    | x    | x    |
| Suskauer  | x               | x   | x     | x    | x    | x    | x    | x    |
| Murray    | x               | x   | x     | x    | x    | x    | x    | x    |
| Whitfield | x               | x   | x     | x    |      | x    | x    | x    |
| Schuler   | x               |     | x     | x    | x    | x    | x    | x    |
| Sasser    | x               | x   | x     | x    | x    | x    | x    | x    |
| Kramer    | x               | x   | x     | x    | x    | x    | x    | x    |
| Poulton   | x               | x   | x     | x    | x    | x    | x    | x    |
| Coates    | x               | x   | x     | x    | x    |      | x    | x    |



## Digital Cameras Get Smaller and Better

by Bard D. Rockenbach, Chairman, Technology Committee

There are few examples of technology as ubiquitous as the digital camera. In the last four years or so, digital cameras have gone from being expensive playthings of a few aficionados to a necessary component. They have gotten better, smaller, faster and, fortunately, cheaper. Much cheaper.

When I first wrote about digital cameras, they were generally in the 2 megapixel class and cost in the neighborhood of \$300-500. That same price range still persists, but the quality of camera you get for that money has improved dramatically. Now, even Bell & Howell is selling a 10 megapixel camera for \$400.00! It has been a very interesting ride.

What hasn't changed much is the technology. The cameras are still being made in basically the same way as they were 4 years ago although they have improved on the features, placement of the buttons general ergonomics. Perhaps the most useful improvement has been a reduction of the time between when you push the button and when the picture is taken (usually called the "shutter lag") and the time in between photos (called the "cycle time"). Shutter lag is now measured in tenths of seconds and the cycle times are down to less than 2 seconds.

One technological improvement that has yet to make it to the mainstream is the Foveon X3 direct image sensor. Most digital cameras use a digital CCD to capture the image. A CCD is capable of capturing only one color (either red blue or green) at every point (pixel) on the chip so it can only record about 1/3 of the actual colors. The camera's processor then interprets the dots and fills in what it believes the colors it lost actually were. By contrast, a Foveon X3 image sensor is made in three layers so with each layer capable of capturing either red, blue or green at each point. It captures the image in a manner similar to film, and creates better photos. With the Foveon X3 image sensor, the photographs have the best of digital (immediacy) and the best of film (color). Now for the bad news, cameras using the Foveon X3 image sensor generally cost around \$1,500.00, although Sigma has a 3.4 megapixel model (Sigma SD9) which is older and now sells for around \$900.00.

People always want to know what the best camera is so they don't have to wade through the morass of jargon and options. The problem is that cameras have so many options and features, pros and cons, that the decision requires a balancing. But, given that limitation, I can list the cameras that I think are the best in their categories based on a balancing of my own requirements. At least it gives you a place to start.

Enthusiast/Professional (5-6 megapixel) - The high end cameras are referred to as cameras for enthusiasts. In this category the nearly clear winner is the 6 megapixel Canon EOS Digital Rebel SLR (\$700.00). It gives you the look and feel of

the film SLR cameras with the control and flexibility that high-end users require. It was originally priced at \$999.00 but has come down a great deal since the end of last year. The Panasonic FZ20 (\$600.00, 5 megapixel) deserves a good look too, given its huge 12x zoom and image stabilization which lets you take those high zoom pictures without blurring the picture.

Mid-Range (4 megapixel) - In this category, the Canon Powershot S410 (\$300.00) or the Canon Powershot SD300 (\$375.00) are the place to start your research. The sD310 has slightly faster cycle times (1.6 sec. vs. 1.9 sec) and lower shutter lag times (.6 sec vs. .9 sec) than the S410, but both provide great color in a compact package. By the time you read this I will have purchased the SD300 for my wife.

Beginner/Everyday (3 megapixel) - For those of you just dipping your toes in the digital water, you might want to consider the cheaper option of the 3 megapixel camera. The 3 megapixel image is fine for most photographs, but do not stand up well to a great deal of cropping or enlarging. Still, if it means the difference between getting a camera and not getting a camera then the 2-3 megapixel is the way to go. Here the Canon Powershot A75 (\$270.00) is a good choice, as is the Fujifilm FinePix F410 (\$225.00-250.00) for ultra-compact and travel-friendly photography.

The 2 megapixel cameras that I discussed in my first article are now just too behind-the-times to look at.

If you have any personal experiences with a good or bad camera, I would love to hear about it. E-mail me. bdr@flappellatelaw.com.

### **STRESSED OUT? QUALITY OF LIFE ISSUES? NOT EARNING WHAT YOU'RE WORTH?**



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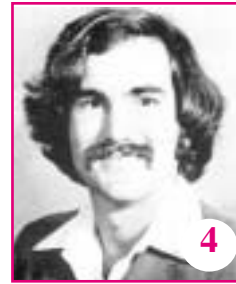
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## Who are they?

In continuing with a project started by last year's Historical Committee, we will continue to run old photos of some of our members. Can you guess who they are?

Answers on page 16



## Minutes of the 154th regular meeting of the Junior Bar Section of the Palm Beach County Bar Association Town House Hotel, December 6, 1963

There were 29 members and guests in attendance. For a change, the President of this association parted from his usual agenda and called for a reading of the minutes of the previous meeting at the appropriate point in the proceedings. Immediately the minutes of the previous meeting were read and approved. Stan Tucker proposed a short commercial. Lee Thompson was approved for membership subject to the payment of dues.

The President read a letter from the Florida Junior Bar Association asking for an outline of what this association has done during the past year. Following in the footsteps and in the great and long standing tradition of the association, the president has indicated that he will decline to reply. All those present felt that the absence of a reply will pretty accurately summarize our activities for the year. The President, undaunted, has gone a step further into new frontiers and has declined to even read the letter from the Florida Bar Association, thereby setting a new high in

our glorious history of inattention to duty. It will be most difficult for the next administration to surpass this achievement short of refusing to accept delivery of the letter from the Florida Junior Bar Association.

Jim Robinson introduced the speaker, Louis Bills, a member of the Palm Beach County School Board. Mr. Bills gave an interesting and informative talk, which outlined not only the problems confronting the School Board now and in the immediate future, but also noting the unpublicized achievements of our school system.

There being no further business to come before the meeting, the same thereupon adjourned.

