



# PALM BEACH COUNTY BAR ASSOCIATION

# BULLETIN

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

April 2006

## Law Week Judicial Reception April 26

Don't forget to stop by the Law Week's Annual Judicial Reception to be held this year on Wednesday, April 26 beginning at 5:30 p.m. This year's event will again be held at 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 event is free to Bar members, the judiciary and their judicial assistants. Guests may attend for a fee of \$45 per person.

## May 5 Law Day Luncheon to feature Jeffrey Toobin



Mark your calendars for this year's Law Day Luncheon, scheduled for Friday, May 5 at 11:45 a.m. at the Cohen Pavilion at the Kravis Center in West Palm Beach. This year's Law Week Theme is "Liberty Under Law: Separate Branches, Balanced Powers". We are pleased to announce that this year's guest speaker will be Jeffrey Toobin, CNN legal analyst and staff writer for *The New Yorker Magazine*.

Toobin has provided analysis on such notable events including the O.J. Simpson trial, the Kenneth Starr investigation and impeachment of President Bill Clinton, and the disputed

Florida recount of the 2000 presidential election.

He is the author of New York Times best sellers, *A Vast Conspiracy* and *The Run of His Life*, and his most recent best seller, *Too Close to Call: The 36-Day Battle to Decide the 2000 Election*, the story of the Bush-Gore presidential recount. Toobin received his bachelor's degree from Harvard College and graduated magna cum laude from Harvard Law School, where he was an editor of the Harvard Law Review.

After a six-year tenure at ABC News, where he received a 2000 Emmy Award for his coverage of the Elian Gonzales custody saga, Toobin joined CNN as a legal analyst in 2002. Also a staff writer for *The New Yorker* since 1993, he has written articles on such subjects as Attorney General John Ashcroft, the Paula Jones sexual harassment case, Supreme Court Justice Clarence Thomas and the trial of Timothy McVeigh.

Prior to joining *The New Yorker*, Toobin served as an Assistant United States Attorney in Brooklyn. He also served as an associate counsel in the Office of Independent Council Lawrence E. Walsh, an experience that provided the basis for his first book, *Opening Arguments: A Young Lawyer's First Case: United States v. Oliver North*.

Cost to attend this luncheon will be \$30 per PBCBA member and \$45 for non-member. Register today online at [www.palmbeachbar.org](http://www.palmbeachbar.org).

Law Week is sponsored by Mellon United National Bank; LexisNexis; A Better Copy Center; Visual Evidence; Auslin Legal Staffing; Riverhouse/Raindancer Restaurants; Searcy, Denney, Scarola, Barnhart & Shipley; Gordon & Doner; and Vastola, Schulz & Associates.

## 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 21 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 five members are running: **Charles Bennardini, Wade Bowden, Alan Crane, Michael Napoleone and Michelle Suskauer.**

## Dues Statements Mailed

Annual membership dues statements will be mailed shortly to all PBCBA members for fiscal year 2006-2007, which begins July 1. If you do not receive a bill, contact Shoshanah at the Bar Office (687-2800) or [sspence@palmbeachbar.org](mailto:sspence@palmbeachbar.org). Please take a moment to see a list of the many benefits of remaining a member on page 17.

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THE  
**BULLETIN**

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*President*

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PATIENCE A. BURNS, CAE  
*Executive Director*

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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

Letters to the Editor

Dear Editor:

Ascribing to the Bar Bulletin the highest level of professionalism, it was with great distress by many members to see the Bulletin include an advertisement for a judicial candidate who is not eligible to practice law in the State of Florida.

I commend the Bar Membership and staff's activities on a regular basis, thus, this situation should be corrected because an advertisement in the Bar Bulletin would make it appear to the average reader that a judicial candidate was at least qualified to practice law in this state.

Respectfully submitted,  
Michael J. Gelfand  
For the Firm

Dear Patience:

I was greatly distressed and disappointed that the severe weather we had in Tallahassee caused our scheduled flight to be cancelled, and prevented Barbara Pariente and me from participating in the wonderful reception the Palm Beach legal community celebrated on Thursday evening. I was disappointed to have missed the fun and friendship, and I am truly embarrassed to have missed my own party. Please convey my apologies to everyone and especially to those, like you and your staff, that worked so hard to make this the huge success I know it was. Planning and hosting the reception was such a generous and thoughtful thing for all of you to do.

My wife Sue and I agree that making our home in Palm Beach County was a great blessing for both of us in our work in the community and in our careers, and most especially as such a wonderful place to raise a family. The Palm Beach County legal community is truly unique in its ability to maintain its cutting-edge excellence in meeting its charge to see that a fully accessible and high quality justice system is available to all citizens. The truly special thing, however, about this legal community has been its ability to foster and maintain such open and warm relationships among and between the lawyers, judges and other legal professionals, from one end of the county to the other. Most would refer to this as maintenance of a small town atmosphere for caring about one another regardless of the differences that often create tension and even division in other places.

I have been blessed and I am truly thankful to all in my home community that were always so ready to extend a kindness to me and my family. Thanks to all of you.

Sincerely,  
Justice Harry Lee Anstead

Dear Patience:

I ditto what Justice Anstead wrote in his letter of February 3, 2006. I have been a member of the Palm Beach County Bar for over thirty years. As the place where I learned how to practice and where I learned what professionalism truly meant, I take great pride in knowing so many members of the Bar and the judiciary. And of course, with my husband still an active member of the Palm Beach County Bar and the Fourth District Court of Appeal, I am forever linked to Palm Beach County in the most important way!!

I still consider Palm Beach County my home and the members of its bench and bar my friends and colleagues. From the bottom of my heart, my thanks to you, President Leopold, the Board of Directors and all those who worked so hard to plan the beautiful reception. I look forward to seeing photos of the reception so I can truly see what I missed and who I missed. I look forward to seeing you soon.

Warm personal regards,  
/s/Justice Barbara J. Pariente

## President's Message



### "The News Of The Day"

By Theodore J. Leopold, President

It is Presidents' Day, the office is closed, no one continuously coming in to my office, no phones ringing, and few, if any, e-mails. Believe it or not, for at least a day, the office is relaxing.

While at my desk I begin thinking about what I should write for this month's "President's Page." I soon thought about what has occurred over the last few months internationally, domestically, and everything in between. Of course we could wake up every day and see remnants of all of these issues discussed in our local papers and on the national news. Today for example I awoke to the headlines that Osama Bin Laden "won't be taken alive" and on this day we are honoring our Presidents.

Many of our presidents were quite interesting individuals. John Tyler had fifteen children, his last was born when he was 70 years old. William Henry Harrison gave his inaugural address on a bitterly cold day, but it was the longest inaugural speech ever. The new President promptly caught a cold that developed into pneumonia. Harrison died exactly one month into his presidential term, the shortest in U.S. history. As I sit and read the tidbits of our former presidents, I can't help but be struck by the fact that despite all of their quirks, they worked hard to continue the vision of our founding fathers.

So waking up to the uncertainty of world affairs, it gives me a great sense of comfort to know that we, as attorneys, are working together for a common goal of protecting individual rights, assuring access to the courts and fighting for justice. This is what gives me the passion for the practice of law.

I think we all can take comfort in knowing that regardless of what happens in both international and domestic affairs, no matter who our President is (Republican or Democratic) we know that by our actions of fulfilling our own individual and professional missions, we help to bring some semblance of calm and peace to our everyday lives.