Respectfully submitted,  
Edward D. Lewis, Secretary

## FAMILY PROFILE: THE LESSER FAMILY

By James G. "Grier" Pressly III



When is lesser more? When it comes to the contributions of the Lesser family to the Palm

Beach County legal community. Joseph H. Lesser was born in Rome, Georgia in 1899. As a student at the University of Georgia, Joe Lesser quickly earned the nickname "Speedy" as a member of the varsity football team and as the campus lightweight boxing champion. After graduation from college in 1917, Joe moved to New York where he was

introduced to the law. Joe quickly discovered that the weather in the South was superior and returned to Rome. In 1926, Joe traveled with a friend to Florida during the 1926 real estate boom. Joe fell in love with the West Palm Beach area, and despite the fact that the Florida real estate boom was shifting to a real estate

bust, Joe could not get Palm Beach County out of his mind. After returning to Rome and marrying Rae Shepard, Joe persuaded his new wife to leave her home and family in Rome to move to Palm Beach County in 1927. After working for the law firm of Blackwell and Donnell in the Citizen's Building downtown for several years, Joe decided to open his own practice with Rae Lesser as his secretary. Joe was so well liked by the partners of Blackwell and Donnell that Joe was permitted to share office space to operate his practice at no charge.

Rae Lesser retired from the Lesser law office when Shepard ("Shep") Lesser was born in 1935. Shep graduated from Palm Beach High School in 1953, the University of Florida in 1957, and the University of Florida College of Law in 1960. While in college, Shep followed his father into the TEP fraternity and distinguished himself scholastically as a Phi Beta Kappa. Shep returned to West Palm Beach in 1960 and immediately began practicing with his father. While Joe Lesser had distinguished himself as one of the County's finest transactional lawyers, Shep thought that he may prefer the litigation practice. Shep recalls that when he began practicing in West Palm Beach in the early 1960's, the veteran lawyers around town would take a real interest in the younger lawyers who were interested in expanding their legal repertoire. Hal Ives, one of the better known criminal defense



## Do You Need a Mentor?

The Palm Beach County Bar Association's Mentor Program is designed to provide members with a quick and simple way to obtain advice, ideas, suggestions, or general information from an attorney that is more experienced in a particular area of law. The

mentors provide a ten-to-fifteen-minute telephone consultation with a fellow attorney, at no fee. Any member of the Palm Beach County Bar, whether newly admitted or an experienced practitioner, can use the program. Call the Bar office at 687-2800, if you need a Mentor.

## Do we have your email address?

Is your current email address on file with the Palm Beach County Bar Association? If not, please be sure to send it to [pburns@palmbeachbar.org](mailto:pburns@palmbeachbar.org). We send out a weekly eNewsletter with updated legal news and information about upcoming events and seminars. Bar members were sent emails after the hurricanes to keep them up-to-date on courthouse and clerk's offices closings and we also post information about judicial openings and any other critical information that comes from the Chief Judge's office. Don't be left out, send your email address in today.



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lawyers in the 1960's, along with Al Cone, mentored Shep in the ways of litigation. Hal Ives was impressed enough with Shep's abilities that he approached Joe Lesser about hiring Shep, a fact that Joe did not share with his son until years later. While Shep expanded the practice areas of the Lesser & Lesser firm, he also persuaded his father to modernize their downtown office which had no air conditioning. Shep still fondly remembers the desk fan that Joe Lesser kept on his desk as he would sweat over real estate abstracts during the hot West Palm Beach summers.

Joe Lesser taught his son the importance of a lawyer's community involvement. Joe was a founder and one of the first presidents of both Temple Beth El, Palm Beach County's first conservative synagogue, and the local B'nai B'rith chapter. Joe also served as general counsel for the Salvation Army and was an active member of the Lion's Club. Joe was a beloved figure of the Palm Beach County Bar and was affectionately known as the "chaplain of the Bar" for his legendary invocations. Joe Lesser never lost his love of the law, practicing until his death in 1982.

Shep Lesser proudly carried on the family's name in the legal community and never forgot his father's lessons of community service. Shep Lesser has served as vice president of the Gulfstream Council of the Boy Scouts of America, was president of the Family Services Agency, and like his father, was president

of the local B'nai B'rith chapter. Shep is also a longstanding member of the Palm Beach County Bar Association of which he chaired numerous committees and to this day is an active member of the Historical Committee.

It was a proud moment for Shep Lesser when his son, Gary, graduated from the University of Miami College of Law in 1992 and joined his father's law practice. While Shep ultimately followed his father's lead and settled into the real estate, estate planning and corporate transactional work, Gary shared his father's early itch to litigate and has successfully broadened the practice of the Lesser, Lesser, Landy & Smith, P.A. firm where Gary has become an accomplished personal injury litigator and a member of the Million Dollar Advocate's Forum. Gary has taken after his father and grandfather by dedicating himself to the Palm Beach County Bar Association, serving as a four-time chair of the Professionalism Committee, and civic and religious organizations such as the Jewish Federation of Palm Beach County. Gary is active with the State Bar Association as well, serving a very rewarding tenure as Chairman of the Florida Bar Professional Ethics Committee for 2003 B 2004. Gary anticipates a fourth-generation of Lesser lawyers in Palm Beach County. Gary's 7-year-old daughter, Lillian, has already informed Gary that she wants to practice law with her father in the future.



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**proudly announces:**

### **Heidi S. Reiff**

former Staff Counsel with Allstate Insurance Company for the last 12 years, has joined the Firm. Heidi will be concentrating her practice in the area of personal injury and wrongful death litigation.

Heidi brings significant trial experience to the firm as she has tried more than 150 personal injury jury trials..

### **Joshua Ferraro**

recently joined the Firm. Joshua has a great work ethic, and he will be concentrating his practice in personal injury litigation. Joshua will be working out of the Firm's Palm Beach and Stuart offices.

### **Shannon M. Mahoney**

has joined the Firm on an Of Counsel basis, and she will be handling all of the Firm's PIP litigation. Shannon defended these cases for years, and is now available to represent patients and providers in claims against insurance companies that wrongfully deny payment. Shannon also handles these PIP suits on a referral basis from other attorneys.

We are happy to have all these fine attorneys on board.

*Lesser, Lesser, Landy & Smith, P.A. has been serving clients in South Florida for nine decades. The firm continues to represent clients on a referral basis only. Please feel free to contact us for more information about the type of cases the Firm can handle and for more information about any of our lawyers' experience and areas of practice.*

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## Bifurcation

by Ted Babbitt

Bifurcation of the issues of liability and damages is permitted under Fla. R. Civ. P. 1.270(b) "in furtherance of convenience or to avoid prejudice." Defendants are fond of asking for bifurcation, not for any of the reasons stated in the Rule, but rather for the perceived prejudice that may accompany damage testimony. Ordinarily, the decision whether or not to bifurcate a trial rests in the sound judicial discretion of the trial judge but when the issues of liability and damages are inextricably interwoven, ordering bifurcation may constitute error. Such was the case in Rooss v Mayberry, 866 So. 2d 174 (Fla. 5th DCA 2004).

Rooss was a medical malpractice case involving a German citizen who, while in Orlando, suffered appendicitis which was apparently misdiagnosed. Ms. Rooss was sent home with medicine, which masked her medical condition and, after arriving in Germany, suffered the consequences of a ruptured appendix. The reason advanced to and accepted by the trial court for bifurcation was the cost of extensive discovery in Germany where Rooss' treatment had taken place. The Court apparently reasoned that the portion of the above-cited rule relating to "convenience" permitted the bifurcation. The appellate court disagreed. In its opinion reversing the trial court's order of bifurcation, the District Court discussed the intertwined scenario of liability and damages that accompanies virtually every malpractice case. At Page 176 the Court holds:

Rather than saving time and money as urged by respondents in this case, it appears the effect of the bifurcation order would be to convert what should have been one trial into two, with much duplicative testimony from the same medical witnesses. *See Microclimate Sales Co., Inc. v. Doherty*, 731 So. 2d 856, 858 (Fla. 5th DCA 1999). In this case, as in most medical malpractice cases, there is an intertwining of evidence relating to both the damage and causation issues. Bifurcation is not likely to promote convenience or judicial efficiency and because the issues of damages and causation in this case are related and necessarily have an 'important bearing' on one another, a unified trial is required to affect substantial justice. *See Dobress v. North Shore University Hospital*, 178 Misc.2d 205, 678 N.Y.S.2d 870, 871 (1998)

The Court's holding recognizes the reality of most malpractice cases. In virtually every one of those cases, causation issues require the testimony of treating physicians and their testimony is also almost always necessary to discuss pre-existing conditions. In such circumstances, there is no basis for assuming that bifurcation will save anyone either time or money. To the contrary, when liability and damage issues are intertwined, granting bifurcation only increases both the time and expense of concluding an action.

NOTE: BECAUSE A NUMBER OF PEOPLE HAVE REQUESTED COPIES OF PAST ARTICLES, A COMPILATION OF THESE ARTICLES IS NOW AVAILABLE TO MEMBERS OF THE PALM BEACH COUNTY BAR ASSOCIATION, FREE OF CHARGE, BY CALLING (561) 684-2500.

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Robing Ceremonies have recently been held for the four newest additions to the Bench: Judges Martin Colin, Mark Eissey, Amy Smith and Sandra Bosso-Pardo.



Judge Martin Colin is sworn in by retired Judge Harold Cohen



Judge Amy Smith, JoAnn Kotzen and Yvette Trelles



Ed Eissey, Phil Lewis and Judge Karen Martin



Jerry Beer, Judge Amy Smith and FL Bar President Kelly Overstreet Johnson



Judges Mark Eissey and Joseph Marx



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## Enright & Thibaut to co-chair Law Week



Kim Rommel-Enright and Matthew Thibaut have been named co-chairs for Law Week, May 2 - 6, 2005.

Law Week programs are designed to help people understand how law keeps us free and how our legal system strives to achieve justice.

Kim and Matt will oversee a variety of programs including legal education seminars; Mock Trials in the schools; Shadow A Judge program; an Ask A Lawyer Booth; a Dial A Lawyer program, plus a clothing drive.

The week kicks off with an annual softball tournament between the judges and the attorneys. The program will conclude with a luncheon featuring jury consultant Jo-Ellan Dimitrius on Friday, May 6.

If you would like to get involved and participate in one of these programs, please call Kim at 655-8944 or Matt at 832-5900.



## Clean out your closet for "Law Suit Day"

Here's a good excuse to clean out your closet and donate clothes you no longer wear to the "Law Suit Day Clothing Drive." The Law Week committee will be collecting gently used ladies and men's business suits, shoes, belts and ties during the week of April 26th. The clothes will be donated to the P.D. Boutique. Your donation could make a world of difference to someone in need of proper clothes to wear to court, church or a job interview.

Please drop your clothes off at the Bar Office during the week of April 26 between 9:00 a.m. and 5:00 p.m. For additional information, call the Bar Office at 687-2800 and ask for Lynne.

## Judge Evans is On the Road to Justice

County Court Judge Peter Evans will participate in this year's Law Week program by co-presenting our Small Claims and Mediation seminar. Evans will present the program with attorney Steven Harris.



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## North County Section Sends Needy Children To Camp

The North County Section recently presented a \$3,500 check to Friends of Abused Children. The money will be used to send ten (10) abused and neglected children to summer camp – children who otherwise would be home alone.

The section was able to make the donation with the proceeds raised during the Bar's annual silent and live auctions this past December at BallenIsles Country Club. Friends of Abused Children is a 501(C) 3 non-profit volunteer organization that helps abused, abandoned and neglected children in Palm Beach County who have been through the court system as victims.

If you're interested in sending a child to camp for \$350.00, please call Lynne at the Bar Office at 687-2800.



(Pictured front row left to right: Scott Kramer, president of the North County Section; Roderick Moe, Friends of Abused Children; Stan Klett, Bar president. (Back row from left to right) Scott Zappolo and Donna Nadeau Adams, both directors of the section. (not pictured: Officers Bill Fleck, Andrew Pineiro and Adam Doner. Directors Mitch Beers, Colleen Nelson, Ned Reagan, Bard Rockenbach, Pamala Ryan, and Michael Slavin.)

## Last chance to RSVP for the North County Section's Spring Break Happy Hour!

The North County Section will host its annual Spring Break Happy Hour on Thursday, April 7th from 5:30 p.m. to 7:30 p.m. at the Square Grouper in Jupiter. Members of the Martin County Bar will also be invited to attend. This event will also be an opportunity to welcome Judge Colbath to the North County area.