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### Board of Directors Meeting Attendance

	July Retreat	Aug	Sept.	Oct. <small>No Meeting Due To Wilma</small>	Nov.	Dec.	Jan.	Feb
Leopold	x	x	x			x	x	x
Farach	x	x	x		x	x	x	x
Poulton	x	x	x		x	x	x	x
Suskauer	x	x	x		x	x		x
Murray	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
Fleck	Beer	x	x			Pineiro		Doner
Bowden	Pressly		Pressly		x	x	Pressly	x
Marks	Isaacs	x	x		x		x	x

### Need CLE Credit?

The Palm Beach County Bar Association has a large library of audiotapes available if you are in need of some extra CLER credit hours.

Be sure to check the Bar's website at [www.palmbeachbar.org/continuing.php](http://www.palmbeachbar.org/continuing.php) to download the complete list of tapes available, see the insert in this issue, or call 687-2800 to have an order form faxed to you.



## Who are they?

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

Answers on page 17



## First Female Palm Beach County Judge Passes Away

Anne E'del Deacon Fenyvessy, the county's first female judge, passed away on February 15 at the age of 102. Below is an excerpt from a president's message, written by Lisa Small, in November 2003:

She kissed my hand and smiled... you could feel the force of her personality radiate all about the room. All gathered to pay tribute to her – to celebrate a most special birthday – her 100th. Ask anyone at the party – **Judge Anne E'del Deacon Fenyvessy** was a pioneer who was breaking “glass ceilings” before the term was ever born. Admitted to practice law in Florida in 1942, Judge Fenyvessy first worked as a law clerk for the Florida Supreme Court, but she loved to fly. So, in 1942, she enlisted in the Navy to fly planes and rose to the rank of lieutenant. At the conclusion of the war, she used the GI bill to attend Norton Art Institute in West Palm Beach and for ten years pursued a career in art. When she returned to practice law in 1952 in Lantana, there were but four active women lawyers in Palm Beach County and only 65 in the entire state. She became Palm Beach County's first municipal judge and Florida's fourth woman judge in 1956. Judge Fenyvessy is part of the fabric of the rich history of our judiciary in Palm Beach County.

## Minutes

Minutes of the 164th regular meeting of the Junior Bar Section for the Palm Beach County Bar Association which was held at the Town House at 12:15 P.M., Friday, October 2, 1964. There were 36 members and guests present.

The Minutes of the previous meeting were read and approved. Wade Hopping, our guest speaker, announced that he was unable to give his planned talk on Modern Law Office Procedures due to the fact that certain phonograph records he had intended to use melted on the way down from Tallahassee. He did, however, give an interesting resume of some of the conclusions drawn from the comprehensive Missouri Bar survey.

There being no further business to come before the meeting, it was duly adjourned.

Respectfully submitted,  
/s/ Angus J. Campbell  
Secretary



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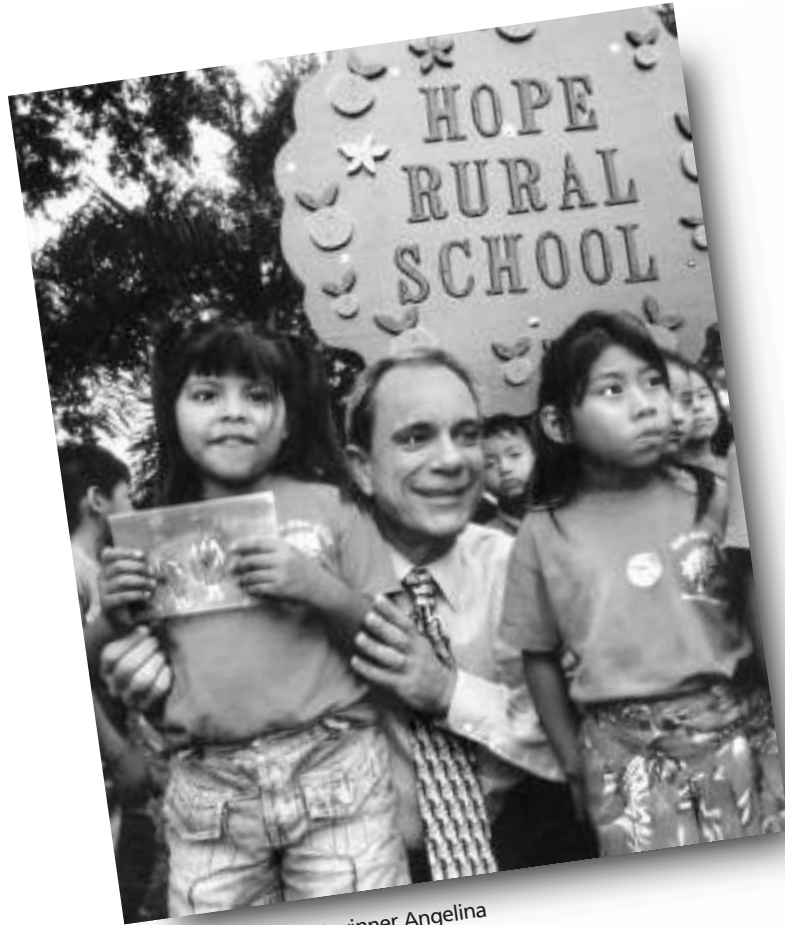
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by PBCBA ABA Delegate Donnie Murrell

The ABA Mid-year meeting was originally planned for New Orleans. Hurricane Katrina changed those plans. Katrina also provided the back-drop for the most emotional moments of the Mid-year meeting.

The Presidents of the Louisiana, Mississippi and Texas State Bars addressed the House of Delegates and recounted, through words and pictures, the devastation the area suffered. They told stories of terrible loss and suffering. The court systems of Louisiana and Mississippi have still not recovered. Lawyers are still without homes or offices. The president of the Louisiana Bar broke down and cried while describing what his State had gone through.

But they also told stories of generosity and aid. The ABA and numerous state and voluntary bars from around the country responded quickly and effectively, providing office space, computers, and money to help displaced lawyers get back to work serving their communities. Several State Supreme Courts adopted emergency rules allowing Louisiana and Mississippi lawyers to practice in their states without passing the Bar exam. With help from all of us, the recovery is going forward.

The frightening thing, as Florida Bar President Alan Bookman said, is that no matter how much we plan for it, we simply cannot prepare for something like Katrina.

Probably the most significant item on the House agenda was a vote on report 302, the ABA Task Force on Domestic Surveillance In the Fight Against Terrorism. This task force was chaired by Miami's own Neal Sonnett and was created in the wake of revelations of the Bush Administration's policy of domestic

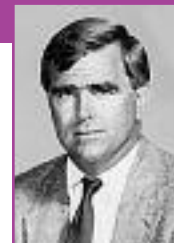
wiretap surveillance without warrants.

Members of the committee included former federal prosecutors, law professors, William Sessions (former federal judge and Director of the FBI), and Stephen Saltzburg (former Associate Independent Counsel in the Iran-Contra investigation and currently law professor at George Washington University).

Report 302 culminated in a series of resolutions that essentially called upon the President of the United States "to abide by the limitations which the Constitution imposes on a president under our system of checks and balances and respect the essential roles of Congress and the judicial branch" and opposed "any future electronic surveillance inside the United States by any U.S. government agency for foreign intelligence purposes that does not comply with the provisions of the Foreign Intelligence Surveillance Act". The report also called for a congressional investigation to determine the nature and scope of the warrantless domestic electronic surveillance that has already occurred. What radical stuff. The resolution passed despite the objection of the White House and the Attorney General. A copy of the full report is available on-line at the ABA web site or from me.

In a more mundane, but ultimately more controversial matter, the House also voted to increase ABA dues by 17%. Your able representative voted against the increase. We lost.