The cost is just \$25.00 for North County Section members and their spouses; \$35 for non-members. Judges are complimentary. RSVPs must be made no later than April 5.

Sponsors for the evening include: Mellon United National Bank, Gordon & Doner, P.A., Kramer Ali Fleck Hughes Gelb & Bornstein, and McHale & Slavin.

## North County hosts Annual CLE Luncheon: TOPIC: Computer Productivity & Security

The North County Section will host its annual CLE Luncheon on Wednesday, April 13 from 11:30 a.m. to 1:00 p.m. at Abacoa Golf Club in Jupiter. The topic will be **Productivity & Security in Today's Law Firm, sponsored by Legal Network Systems.**

“DO NOT ATTEND this class if your firm is making too much money or is content with client information appearing in the Palm Beach Post. However, if your firm is looking to increase their profit margins and data security by deploying industry-standard solutions and practices, please plan on attending.”

Section members will receive lunch, including dessert and coffee, plus 1.0 credit hour of CLER from The Florida Bar for just \$20.00! Non-members are welcome to attend for \$30.00.

To RSVP, please log onto [www.palmbeachbar.org](http://www.palmbeachbar.org) today!

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The North County Section recently held an event at the Bonnette Hunt Club in Palm Beach Gardens. Close to 100 members came out and enjoyed a barbecue buffet dinner and live country music. Here are some pictures from the evening:



Edward McHale, Diane Peterson and Andrew Pineiro



Steve Enright, Kim Rommel-Enright & Robin Scher



Carl Spagnuolo and  
Tammy Risaliti



Stan Klett,  
Alicia Klett,  
Cathi Romaguera  
& Raul  
Romaguera.



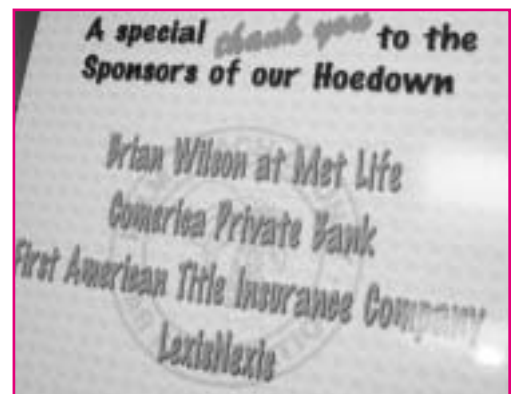
Pat Dodgin and Judge Amy Smith



Morris Aherne, Colleen Nelson and Scott Zappolo



Ron Bornstein, Bill Fleck, Scott Kramer, Andrew Pineiro and Howard Hughes



## Welcome New Members!

*The following represents each new member's name, hometown, law school, and date of admission to the Florida Bar and law firm association.*

**PAUL J. BURKHART**- Baltimore, MD; 2005; University of Baltimore; Sole Practitioner in the Law Office of Paul J. Burkhardt, LLC in Palm Beach Gardens.

**JAMIE TODD FOREMAN**- Pensacola, FL; 2002; University of Florida; employed by Thomson-West.


**ROBERT S. FRANKLIN**- Stamford, CT; New York Law School; 2004; Sole Practitioner in Palm Beach Gardens.

**JOHAN K. MANASSEH**- Livingston, NJ; Suffolk University Law School; 2004; Associate in the law firm of Klayman & Toskes in Boca Raton.

**FRANK A. MARTENS**- Wilkes-Barre, PA; The Thomas M. Cooley Law School; 2001; Associate in the law firm of Mettler, Shelton, Randolph & Marek in Palm Beach

**LEIGH P. McMILLAN**- Cornwall, NY; University of New York School of Law; 2003; Associated with Law Offices of Susan M. King, P.A. in Boca Raton.

**JEFFREY L. PETERS**- West Palm Beach, FL; University of Mississippi; 1994; Sole Practitioner: Law Offices of Jeffrey L. Peters, P.A. in West Palm Beach.

**CHRISTOPHER S. POLASZEK**-  
 Denville, NJ; Georgetown University; 1997; Associate with the law firm of Milberg, Weiss, Bershad & Shulman in Boca Raton.

**RICHARD A. SAVRANN**- Boston, MA; Harvard School of Law; 1989; Sole Practitioner in West Palm Beach.

**CHRISTOPHER S. STRATTON**- Newton, NJ; University of Miami School of Law; 2002; Associate in the law firm of Hightower & Pozo, P.A. in West Palm Beach.



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## Handling Your First Bankruptcy Case In Florida

### PART I: THE ROLE OF THE DEBTOR

By Marc P. Barmat, Esquire  
Furr and Cohen, P.A.

The debtor's prescribed duties are found for the most part in Section 521 of the Bankruptcy Code. *See also* Bankruptcy Rule 4002. The debtor must, unless the court orders otherwise, **file certain required documents**, including a schedule of assets and liabilities, a statement of financial affairs, and a schedule of current income and expenses. §521(1). The form and content of these papers are set forth in the Official Forms promulgated by the Judicial Conference of the United States. Moreover, the debtor must in general **turn over** to the trustee all property and records relating to the estate and cooperate in the administration of the estate. §521(4), (3). Section 343 mandates his **attendance** at the Section 341(a) meeting of creditors. There the debtor is subject to **examination** by the trustee, the United States trustee, and creditors. Further examination on other occasions as well may be ordered by the court pursuant to Bankruptcy Rule 2004. The debtor is also required to attend the Section 524(d) discharge hearing if one is held in the case. §521(5).

In addition, a debtor with secured consumer debts must promptly file a

statement of his **intentions** concerning them – that is, a statement setting forth whether he intends to keep, surrender, or redeem the collateral and whether he intends to reaffirm the secured indebtedness. According to the statute, moreover, the debtor must perform these stated intentions within 45 days after declaring them. §521(2); *see also* Bankruptcy Rule 1007(b)(2). Under §521(1), the debtor “shall” file: a list of creditors and, unless the court orders otherwise, a schedule of assets and liabilities, a schedule of current income and current expenditures, and a statement of the debtor’s financial affairs. *See also* BR 1007; Bankruptcy Form 6.

The debtor may amend a voluntary petition, list, schedule, or statement at any time before the case is closed. BR 1009.

Under §521(2), if the debtor has consumer debts secured by property of the estate, the debtor “shall” within the time limit stated below file with the clerk a Statement of Intention with respect to the retention or surrender of such property and, if applicable, specifying that such property is claimed as exempt or that the debtor intends to either redeem the property or reaffirm the debts secured by the property. The Statement of Intention must be filed within thirty days after the filing of the

Chapter 7 petition or on or before the date of the meeting of creditors, whichever is earlier, or “within such additional time as the court, for cause, within such time period fixes.” §521(2)(A).

Under §521(2)(B), the debtor is required to perform his intention with respect to such property within forty-five days after filing the statement of intention.

Section 521(2)(C) provides that the **rights** of the debtor or the trustee are **not altered** by the debtor’s statement of intention.

Debtors are required to **cooperate** with the trustee as necessary to enable the trustee to perform the trustee’s duties. §521(3).

Under §521(4), Chapter 7 debtors have a duty to turn over to the trustee all property of the estate and any recorded information, including books, documents, records and papers, relative to property of the estate, whether or not immunity is granted under section 344 of the Bankruptcy Code. The debtor’s performance or **failure to perform** his duty of turnover to the trustee can adversely affect his right to a discharge pursuant to §727(a)(2).

Next month I will begin discussing the role of the bankruptcy trustee.



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## Legal Aid Society is Finalist for the 2005 General Practice, Solo & Small Firm Section Pro Bono Award

The Legal Aid Society of Palm Beach County was recently chosen as a finalist for the General Practice, Solo & Small Firm Section Pro Bono Award. This award was established in 1990 by the General Practice, Solo and Small Firm Section of The Florida Bar in recognition of Bill Jacob. Mr. Jacob served as Chairman of the Executive Council of the Section of The Florida Bar and his outstanding leadership and service was an example to all attorneys in the State of Florida. With the inspiration of Mr. Jacob's efforts, the Section established a grant of \$5,000 to be awarded on an annual basis in recognition of outstanding service by non-profit organizations which provide pro bono legal aid to the indigent. The Legal Aid Society received this award for their innovative Reduced Fee Panel. The Panel was created as a response to the increase in what is termed "the working poor" in Palm Beach County. These individuals are people who work but have no means by which to pay an attorney to assist them with their legal problem. The Reduced Fee Panel is a means by which to help these individuals resolve their legal problems. The Panel is compiled and administered by the staff of the Pro Bono Project of the Legal Aid Society of Palm Beach County. The Panel is a list of attorneys who are willing to give clients a free thirty (30) minute consultation and offer services at a reduced rate. In addition, the attorney must also be a member of the Legal Aid Society's Pro Bono panel and be willing to take Pro Bono referrals. The Legal Aid Society will receive one of the \$1,000.00 awards at the Section's meeting at the Florida Bar's Annual Meeting in June.

### Photo Answers:

1. Kenneth Edwards
2. Jane Kreusler-Walsh
3. David Baker
4. Bill Bosso
5. Larry Mesches

## Gift Gathering Gala at Gallery Center Benefits Legal Aid

The first gift gathering gala to benefit the 17th Annual Pro Bono Recognition Evening's Silent Auction was held on January 22 at the Gallery Center in Boca Raton. The event hosted by the South County Bar Association and its Young Lawyers Committee was attended by over 115 guests who enjoyed eight distinct art galleries, delicious appetizers and chocolates and entertainment.



Lucien Capehart Photography, Inc.

Award winner and Legal Aid Board member Hank Jackson and his wife Michelle attend the event with Pro Bono Night Co-chairs Shelley and Mariano Garcia.



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South County Bar President Howard Coates and his wife Cherie host the Boca Gift Gathering pictured above with Legal Aid President Bob Shalhoub and his wife Bernadette.



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- Florida Bar Board Certified, Emeritus in Civil Trial Law (2003-Present)
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## Ethical Responsibilities of “Local Counsel”

### Part II

By David P. Ackerman and Glory P. Ross

Last month, we addressed local counsel’s ability to limit the scope of representation and various courts’ differing views on the duties and obligations of local counsel. While many courts recognize that the duties of a lawyer acting as local counsel may be limited by a contractual agreement between the lawyer and the client, it is clear that the local counsel’s duties should never “fall beneath the responsibilities expressly or impliedly imposed by the relevant rules of procedure pertaining to the association of local counsel.” See *Armor v. Lantz*, 535 S.E.2d 737 (W. Va. 2000).

In addition to the obvious lesson of making sure that the arrangement with out of state counsel allows you sufficient time to carry out your professional responsibilities to the client and the court, what are some of the other issues to be aware of?

### I. Communication

In the normal attorney-client relationship, a lawyer communicates and takes direction from the client directly. Indeed, it is a lawyer’s ethical obligation to keep a client reasonably informed about the status of the matter and promptly comply with reasonable requests for information. See Florida Rule of Professional Conduct 4-1.4. In addition, a lawyer has a duty to explain a matter to a client to the extent reasonable necessary to allow the client to make informed decisions regarding the representation. *Id.* When acting as local counsel, very often a lawyer does not have the relationship with the client. Local counsel would not be expected to communicate with the client, keep the client informed and take direction directly from the client. To conclude that a lawyer acting as local counsel is in compliance with the duties of communication, one would have to conclude that lead counsel is the agent for the client in this sense or that the client has

implicitly agreed that the lawyer could fulfill the duty of communication through lead counsel. Perhaps a better approach is to explicitly explain in the engagement letter that, that is how the duty of communication will be fulfilled. For example:

Our law firm expects to work with [Lead Counsel] as local counsel in the matter. We further expect that we will take direction from them and communicate with them. This engagement letter confirms the consent and authorization of the client to do so.

### 2. Conflicts

Most courts hold that a disqualifying conflict as to one of two co-counsel does not automatically result in the disqualification of the other. The test is whether the disqualified lawyer turned over prejudicial information about the client to co-counsel. If that has not happened, then it is likely that the disqualification will not effect co-counsel. See *Smith v. Whatcott*, 774 F.2d 1032 (10th Cir. 1985). The situation may be different if co-counsel are related in an of-counsel arrangement or otherwise have a regular and on-going relationship.