The House also considered a variety of other issues ranging from immigration reform to asbestos litigation. If you want information on any of those topics feel free to call me.



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## Annual installation banquet set for June 3

Mark your calendar now for the PBCBA's Annual Installation Banquet which has been scheduled for Saturday, June 3 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.

## The ADR Office is Preparing to Expand Services

The ADR office is expanding services in early 2006 with the addition of family and county court mediation service becoming available in the North County Courthouse and the Belle Glade Courthouse. Services will initially be available every Tuesday beginning February 28th, 2006 in the North County Courthouse and on the last Thursday of every month beginning February 23rd, 2006 in the Belle Glade Courthouse. Plans are already in the works to expand services to Tuesdays and Thursdays in the North County Courthouse since the request for services there has been so overwhelming. The ADR office will also provide a volunteer small claims mediator in Belle Glade one day every other week to help reduce the litigation of small claims cases there. To access any of these services, or obtain more information, call the ADR office at (561)-355-2739.

Visit the Bar's Website  
[www.palmbeachbar.org](http://www.palmbeachbar.org)



The Palm Beach County Bar held a joint meeting with the South Palm Beach County Bar on February 21. Pictured above is SPBCBA President Jeff Marks, Darryl Kogan, speaker Senator Ron Klein, and PBCBA President Ted Leopold.

## Volunteers needed to serve on committees

This is the time of year that the president-elect, Manny Farach, will begin working on appointing volunteers to serve on the various 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](http://www.palmbeachbar.org) Please take the time to volunteer to serve YOUR Bar Association.



On April 22, 2006 the Quality of Life Committee is sponsoring an **EARTH DAY GREAT AMERICAN CLEANUP** event at Lake Worth Beach. The event is a wonderful opportunity to come out, enjoy the beach and spend quality time with our families and friends while at the same time helping to keep our beaches beautiful. The event is scheduled for 8:00 am to 12:00 noon. The site coordinator for this event is Anna D. Torres of Powers, McNalis, Torres & Teebagy. Please email Anna at [atorres@powersmcnalis.com](mailto:atorres@powersmcnalis.com) to sign up to volunteer or for additional information on this National event.

John Pankauski, JD, LLM

West Palm Beach

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## Florida Bar Board of Governors Report:

At its February 17, 2006, meeting in Tallahassee, The Florida Bar Board of Governors:

- Approved a proposed amendment to the Bar's contingency fees rules as suggested by a special committee in response to an order from the Supreme Court. The court is considering a rule amendment petition from 54 Bar members asking that contingency fee limits in medical malpractice cases as approved by voters on a constitutional amendment last fall be put in Bar rules. The suggested rules change would allow clients to waive the fee limits in the constitutional amendment in writing and after they are informed of the limits and their right to seek other counsel. The rule amendment, which now goes to the Supreme Court, provides that a court review is not needed unless the proposed fee exceeds the limit in the current contingency fee rule.

- Heard Democratic gubernatorial candidate Sen. Rod Smith speak and promise strong support for an independent judiciary and a return to the former system of appointing members to judicial nominating commissions. That had three appointed by the governor, three by the Bar and those six picking three public members. Currently all nine are appointed by the governor,

although four come from slates nominated by the Bar. All four major gubernatorial candidates were invited to address the board, but only Smith was able to attend.

- Approved a rule change that allows lawyers called up to active military duty to waive their annual Bar dues. The rule must go to the Supreme Court for final approval.

- Heard Justice Peggy Quince urge the board to continue its support for improved civics education in the states schools, work to increase pro bono work and donations, support adequate funding for the judicial branch, and support the independence of the court system.

- Approved a new legislative position supporting the creation of 66 new judgeships as certified by the Supreme Court last December.

- Appointed attorneys Michael Faehner and George Knox to three-year terms beginning July 1 on The Florida Bar Foundation Board of Directors.

*If you have any questions or comments, please contact one of your four local delegates to the Board of Governors: Jay White, Scott Hawkins, Greg Coleman or Lisa Small.*

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## Racial Discrimination In the Exercise of Peremptory Challenges

by Ted Babbitt

Wicks v. Publix Super Markets, Inc., 908 So. 2d 1190 (Fla. 2nd DCA 2005) is a per curiam decision which contains a concurring opinion which lays out a road map for the appropriate raising and preserving of the issue of whether a peremptory challenge was motivated by racial discrimination.

The U.S. Supreme Court opinions in Batson v. Kentucky, 476 U.S. 79, 106 S.Ct. 1712, 90 L. Ed 2d 69 (1986) and Edmonson v. Leesville Concrete Co., 500 U.S. 614, 111 S.Ct. 2077, 114 L.Ed 2d 660 (1991) together with the Florida case of State v. Neil, 457 So. 2d 481 (Fla. 1984) hold that it is constitutionally inappropriate to strike a potential juror on the basis of race. Wicks was a slip and fall case brought by an African-American plaintiff who objected to the defense peremptorily striking an African-American juror. The trial court concluded the strike was not racially motivated and after an adverse verdict the plaintiff appealed. The opinion discusses the failure to properly preserve the objection for appeal and states that even if it had been, the Court would not have disturbed the trial court's exercise of its' discretion that the challenge was not racially motivated.

When defense counsel exercised the peremptory challenge, plaintiff's counsel merely noted for the record that the juror was an African American female and asked the Court to inquire further. The concurring judge found this was insufficient to preserve the objection. What was necessary

was that plaintiff's counsel specifically state his belief that the challenge was impermissibly made on the basis of race and the Court should have been asked to request opposing counsel to provide a race neutral reason. As it turns out, the trial judge, even without being asked, did just that. After hearing the defense counsel's explanation, the Court found those reasons would be acceptable and sustained the challenge. At the close of the voir dire, both parties exhausted their peremptory challenges and the jury was sworn without plaintiff's counsel raising any objection. The next morning, plaintiff's counsel noted that after further research, he was uncertain as to whether it was necessary to object to the panel and did so to make sure that an appellate court did not conclude that he had not renewed his objection.

The opinion reviews the appellate decisions on the appropriate way to preserve a Neil challenge. It points out that more than a contemporaneous objection is necessary. It is necessary to preserve the objection and that the jury be accepted only subject to the Neil objection. This affords the trial judge the opportunity to either recall the challenged juror, to strike the entire panel or to stand by the earlier ruling.

Thus, the appropriate way to raise and preserve a Neil challenge is for the objecting party to state at the time the

*Continued on page 19*

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## Membership Profile: "Did You Know?"

by Lynne Tisnower Poirier

The first time I met Carl Spagnuolo was at the North County Section's BBQ in 2005. I have since seen him at several of our events, but it wasn't until this year's BBQ that we had a chance to talk and I found out about his impressive musical background, which I want to share with you in this month's Membership Profile.

Most of you who know Carl know that he is a patent attorney with the law firm of McHale and Slavin in Palm Beach Gardens. But, what I bet you don't know, is that he is also an accomplished musician who recently played with Clarence Clemons (sax player with Bruce Springsteen) and Bo Diddley during the "Keys For Katrina Relief" benefit concert, which was held this past January in Islamorada.

Carl graduated from West Chester University, School of Music in 1983. From 1983 until 1998, he was a full time working musician, first in Allentown, Pennsylvania. In 1986 he was selected to be the music director and keyboardist for the group "Jay & The Techniques" who scored 3 Billboard Top 10 hits in 1967 and 1968. ("Apples, Peaches, Pumpkin Pie," "Keep The Ball Rollin" and "Strawberry Shortcake"). While with the Techniques, he played shows with the Temptations, the 4 Tops, the Marvelettes, the Drifters, Chubby Checker, and many other 1960's acts.