### 3. Conclusion

When asked to act as local counsel, a lawyer should first determine from lead counsel what role is expected from local counsel. Local counsel should then confer with lead counsel (and perhaps the client) on the exact distribution of labor to be expected and then confirm that understanding in writing signed by lead counsel and the client. To avoid the problem which this article began with, local counsel should have a clear understanding with lead counsel on the need for sufficient time to work together on projects ahead of deadlines so that the responsibilities to the client and the courts can be properly carried out.

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## ABA MID-YEAR MEETING



By *PBCBA ABA Delegate Donnie Murrell*

I'll be honest. I don't always look forward to going to ABA meetings. Something about being in a place with thousands of other lawyers just doesn't excite me. To get myself motivated, sometimes I have to mix some pleasure with the business. That was the case for the recent Mid-Year Meeting in Salt Lake City.

To reward myself for flying half-way across the country to spend a day sitting in a windowless room, I decided to take a side trip to Moab and visit Canyonland and Arches National Parks. Having grown up in Florida and witnessed the platting and paving of paradise, I admit to getting misty-eyed hearing Chris LaDeaux sing "Don't Fence Me In".

I visited Canyonland first. Apparently, I was being punished for my reluctance to mingle with other lawyers. My first day in the desert was raining and overcast. The elevation was 7,500 feet, the visibility was zero. After wandering around in the clouds for a good while, I was squinting out into a cloudy abyss when the sun suddenly broke through. I was staring into a canyon that dropped off more than a thousand feet. On the floor of that canyon was a second canyon that dropped off another 1500 feet. I was told that the Colorado River runs through the bottom of that second canyon. I had to accept that on faith because the gorge is so deep the river cannot be seen. The best part was that I hiked all day and never ran into anyone else.

Canyonlands was the quietest place I have ever been. The emptiness, the stillness, and the solitude combined to form an almost tangible blanket of silence. Even after the fog burned off, the sound of a jetliner overhead was a noticeable intrusion. No birds sang, no wind blew, no distant sound of cars on a highway, nothing. I think it was the first time I have ever experienced real silence.

The next morning I went to Arches National Park, less than a mile from the Moab city limits. Arches is like Disney

World. Absolutely gorgeous, like walking around in a John Ford Western. I started hiking about 8:15 in the morning. The sun was shining, patches of snow were still visible and the water pooled on the trail or in rocks was frozen. Every bend in the trail had some new eye-popping view. For a Florida flat-lander it was unbelievable.

The scenery at Arches was different from Canyonlands. Both are spectacular in their own way, but different. Arches had noise. Birds and small animals could be heard in the brush. Arches also had people. Maybe it was because the sun was out, maybe because it was closer to Moab, for what ever reason there were people in Arches. I hiked for about eight miles and on the way out I passed someone already coming in. Bummer. It got worse when I was headed in about mid-day. There were people everywhere. I must have passed a dozen people on the trail and the parking

lot at the trailhead was full when I returned. Like I said—Disney World

If you haven't seen these two parks, you need to. They are both breathtaking.

As for the ABA meeting—I did go. The House agenda was very light. By far the most important item was the report on the recent jury study, Report #xxx. This resolution incorporates several recommendations to improve jury fact-finding and to lessen the burden of jury duty. Among the recommendations are calls for better pay for jury duty, job protection guarantees, the use of twelve person juries in all civil and criminal cases, unanimous verdicts, provisions for jury questions and note taking and brief mini-openings prior to jury selection. The complete report is available at the ABA website.

The 2005 annual meeting will be held in Chicago in August.



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### Law Library Advisory Committee

The Law Library Advisory Committee met on February 22, 2005 in the law library conference room. Attending were: Judge John Phillips; Judge Nancy Perez; Court Administrator Susan Ferrante; Assistant County Attorney Tammy Fields; Attorney Dennis Koehler, Palm Beach County Bar President Stan Klett; Legal Counsel for the Clerk Denise Coffman; Executive Director of the Palm Beach County Bar Patience Burns; Attorney Tom Sasser, Law Library Staff Linda Sims and Sara Jones.

Topics discussed include:

- Funding
- Consultants' Report
- User fees
- Cost Savings
- Collection

Further details available upon request.  
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## Solo Pizza & Beer Seminar April 19



The Solo and Small Firm Practitioners Committee presents "Nuts & Bolts Part III" on Tuesday, April 19 from 4-6 p.m. at the Bar office. Join your fellow solos to learn about **General Office Management** – from liability insurance to postage meters; and **Office Technology** – what kind of equipment and software to buy – computers, cell phones, copiers, phone systems, etc. – so many choices, what brands are better than others; and many other basic topics. Cost is only \$25 per PBCBA member; \$40 for non-PBCBA members which will include pizza, beer and wine. Register today by filling out the form below or by going on line at [www.palmbeachbar.org](http://www.palmbeachbar.org).

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### COMMUNITY SERVICE PROJECTS

The Bar and its Sections offer various opportunities for members to get involved in community service projects such as Youth Court, Law Week, Holiday Parties for Guardian Ad Litem children and children in the foster care program, Lawyers for Literacy and many others.

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PBCBA members ONLY may purchase mailing labels of the membership; however, the mailing can only be related to a firm change or professional announcement and must be approved for proper use of the labels; no solicitations are permitted and members cannot purchase labels for other entities. Cost of the labels are .15/per label. Contact Shoshana at 687-2800 to receive a contract for label purchase.

### NEWSLETTER AND E-NEWSLETTER

The Bulletin is published 11 times a year and provides members with information about upcoming events and articles of interest. The Bar also sends out a weekly eNewsletter to remind members of upcoming events and seminars.



### WEB SITE

The PBCBA has a web site which includes updated information on all events and seminars and members can register on-line for any of those events. There is a link to updated copies of the Administrative Orders for the 15th Judicial Circuit, the Uniform Motion Calendar and other legal research links. Job postings and classified advertising is also available on the web site.



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# Bulletin Board

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CLASSIFIED ADVERTISING RATES: TO PLACE AN AD: 1) Please fax all ads to 561/687-9007 by the 1st of the month for the following month's publication. 2) Upon receipt you will be notified of cost. 3) Send payment by the 1st of the month. 4) Cost: 50 words or less \$30, 50-75 words \$35, up to 75 words with a box \$45. 5) Members receive 3 months free advertising/year (excluding professional announcements). Ads will only be re-run by re-faxing ad to 561/687-9007. Web-site advertising is also available for a cost of \$25 for a two week run. Payment must be received prior to publication and renewable only upon receipt of next payment.

The Palm Beach County Bar Association, its officers, directors, and staff do not endorse any product or service advertised.

## POSITIONS AVAILABLE:

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### PART-TIME LEGAL ASSISTANT

needed for 15-25 hours per week for downtown West Palm Beach, AV-rated law firm. Commercial and securities litigation practice. Nice offices and pleasant work environment. Flexible hours. Fax resume to 561-671-1951.

**REAL ESTATE/CORP. ATTY.** 2 yrs. min. exp. w/land development/closings, large firm top 10% credentials preferred. Superb salary/benefit package/opportunities. Sophisticated practice in growing N. Palm Beach County AV firm. Great work/lifestyle balance. Fax resume to Office Manager (561) 747-4113.

### FREELANCE PARALEGAL

**SERVICES-** Lighten your work load but increase productivity and profitability. Put a freelance legal assistant to work for you! Contact Shawn L. Stoner, Certified Legal Assistant, at (561) 236-7442 or slscla@bellsouth.net.

## PROFESSIONAL ANNOUNCEMENTS:

The following announce their availability for referral, assistance and consultation.

**SCOTT SUSKAUER:** Board Certified Criminal Trial Lawyer. All criminal matters in State and Federal Court including felonies, misdemeanors, DUI and traffic matters, 1601 Forum Place, Ste. 1200, WPB, FL 33401; 561-687-7866.

**GREGORY TENDRICH, ESQ.:** Florida Supreme Court Certified County Court Mediator, NASD Arbitrator & Former Vice President & Asst. General Counsel to both national & regional NYSE/NASD brokerage firms, is available to mediate all securities related disputes locally or throughout the US. Mr. Tendrich's law firm also accepts referrals and is available to co-counsel, provide trial assistance and consultation in all securities related matters. Call 561-733-5113 or visit [www.yourstocklawyer.com](http://www.yourstocklawyer.com) or email [10drich@bellsouth.net](mailto:10drich@bellsouth.net).

**MARK R. HANSON:** All admiralty and maritime matters, including personal injury actions, boating accidents, cruise line injuries and insurance claims. 240 Tenth Street, West Palm Beach, FL 33401, (561) 833-7828.  
[MHanson@PalmBeachInjuryLawyer.com](mailto:MHanson@PalmBeachInjuryLawyer.com).

### THOMAS R. BAKER, III:

Establishment and maintenance of guardianships for property of minors as a result of personal injury settlements, including approval of settlements. 270 South Central Blvd., Ste. 203, Jupiter, FL 33458; (561) 744-0802.

**KEVAN BOYLES:** Contributing Fellow – National Network of Estate Planning Attorneys. Probate; Guardianship (Minors); Special Needs and Protective Trusts; Estate Planning (Financial Retirement, Business Succession, Charitable, Medical, Disability, Legacy and Gift); Estate and Gift Tax Returns. 350 Royal Palm Way, Ste. 405, Palm Beach, FL 33480; (561) 833-2472.

**W. GREY TESH:** Criminal Defense Attorney. Over 50 jury trials. Former assistant public defender experience in felony, misdemeanors, juvenile, and appeals. Federal and State cases. Private investigator services included. Director, Palm Beach Association Criminal Defense Lawyers. Young Lawyers Section, PBCBA. 1610 Southern Blvd. WPB, FL 33406. [www.wgtlaw.com](http://www.wgtlaw.com) (561-686-6886).

### RICHARD D. NADEL:

Bankruptcy. Twenty years experience in the Southern and Middle District. Florida Bar designated 1996. Address: 3300 PGA Blvd., Ste. 970, Palm Beach Gardens, FL 33410, Telephone: (561) 622-9353 Email: [nadelgrp@bellsouth.net](mailto:nadelgrp@bellsouth.net).

### THOMAS R. BAKER, III:

Establishment and maintenance of guardianships for property of minors as a result of personal injury settlements, including approval of settlements. 270 South Central Blvd., Suite 203, Jupiter, FL. 33458; (561) 744-0802.

**MARINA D. PETILLO:** Florida Supreme Court Certified Family Mediator is available to mediate all Divorce/Family-related matters. Over 12 years of experience. Reasonable rates. 800 Village Square Crossing, Suite 105, Palm Beach Gardens, FL 33410- Telephone # (561) 656-2015.  
[www.marinapetilloesq.com](http://www.marinapetilloesq.com).

## OFFICE SPACE:

**JUPITER OFFICE SPACE** to share. Prestigious location, views of Lighthouse and ocean, conference room, reception area, parking, marble floors and full kitchen. Will share copier and facsimile machines. Available for immediate occupancy. Call 561-748-0042.

### BOCA RATON OFFICE SPACE

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## Bulletin Board

**EAST BOCA OFFICE:** Office and Secretarial area available for solo practitioners. Great location. Conference room, receptionist, copier, high-speed internet, phone system, and more! Pictures and floor plan at [www.nilesllc.com/bocalaw](http://www.nilesllc.com/bocalaw) for more info. Call Jared @ 561-955-0025.

**OFFICE SPACE:** Downtown West Palm Beach Office. One attorney office, with secretarial station, available in Criminal Defense Law Firm. The office is located in the Blackstone Building, corner of Dixie and Clematis. Contact Lucia 820-1577.

**SPACE FOR RENT:** Jupiter- New office space, 960 + sq. ft. 1/2 mile east of I-95, near Indiantown Road. Reply to owner 561-575-9750.

**OFFICE SPACE TO SHARE-** Small Family/Juvenile Law Practice in South County offering furnished space to share third floor view. Reasonably priced. Immediate occupancy. Close to interstate and courthouses. Call 364-0670.

### HEARSAY

Gulfstream Goodwill Industries announces the new term appointment of **John R. Banister**, Attorney for Universal Land Title; and **Edrick Barnes**, Attorney for Liggio, Benrubi & Williams to its 2005 Board of Directors.



**Steven L. Schwarzberg** has become President of B'nai B'rith Justice Unit of Palm Beach County. Schwarzberg is the founder and managing partner of

Schwarzberg & Associates in downtown West Palm Beach.