In 1989, he was hired by the Breakers Hotel in Palm Beach as their house pianist, where he worked until he started law school in 1996. During the same time, he was a regular pianist at the Ritz Carlton Hotel.

Carl and his wife Tammy live in North Palm Beach.

*If you know a member whose special talent deserves to be recognized, please let me know. You can contact me by email at [lpoirier@palmbeachbar.org](mailto:lpoirier@palmbeachbar.org).*

These pictures were taken January 8, 2006, during the "Keys For Katrina Relief" benefit concert in Islamorada, where Carl played the keyboard for Bo Diddley and Clarence Clemons.



Carl Spagnuolo and Clarence Clemons,  
(sax player with Bruce Springsteen)



Carl Spagnuolo  
playing  
keyboards for  
Bo Diddley and  
Clarence  
Clemons



## Save the Date!

Thursday, May 18

*Jurist of the Year Award Dinner*

**Ruth's Chris Steak House**



### In Memoriam

**Patricia Woods Marin**  
1939 - 2006



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## The Gathering Storm of Privacy

By Bard Rockenbach, Chairman, Technology Committee

There is a storm on the horizon. Unlike a hurricane, it will not be over in a few hours, nor will recovery mean only rebuilding a fence or replacing a few windows. The combined storm of privacy concerns and public disclosure will change the way government maintains and produces records, and will change the way attorneys create those records. We all need to prepare now.

Here is the basic proposition, contained in section 119.01, Florida Statutes:

(2)(a) Automation of public records must not erode the right of access to those records. As each agency increases its use of and dependence on electronic recordkeeping, each agency must provide reasonable public access to records electronically maintained and must ensure that exempt or confidential records are not disclosed except as otherwise permitted by law.

Subsection (e) of that same section sets forth the additional goal that "providing access to public records by remote electronic means is an additional method of access that agencies should strive to provide to the extent feasible." We therefore have the underpinnings of a problem; state agencies are encouraged, if not required, to automate and digitize archived records, and to make the records available to the public by "remote" means (such as the Internet), but must also protect confidential or exempt information contained within those records from disclosure. Those goals conflict.

## When Worlds Collide

The conflict will become acute on January 1, 2007. On that date, section 119.071(5)(g) will make bank account, debit, charge, and credit card numbers exempt, and make social security numbers confidential, requiring the clerks of court to review every page of every file and redact that information before allowing public access to the document. While the same information is currently required to be removed from documents recorded in the official records, those documents do not have to be changed before January 1, 2007 unless a written request is made by the person affected. §119.071(5)(e), Fla. Stat. (2005).

This same law will also force attorneys to change documents which are filed with the court. In state court, the list is relatively small for now, encompassing only financial and social security information listed above. In the U.S. District Court for the Middle District of Florida, however, the Administrative Procedures for Electronic Filing requires the omission of social security information as well as names of minor children, dates of birth, home addresses, and financial account numbers, directing attorneys to only identify the name or type of account and the financial institution where the account is maintained, but to use only the last four digits of the account number and the social security number. Other courts have similar rules. The state court list will undoubtedly expand to items not listed now. For example, documents which contain

*Continued on page 18*

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## Pro Bono Corner

### 2005 Pro Bono Award Winners Selected

#### Appellate Law Award

Robin Bresky, Esq.  
The Law Offices of Robin Bresky

#### Child Advocacy Award

Charles D. Jamieson, Esq.  
Law Firm of Charles D. Jamieson P.A.

#### Community Service Award

Lela Jordan, Executive Director  
The Vickers House

#### Consumer Law Award

Peter Cooke, Esq.  
Adams, Coogler, Watson, Merkel,  
Berry & Kellner, P.A.

#### Criminal Law Award

Larry Donald "Donnie"  
Murrell, Jr., Esq.  
L.D. Murrell, P.A.

#### Elder Law Award

John B. Cleary, Jr., Esq.  
Law Firm of John B. Cleary

#### Family Law Award

Kevin L. McNamara, Esq.  
McNamara & McNamara, P.A.

#### Guardianship Law Award

Georgina Dambra, Esq.  
Alexander, Dambra & Duhl

#### Individual Rights Award

Michael B. Davis, Esq.  
Paxton & Smith

#### Non-Profit Award

Morris G. "Skip" Miller, Esq.  
Ruden McClosky Smith Schuster &  
Russell, P.A.

#### Specialty Bar Award

Family Law Section of the Florida Bar  
Jorge Cestero, Esq. (Chair)

#### "And Justice for All Award"

Jack E. Orsley, Esq.  
Orsley & Cripps, P.A.

The 2005 awards will be presented at the 18th Annual Pro Bono Recognition Evening to be held on Saturday evening May 13, 2006 at the Kravis Center of the Performing Arts' Cohen Pavilion. The theme of the evening will be AStudio 54".

Chairpersons for the evening are Jeff and Amy Devore and Mariano and Shelley Garcia.

For additional information on this exciting event call Legal Aid Director of Development, Harreen Bertisch at 561-655-8944 extension 257 or Associate Director of Development, Suzanne Foley at extension 279.

## Last Call for "Jurist of the Year" Nominations

### *Did you send in your nomination for Jurist of the Year?*

If you're a North County Section member please take a minute and send us a letter telling us which local judge you feel deserves to be honored for his or her dedication to the Bench and our community. Your recommendation will be reviewed by the North County Section's Board of Directors and a winner will be selected based upon the following criteria: The judge should be one with an excellent reputation for sound judicial decisions and an unblemished record of integrity as a lawyer and judge; is generally recognized by Bar members as highly qualified; and is active in Bar related activities. He or she should be respectful of the law and understanding of cases. Who is eligible? Any judge who currently presides over cases in Palm Beach County will be eligible to win the award.

Send your nomination to the Bar Office no later than Friday, April 14. Or, email your letter to [lpoirier@palmbeachbar.org](mailto:lpoirier@palmbeachbar.org). The winner will be kept a secret and revealed during the section's annual end-of-the-year dinner at Ruth's Chris Steak House on May 18. Previous Jurist of the Year Award winners have been Judge Mary Lupo, Judge Roger Colton, and Judge Peter Blanc.

The cost to attend the dinner is \$50 for NCS Members and \$75 for non-members. Space will be limited to the first 125 rsvps. If you would like to attend the event, please register today before it gets sold out! You can register on line at [www.palmbeachbar.org](http://www.palmbeachbar.org).

Many thanks to our business sponsors: *A Better Copy Center, Debra Duran & Associates, Grand Bank & Trust, and Braman Motorcars*. The evening's Law Firm supporters are from *Rutherford Mulhall, Ricci Leopold, and Gordon and Doner*.

Thank you sponsors!



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## NCS Barbeque

Members of the North County Section recently enjoyed an evening of live Irish music, drinks, and an all you can eat barbeque. The event was held for attorneys and judges at the Bonnette Hunt Club in Palm Beach Gardens.



Freeman Barner, Deirdre Barner and Colleen Nelson



These musicians can play a mean Irish tune! The LaHinch Mob, a local Irish band, performed during the evening.



Mitch Beers, Patience Burns and Scott Hawkins make up their own Irish dance steps!



Donna Adams, Jerry Beer, Pat Dolgin, Judge Amy Smith and Mark Hanson.



Stephanie and Drew Lovell



Ryon McCabe, Judge Bailey and Lou Robinson

David Prather, Judge Jeffrey Colbath, Judge Art Wroble and Scott Suskauer



*"Thank you for inviting us. My wife Carol and I had a very tasty meal, enjoyed the music, and shared a delightful evening with the many lawyers and law-related professionals who attended the gathering."*

*— Judge Nelson Bailey.*

## CLE Luncheon sponsored by the North County Section

### Topic: Judicial Nominating Process

On Wednesday, April 19, the North County Section will host its annual CLE Luncheon at Abacoa Golf Club in Jupiter. The lunch will begin at 11:30 a.m. and will end promptly at 1:00 p.m. Rafael Roca, Chairperson for the JNC, will talk about the Judicial Nominating Process.

The cost is just \$25.00 for NCS Members; \$35 for non-members. This luncheon is expected to receive 1.0 CLER hours, plus .5 Ethics from The Florida Bar.

A special thank you to our event co-sponsors: **WEST and Daszkal Bolton LLP, CPA.**

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



Michael Slavin, Ed McHale, Carl Spagnuolo and Keith Campbell

## 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.*

**ROBIN I. BRESKY** – Albany, New York; Chicago Kent College of Law; 1997; Sole Practitioner in Boca Raton.

**ROSALIE CANDELARIO** – Bronx, New York; University of Miami School of Law; 2003; Associate with Nason, Yeager, Gerson, White & Lioce, P.A. in West Palm Beach

**CHRISTOPHER R. CUMBERLAND** – Atlanta; Florida Coastal School of Law; 2004; Associate in Albertelli & Associates PL, in Boca Raton.

**CHANDRA DOUCETTE** – Melbourne, Florida; Nova Southeastern University; 2000; Sole Practitioner in Boca Raton.

**LEONARD S. FEUER** – University of Miami; 2001; Partner with Forensis Technologies in Miami Lakes, Florida.

**MADELINE S. FIX** – New York City; University of Dayton; 1996; Associate with Public Defender's Office, Naples, Florida.

**JAY B. GREEN** – Brooklyn Law School; 1976; Partner with Green, Ackerman & Frost, P.A. in Boca Raton.

**BRIAN C. HICKEY** – Hackensack, New Jersey; American University Washington College of Law, 2005; Associate with Nason, Yeager, Gerson, White & Lioce, P.A. in West Palm Beach

**ROBERT M. KESTEN** – Monticello, New York; Brooklyn Law School; 2003; Partner with Morris & Kesten, LLP in Boca Raton.

**PAUL M. KLEMOV** - Charleston, West Virginia; Quinnipiac School of Law; 2005; Sole Practitioner in West Palm Beach

**MORGAN T. MCDONALD** – Los Angeles; Florida State University, 2003; Associate with Public Defender's Office in West Palm Beach.

**BRADLEY SCOTT MCPHERSON** – West Palm Beach; Florida State University, 2005; Associate with Page, Mrachek, Fitzgerald & Rose, P.A. in West Palm Beach.

**ADAM M. MYRON** – Plantation, FL; The George Washington University Law School, 2004; Associate with Richman Greer Weil Brumbaugh Mirabito & Christensen in West Palm Beach.

**MICHELLE E. OLENN** – Chicago; Stetson University College of Law, 2002; Associate with Albertelli & Associates, P.L. in Boca Raton.

**ALEXANDER B. ROTBART** – Miami Beach; Nova Southeastern University, 1993; Sole Practitioner in Boca Raton.

**NICOLE SAUVOLA** – Flint, Michigan; Nova Southeastern University, 2002; Associated with Sauvola & Associates in Royal Palm Beach.



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## When Does a Lawyer Owe a Duty to the Client to Turn Over the Attorney's Files

By: *Dana E. Foster, Esq.*

Who really owns those files sitting on your desk, on your shelves or in your warehouse? You own most of them but the client owns some too. The general rule is that pleadings, investigative reports, subpoena copies, and other case preparation documents are the property of the attorney and, upon termination of the attorney-client relationship, these documents do not need to be provided to the client. But, original documents provided by the client, or transcripts or records prepared at the public's expense are the client's property.

More specifically, the Florida Rules of Professional Conduct provide that upon termination of representation, an attorney must give the client all papers and property to which the client is entitled, although the attorney may retain papers and other property relating to or belonging to the client to the extent permitted by law. See Rules Regulating the Florida Bar, Rule 4-1.16(d) (explaining that while the attorney "shall take the steps reasonably practicable to protect the client's interest" in allowing a smooth transition to new counsel, the attorney need only provide the client with "papers and property to which the client is entitled."). See also Dowda & Fields v. Cobb, 452 So. 2d 1140 (Fla. 5th DCA 1984) (discussing charging liens). Pleadings, investigative reports, subpoena copies, and other case preparation documents, however, are the property of the attorney. See Potts v. State, 869 So. 2d 1223 (Fla. 2nd DCA 2004) (holding files prepared and maintained by an attorney for the purpose of representing a client are the attorney's personal property); Donahue v. Vaughn, 721 So. 2d 356 (Fla. 5th DCA 1998) (same); Long v. Dillinger, 701 So. 2d 1168 (Fla. 1997) (same). Because these documents are the attorney's property, the attorney is not required to give these materials to the client or to make copies for the client free of charge. See id. See also Woodson v. Durocher, 588 So. 2d 644 (Fla. 5th DCA 1991).

Almost all recent cases discussing this issue arise in the criminal law context, in situations where a criminal defendant is seeking free copies of his lawyer's file from the underlying conviction in order to pursue a pro se appeal. Despite arising in this context, the case law is helpful and has been held applicable in the civil context. For example, in Long v. Dillinger, the Florida Supreme Court considered the issue of a client's access to file material. 701 So. 2d 1168 (Fla. 1997). A former client of the public defender's office was represented by the capital collateral representative ("appellate counsel"). Through appellate counsel, the former client requested the public defender's file on his case. The court concluded that a public defender's file on a client is the property of the public defender. The court further concluded, however, that the public defender must allow appellate counsel to view the file and must, "for adequate compensation, provide copies of all useful information contained in the file." The Florida Supreme Court agreed with the Fifth District Court of Appeal's view that "under certain circumstances, an ethical duty may exist to communicate information regarding a case to a successor

counsel." The Florida Supreme Court also noted that any transcripts or records that the public defender prepared at the public's expense should be surrendered to appellate counsel at no charge.

This conclusion was an endorsement of the position previously expressed in Florida case law (see, e.g., Woodson, 588 So. 2d 644; Dowda, 452 So. 2d 1140) and ethics opinions (see, e.g., Fla. Bar Comm. on Professional Ethics, Op. 88-11 (1993) (reconsideration); Fla. Bar Comm. on Professional Ethics, Op. 88-11 (1988); Fla. Bar Comm. on Professional Ethics, Op. 71-57 (1971); Fla. Bar Comm. on Professional Ethics, Op. 71-57 (1971)), that while an attorney's files are commonly referred to by the client's name, "such referral simply means that the file relates to a particular client; the file and its contents are the personal property of the attorney." Long, 701 So. 2d at 1169.

This decision by the Long court was central to the Fifth District Court of Appeal's decision in McCaskill v. Dees, 698 So. 2d 628 (Fla. 5th DCA 1997). In McCaskill, a former client of a court-appointed private lawyer sought a writ of mandamus to compel the attorney to furnish him with depositions and witness statements from his file. Id. The Fifth District Court of Appeal held that, in this situation, mandamus would lie to compel the lawyer to furnish the requested documents. Id. In support of its decision, the court reiterated the rule pronounced in Long and held that documents prepared at public expense must always be furnished by court-appointed counsel to their clients. Id.

Similarly, in Dumas v. Marrero, 864 So.2d 531 (Fla. 5th DCA 2004), the Fifth District Court of Appeal again confirmed this general rule and held that the "part of [an] attorney's file related to the performance of professional services... [is] the property of the attorney, not the client."