**Lorraine O'Hanlon Rogers**, an attorney with Schwarzberg & Associates, was appointed head of the firm's Employment Law practice group.



**Attorney David C. Prather**, a senior associate with the West Palm Beach plaintiff's personal injury law firm of Lytal, Reiter, Clark, Fountain & Williams,

LLP, has been elected President of the Palm Beach County Trial Lawyers Association for 2005. Mr. Prather, has served on the organization's Board of Directors since 1996.

**J. Mark Maynor**, Florida Board Certified Marital and Family Lawyer, announces the formation of his new practice, Law Office of J. Mark Maynor, P.A. The firm concentrates in the area of marital and family law including divorces, child custody, visitation, modification and prenuptial and postnuptial agreements. The office is located at the Barrister's Building, 1615 Forum Place, Suite 4C, West Palm Beach, 33401. Telephone: 561-691-9336, fax: 561-296-6333, and website: [www.markmaynor.com](http://www.markmaynor.com).

**Joseph G. Galardi** has joined the West Palm Beach law firm of Beasley Hauser Kramer & Leonard, P.A. as a senior associate in complex commercial litigation and appellate litigation. He was previously an associate at Steel Hector & Davis LLP, and he was also a judicial intern for the Honorable Kenneth L. Ryskamp in the U.S. District Court, Southern District of Florida in 1997.



Jones, Foster, Johnston & Stubbs, P.A. announces that **David E. Bowers** has been elected by the firm's Shareholders to a three-year term on the firm's

Board of Directors. Mr. Bowers is a Board Certified Tax Attorney who concentrates his practice in the areas of Employee Benefits, Estate Planning, Business Planning, Medical Law and Taxation. He is listed in Best Lawyers in America and by South Florida Legal Guide as a Top Lawyer in South Florida.

Pallo, Marks & Hernandez, P.A. recently announced the hiring of **Andrew S. Neuwelt** and **Jill F. Wasserman**, who joined the firm as associates and will be practicing in the area of worker's compensation/insurance defense.

### MISCELLANEOUS

**WHITEFISH, MONTANA, BIG MTN. SKI AREA.** New 3BR, 2BA penthouse condo on Big Mountain. Within 100 yds. of lifts, ski rentals, shops and restaurants. Wi-Fi. Cable TV. Full kitchen. Fireplace. Jacuzzi. Queen beds all BR's. Sleeps 8 with foldout sofa. Private garage and ski lockers. Call 561-628-6270 or visit [skiblackdiamond.com](http://skiblackdiamond.com).

**HOME TO SHARE-** Responsible, neat, non-smoking female to share lovely, fully furnished home with same in quiet, gated community in central WPB. All amenities (including unlimited domestic long-distance & cleaning lady). Convenient to all (Wellington Mall, airport, stores, restaurants, parks). Must see. Asking \$1,000/mo. including utilities. References required. Tel: 434-1251.

**LARGE 12 X 6 CONFERENCE ROOM** table with 10 leather chairs. Excellent condition. \$2,000. Available April 1, 2005. Contact Mike at 561-835-9400.

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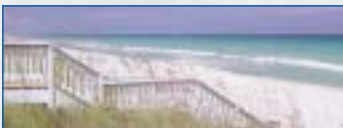
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# CALENDAR

## April 2005

Sunday, April 3

**Daylight Savings Time**  
Move Clocks Forward 1 Hour

Tuesday, April 5, 11:45 – 1:00

**Solo/Small Firm Practitioners Meeting**  
Bar Association Office

Wednesday, April 6, 12 noon

**Hispanic Bar Association Meeting**  
Judicial Dining Room, PB County  
Courthouse  
Contact Miriam Acosta-Castriz 625-1122

Wednesday, April 6, 6:00 p.m.

**Elder Law Dinner/Seminar**  
The Colony Hotel, Palm Beach

Thursday, April 7, 8:30 – 4:45

**TFB Video Replay “Basic Federal Law”**  
Bar Association Office  
Register through The FL Bar 800-342-8060

Thursday, April 7, 12 noon

**Special Needs of Children Committee**  
Chair Joe Ackerman’s Office

Thursday, April 7, 5:30 p.m.

**North County Section Happy Hour**  
The Square Grouper, Jupiter

Friday, April 8, 8:00 a.m.

**ADR Committee Meeting**  
Bar Association Office

Friday, April 8, 11:30 – 2:30 p.m.

**Professionalism Seminar**  
Palm Beach Airport Hilton

Tuesday, April 12, 12 noon

**Young Lawyers Section Board Meeting**  
Bar Association Office

Tuesday, April 12, 12 noon

**South County Bar Membership Meeting**  
Contact Melissa Kelly (561) 482-3838

Wednesday, April 13, 11:45 a.m.

**North County Section Luncheon/  
CLE Seminar**  
Abacoa Golf Club, Jupiter

Friday, April 15, 12 noon

**Cunningham Bar Association Meeting**  
Law Library  
Contact Lisa Quarrie 832-3300

Friday, April 15, 12 noon

**Federal Bar Association Meeting**  
The Colony Hotel  
Contact Judy Wilkinson (561) 650-7217

Thursday, April 19, 4 – 6 p.m.

**Solo/Small Firm Practitioners  
Pizza & Beer Seminar**  
Bar Association Office

Wednesday, April 20, 5:30 – 7:00 p.m.

**Annual Law Week Judicial Reception**  
The Harriett at City Place

Thursday, April 21, 5:00 p.m.

**Board of Directors Meeting**  
Bar Association Office

Friday, April 22, 8:30 a.m.

**Quality of Life/Family Law Seminar**  
Bar Association Office

Wednesday, April 27, 5:00 p.m.

**Legal Aid Board of Directors Meeting**  
Bar Association Office

Friday, April 29

**South County Bar Golf Tournament**  
Contact Melissa Kelly (561) 482-3838

Saturday, April 30, 9:30 a.m.

**Annual Law Week Softball Game**  
**Attorneys vs. the Judges**  
John Prince Park, Lake Worth

May 2 – May 6

**LAW WEEK**

Friday, May 6, 11:45 a.m.

**Annual Law Day Luncheon**  
**Speaker: Jury Consultant**  
**Jo-Ellan Dimitrius**  
The Marriott at City Place



## PALM BEACH COUNTY BAR ASSOCIATION

# BULLETIN

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