Importantly, the applicability of the holdings of these criminal cases in the civil context was recently confirmed. See In re Amendments to the Rules Regulating the Florida Bar, 2005 WL 2456201 (October 6, 2005) (confirming these cases applicability in the civil context and noting that "[t]he current rule of law regarding ownership of files is discussed in Donahue v. Vaughn, 721 So. 2d 356 (Fla. 5th DCA 1998), and Dowda & Fields v. Cobb, 452 So. 2d 1140 (Fla. 5th DCA 1984).").

Conclusion: While attorneys should be guided by the Florida Rules of Professional Conduct mandate to take reasonable steps to protect the client's interest upon termination of representation, a whole-handed turnover of the attorney's files is not required – the attorney owns the pleadings, investigative reports, subpoena copies, and other case preparation documents in the file; the client owns all original documents provided by the client and transcripts or records prepared at the public's expense.

*Dana E. Foster is an associate with the law firm of Ackerman, Link & Sartory, P.A.*

## 100 Club Created

The Palm Beach County Bar Association has created a "100 Club". The 100% Club is a special category of membership that demonstrates a commitment to the legal profession and our community from law firms, law departments and legal organizations with more than three attorneys who enroll 100% of their attorneys as members of the Palm Beach County Bar Association. The 100 Club listing will be published quarterly in the newsletter as well as posted on our website.

If you think your firm is eligible, fax a listing of your attorneys to (561) 687-9007, Attn: Nancy Reidler and we'll let you know!

Many thanks to the following law firms and legal organizations that are our inaugural members of the 100% Club:

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Stuart R. Manoff & Associates, P.A.  
William W. Price, P.A.

### Bar seeking old photos?

The Bar Association's Historical Committee is seeking old photos – either of local attorneys, the old courthouse or anything relating to the history of the practice of law in Palm Beach County. If you or someone you know has some old photos that you could share with us, please send them to Patience Burns at the Bar Office (address on back cover). Please let us know if you need them returned and we will be happy to send it back.

The Bar recently hosted a reception for "Three of its Own" for current and former Chief Justices of the Florida Supreme Court from Palm Beach County: Rosemary Barkett, Harry Lee Anstead and Barbara Pariente. Unfortunately, due to severe weather conditions in Tallahassee, neither Justices Anstead or Pariente were able to attend. The Bar thanks its sponsors for this event: National City Private Client Group; Lewis B. Freeman & Partners, Inc.; and Mellon United National Bank.



**Greg Barnhart, Judge Amy Smith, David Prather & Judge Rosemary Barkett**



**Judges Jeffrey Winikoff, Don Hafele, Ken Stern and Attorney Bill Bone**



**Lou Mrachek and Lisa Small**



**Sally Benson, Barbara Schaeffer and Mitch Beers**



**Ted Leopold & Judge Barkett**



**Judge Diana Lewis, Clerk & Comptroller Sharon Bock and Judge Karen Miller**





## PBCBA MEMBERSHIP BENEFITS

Dues statements are coming and we'd like to remind our members of the benefits of being a member of the Palm Beach County Bar Association. In addition to being able to participate in the varied committees of the Association enabling members to give back to their community as well as networking with other attorneys, our members can take advantage of discounts of various kinds. Please visit our web site, <http://www.palmbeachbar.org/benefits.php>, for more information.

### ANNUAL PICTORIAL DIRECTORY

The PBCBA publishes an annual pictorial directory of its members and a copy of this is provided free to all members.

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PBCBA are entitled to three free classified ads in the Bar Bulletin per fiscal year. Members may also place ads on the Bar's web site for a fee of \$25.

### CLER TAPES

Are you in need of extra ethics credits or other CLER hours to meet your requirements. The PBCBA has a large collection of tapes in various areas of law to purchase to help you meet those needs. See the Bulletin each month for updated tapes available or visit the Bar's web site at [www.palmbeachbar.org](http://www.palmbeachbar.org) and click on CLE page.

### 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.

### DAILY BUSINESS REVIEW

25% off standard subscription rates - \$269 available to members at \$202; online subscription rate of \$209 will be offered at \$157 and combination subscription of \$308 available for \$231.

### FREE HAPPY HOURS AND RECEPTIONS

The Bar and its North County and Young Lawyers Section periodically host happy hours and receptions that are free to members of the Palm Beach County Bar Association

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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.

## Photo Answers:

*From Page 4*

1. Larry Miller
2. Judge John Wessel
3. Anne Desormier-Cartwright
4. George Moore
5. Ken Ronan

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## Court Appointed Attorney Information

Have you submitted your application to join the 15th Judicial Circuit's Court Appointed Attorney registry? Qualified attorneys are always needed to represent indigent litigants in Criminal (including death penalty cases), Juvenile, Appellate and Probate and Guardianship matters.


For additional information, including the 15th Judicial Circuit's Indigent Services Committee Policies and Procedures for Court Appointed Attorneys and/or an application please contact Ms. Sonya Rodgers in the Administrative Office of the Court at 561-355-3098 or check the 15th's website at: [http://www.co.palm-beach.fl.us/cadmin/court\\_appointed\\_attorney\\_information/index.html](http://www.co.palm-beach.fl.us/cadmin/court_appointed_attorney_information/index.html)

\*\*All attorneys on the Court Appointed Registry as of 12/31/05 were notified in writing to complete the new fourteen (14) page application developed by the Indigent Services Committee. Please be advised that the deadline for returning this application was February 24, 2006. If your application was not received by the date, your name has been deleted from the registry and you must re-apply prior to receiving additional court appointments. If you have any questions or concerns regarding your registry status, please contact Ms. Sonya Rodgers, Administrative Office of the Court at 561-355-3098.\*\*

## Registry for Capital (1st and 2nd chair) Appointments

Effective Tuesday, February 21, 2006, the Administrative office of the Court (AOC) assumed the responsibility for maintaining the capital registry. The contact person in the AOC is Ms. Sonya Rodgers at 561-355-3098.

As in the past, those attorneys on the capital registry are still responsible for advising, in writing, of all case closings and the completion of CLE requirements. Please forward this information to Ms. Sonya Rodgers, 15th Judicial Circuit, Administrative Office of the Court, 205 North Dixie Highway, Suite 5.2500, West Palm Beach, Florida 33401.



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## Privacy

*from page 11*

drivers license, health or medical information may be included in future legislative enactments or may be recognized by the courts as privileged.

### A Complicated Process

Reviewing and redacting the existing court files will be a major undertaking. In Palm Beach County courts alone, approximately 20 million pages are filed every year. If the clerk's office only reviewed and redacted files pertaining to the past 5-6 years, it would be approximately 100 million pages. There are so many pages and files to review, in fact, that if they started today using several scanners (and computers to analyze the scans) for fourteen hours a day, the job

could not be completed before the end of the year. I would not be surprised if, on January 2, 2007, we are told that some files can no longer be viewed by the public without several days notice to allow the deputy court clerks to review the file and redact any personal information contained in it.

The process of removing confidential information from court files will require the court clerks to first make a copy of the file, because the original file cannot be permanently modified without a court order. So the first step in redacting millions of pages of court records is to double the amount of paper being stored! How many staples will have to be removed? Then, the documents will be scanned so they can be converted to a text document and then reviewed by computer programs to look for confidential

information. Then a person will have to review the flagged records to decide whether the information should be redacted, redact it, and then put the file back together. This process will cost millions of dollars and take far longer than we have to complete.

The best thing we can do is to understand the problem, and expect complications when the rules change on January 1, 2007. For now, it would be a good idea to change the way documents are drafted to make sure that financial and personal information is no longer included in documents filed with the court or recorded in the official records of the county. The change is inevitable, so we might as well do it now.

Email me sometime!  
[bdr@flappellate.com](mailto:bdr@flappellate.com)

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*john@panklaw.com*

- Certified Circuit Civil
- NASD Arbitrator
- BBB Trained Arbitrator
- Florida Arbitrator
- Adjunct Professor, Graduate Studies, Dept of Finance, FAU
- Insurance Instructor

**pankauski**

**LAW FIRM**



## Racial Discrimination

*from page 9*

challenge is made, the belief that the challenge is racially motivated while noting the race of the juror. At that point, the challenging party must be asked by the Court to state a race neutral reason for the challenge. The trial judge then has discretion to determine whether the stated reason is a pretext or not. If not, the challenge will be allowed and the objection overruled. The objecting party must then restate the objection prior to accepting the jury and accept the jury only subject to the objection.

In the Wicks opinion, the concurring judge makes two suggestions to trial courts in conducting Neil inquiries. First, he suggests that the trial judge excuse the venire from the courtroom or hold the Neil hearing elsewhere. Since the focus of the issue at this hearing is the genuineness of the explanation of the party exercising the challenge, statements of counsel regarding the juror's potential bias are sufficiently sensitive so as to make it absolutely necessary that there is no chance that any potential juror might overhear the explanation.

The concurring Judge also suggests that counsel on either side may desire to have the portion of the record read back concerning the challenged juror's statements to make sure that the trial judge is in the best position possible to understand the rationale for the strike.

Challenging a peremptory strike as racially motivated requires precise action to both make the challenge and preserve it for appeal. This opinion lays out the procedure counsel must use under those circumstances.

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.

Register for Bar Events Online at  
[www.palmbeachbar.org](http://www.palmbeachbar.org)

# Bulletin Board

## \*\*\* Ad Rates \*\*\*

**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.

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**PARALEGAL;** Boca firm, Probate & Trust administration, experience necessary, fax resume to 561-392-5533.

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**BUSY PLAINTIFFS'** personal injury firm seeks motivated associate with 2-4 years experience – either plaintiff or defense. Competitive salary and benefits package. Please fax resume to 561-659-9075.

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*Listing continues on next page...*



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- Florida Bar Board Certified, Emeritus in Civil Trial Law (2003-Present)
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**GREGORY TENDRICH:** Former Vice President & Asst. General Counsel (with Series 7 license) to regional & national NYSE/NASD brokerage firms, current NASD Arbitrator and Florida Supreme Court Certified County Court Mediator, is available to mediate all securities related matters, as well as business and commercial disputes. Mr. Tendrich is also accepting referrals and is available to co-counsel and/or provide trial consultation & assistance in all securities related matters, including state, federal and SRO regulatory enforcement. Please call 561-417-8777 or visit our website [www.yourstocklawyer.com](http://www.yourstocklawyer.com) or email the firm at [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).

**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).

**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.

**CHRISTOPHER HOPKINS:** Appellate counsel for appeals in state and federal courts. Mr. Hopkins focuses on state appeals, particularly personal injury and malpractice. Cole, Scott & Kissane, P.A., 1645 Palm Beach Lakes Blvd., 2nd Floor, WPB, FL 33401; Email: [Hopkins@csklegal.com](mailto:Hopkins@csklegal.com).

**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).

**MICHAEL J. MCHALE:** Board Certified Admiralty and Maritime Lawyer. All maritime and admiralty matters in State and Federal Court including personal injury, seizures of vessels, limitation of liability, purchase and sale of boats, cruise ships injuries, longshore claims, and BUIs. (561) 835-3660, [admar1@earthlink.net](mailto:admar1@earthlink.net) and [www.admiraltyatty.com](http://www.admiraltyatty.com).

**FRANK J. MCKEOWN:** The Law Office of Frank J. McKeown, Jr., P.A., announce the relocation of their office to Concourse Tower 1, Suite 701, 2000 Palm Beach Lakes Boulevard, West Palm Beach, FL 33409, Tel (561) 832-5650, (561) 688-9833, (561) 721-3724. Fax: (561) 688-9985, specializing in Employment Litigation.

### Circuit Court Report CIVIL DIVISIONS • January 2006

DIVISION	JURY TRIALS	NON-JURY TRIALS	MOTIONS	CASES PENDING
A	07/06	07/06	03/06	1232
B	10/06	08/06	04/06	1394
D	11/06	07/06	03/06	1427
E	07/06	03/06	04/06	1434
F	04/06	04/06	04/06	1215
G	02/07	02/07	03/06	1036
H	11/06	11/06	03/06	1316
I	05/06	05/06	03/06	1223
J	07/06	07/06	04/06	1412
N	09/06	05/06	05/06	1340
O	07/06	05/06	03/06	1494

All Civil Division Judges schedule their own Jury and Non-Jury Trials.  
Pending cases as of 02/03/06

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**JAY STEVEN LEVINE:** Jay Steven Levine concentrates in the area of representing condominium and homeowners associations on all matters, with a special concentration relating to hurricane and other casualty insurance and reconstruction disputes and issues, including the preparation of construction contracts. 2500 North Military Trail, Suite 490, Boca Raton, FL; 561-999-9925; jayslevinepa@aol.com.

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- > Assistant Public Defender, 15th Judicial Circuit in and for Palm Beach County (1987-1992)
- > Series 7 Securities License (1997-2004)
- > **JD** – University of Miami School of Law (1987)
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### HEARSAY



The West Palm Beach Law Firm of Schwarzberg Spector Duke Schulz & Rogers is pleased to announce the addition of **Jennifer L. Coffey** to its firm. Ms. Coffey, most recently with Steel Hector & Davis, will practice in the area of Labor and Employment, Employee Discrimination, Litigation – State and Federal.



Rosenthal & Levy is pleased to announce that **Steven C. Simon** has been named a Partner/Shareholder in the 21 year-old law firm. Mr. Simon manages the firm's Port St. Lucie office, where he practices personal injury and social security disability law.



Fowler White Boggs Banker is proud announce that **Robert E. Geisler** has been re-certified by the National Board of Trial Advocacy and has been re-certified as a Board Certified Trial Lawyer by the Board of Legal Specialization and Education of The Florida Bar as a trial lawyer.



**Jennifer A. Geiser**, an associate with the law firm of Fowler White Boggs Banker, was recently invited to serve on the Wilkes Honors College Advisory Board as an Alumni Representative. The Harriet L. Wilkes Honors College of Florida Atlantic University is a nationally recognized residential living and learning Honors College. Ms. Geiser has also recently founded the Wilkes Honors College Alumni Society.



Newly appointed County Court Judge James Martz' Investiture was held on February 17. Pictured above are 15th Circuit Chief Judge Kathleen Kroll, Florida Supreme Court Chief Justice Barbara Pariente and Judge James Martz



Meenu Sasser, Manny Farach, Rafael Roca and Judge Jorge Labarga



Jerry Beer, Michelle Suskauer, Justice Barbara Pariente, Howard Weiss, Sherry Hyman and Judge Kenneth Stern

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# CALENDAR

## April 2006

Sunday, April 2  
**Daylight Savings**  
 Move Clocks Ahead 1 Hour

Wednesday, April 5, 12 noon  
**Judicial Luncheon Series**  
 Judicial Dining Room,  
 PB Cty Courthouse  
 Featuring Judges Elizabeth  
 Maass, Kenneth Stern and  
 Jeffrey Winikoff  
 Topic: "Effective Witness  
 Examination at Trial"

Wednesday, April 5, 12 noon  
**North County Section  
 Board Meeting**  
 Law Offices of  
 McHale & Slavin

Thursday, April 6, 8:30 a.m.  
**Lawyers for Literacy "Read  
 Across Palm Beach County"**

Thursday, April 6, 12 noon  
**Special Needs of Children  
 Committee Meeting**  
 Chair Joe Ackerman's Office

Thursday, April 6, 5:30 p.m.  
**YLS Happy Hour**

Thursday, April 6, 6:00 - 8:00 p.m.  
**Elder Law Committee  
 CLE Seminar/Dinner**  
 The Colony Hotel, Palm Beach

Friday, April 7, 8:00 - 12:00 p.m.  
**Quality of Life Committee  
 CLE Seminar**  
 Bar Association Office

Tuesday, April 11, 12 noon  
**YLS Executive  
 Committee Meeting**  
 Bar Association Office

Tuesday, April 11, 12 noon  
**South Palm Beach County Bar  
 Association Meeting**  
 Muvico Theatre, Boca Raton  
 Call (561) 482-3838

Friday, April 14  
**Court Holiday - Good Friday**  
 Courts and Bar Office Closed

Tuesday, April 18, 5:30 p.m.  
**Inns of Court Meeting**  
 Judicial Dining Room,  
 PB Cty Courthouse

Wednesday, April 19, 11:30 a.m.  
**North County Section CLE  
 Seminar/Luncheon**  
 Abacoa Golf Club, Jupiter

Thursday, April 20, 6:00 p.m.  
**PB County Trial Lawyers  
 Meeting**  
 Contact Susan Maynor  
 (561) 999-9490

Friday, April 21, 12 noon  
**Federal Bar Association  
 Luncheon**  
 The Colony Hotel, Palm Beach  
 To RSVP please contact  
 Debi Mackey (561) 838-4100

Friday, April 21, 12 noon  
**Cunningham Bar  
 Association Meeting**  
 Law Library, PB Cty Courthouse

Tuesday, April 25, 5:00 p.m.  
**Legal Aid Board Meeting**  
 Bar Association Office

Wednesday, April 26, 5:30 p.m.  
**Law Week Judicial Reception**  
 The Harriett at City Place,  
 West Palm Beach

Thursday, April 27, 5:00 p.m.  
**Board of Directors Meeting**  
 Bar Association Office

Friday, April 28, 11:30 - 2:30  
**Professionalism Committee  
 CLE Seminar**  
 Crowne Plaza Hotel,  
 West Palm Beach

Saturday, April 29, 9:00 a.m.  
**Law Week Attorneys vs.  
 Judges Softball Game**  
 John Prince Park, Lake Worth



## PALM BEACH COUNTY BAR ASSOCIATION

# BULLETIN

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 \*\*\*\*\* DECEASED, FLORIDA BAR PRESIDENT, FEDERAL COURT JUDGE



**THE FEDERAL BAR ASSOCIATION  
PALM BEACH COUNTY CHAPTER**

**Monthly Luncheon**

**Speaker**

**THE HONORABLE  
JAMES I. COHN**

United States District Court Judge  
for the Southern District of Florida

**Friday, April 21, 2006**

**12 noon to 1:30 p.m.**

The Colony Hotel, Palm Beach

Cost: \$30 - Federal Bar Association Members  
\$35 - Non-Members and walk-ins

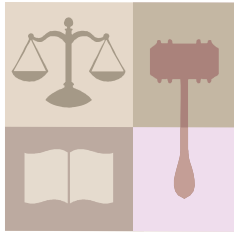
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Checks should be made payable to the *Federal Bar Association Palm Beach County Chapter* and sent to *Devon Coughlan, Esq., Elk, Bankier, Christu & Bakst LLP, 4800 N. Federal Highway, Boca Raton, FL 33431.*

To **RSVP** or **BECOME A SPONSOR** please contact Debi Mackey (561) 838-4100 or via email at [dmackey@alslaw.com](mailto:dmackey@alslaw.com)

The Professionalism Committee of the Palm Beach County Bar Association presents the:



# 15th Annual Professional Seminar

Friday, April 28, 2006

11:30 a.m. - 2:15 p.m.

Crowne Plaza Hotel, West Palm Beach

## Program Schedule

- 11:00am - 11:30am **Late Registration/Check In**
- 11:30am - 11:45am **Opening Remarks by Committee Chair, Paul R. Golis, Esquire - Paul R. Golis, P.A.**
- 11:45am - 12:15pm **Lunch Served and Presentation of the 8<sup>th</sup> Annual Professionalism Awards: Individual, Firm and Judge**
- 12:15pm - 1:00pm **The South Florida Legal Community: Past and Present Perspectives From Female and Minority Attorneys - Have Things Really Changed?**  
**Panelists:**  
*County Civil Judge Donald W. Hafele, Panel Moderator*  
*Circuit Court Judge Edward Rodgers (Retired)*  
*Edrick E. Barnes, Esquire - Liggio, Benrubi & Williams, P.A.*  
*Marion M. Cromwell, Esquire*  
*Meenu T. Sasser, Esquire - Gunster, Yoakley & Stewart, P.A.*  
*Alberto J. Matta, Esquire - Alberto J. Matta, P.A.*  
*Orlando Gonzalez, Esquire - Cameron, Davis & Gonzalez, P.A.*
- 1:00pm - 1:30pm **An Appearance at the Professionalism Council - What Happens? - A presentation of a hypothetical case by Al LaSorte, Jr., Esquire - Shutts & Bowen, LLP and Scott G. Hawkins, Esquire - Jones, Foster, Johnston & Stubbs, P.A.**
- 1:30pm - 2:15pm **Exploring Professionalism Through Film - A variety of film clips will be used to generate discussion about the meaning of professionalism and its value in enhancing both job satisfaction and public trust and confidence in the Court system - Circuit Civil Judge Peter D. Blanc**

This course is expected to receive 2.0 CLER hours including 2.0 Ethics credit hours from The Florida Bar. The cost of the seminar is \$80 for PBCBA members/legal assistants, \$120 for non-PBCBA members/legal assistants if registered by 4/21/06; Add \$25 to registration fee after that date.

If a phone reservation is made and we do not receive payment and you do not attend, you will be charged \$25. All refund requests must be made no later than 48 hours prior to the date of the seminar.

Please check here if you have a disability that may require special attention or services. To ensure availability of appropriate accommodations, attach a general description of your needs. We will contact you for further coordination.

<b>HOW TO REGISTER</b>	 <b>MAIL</b> the completed form w/check	 <b>FAX</b> the completed form to 561/687-9007	 <b>ON-LINE</b> at <a href="http://www.palmbeachbar.org">www.palmbeachbar.org</a>
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I will not be able to attend the seminar but would like to order the CD (cost same as listed above/please allow two weeks for delivery) (Professionalism Seminar 4/28/06)

**Palm Beach County Bar Association, 1601 Belvedere Rd. #302E, West Palm Beach, FL 33406**

The Estate and Probate Continuing Legal Education Committee presents



### The 23rd Annual Estate and Probate Seminar

Tuesday, May 9, 2006

8:00 a.m.- 4:45 p.m.

Marriott Hotel, 1001 Okeechobee Blvd., West Palm Beach

*Sponsored by: Bernstein Investment Research and Management & LexisNexis*

#### Program Schedule

8:00am - 8:25am	<b>Late Registration and Check In</b>
8:25am - 8:30am	<b>Welcome &amp; Opening Remarks</b> - <i>Brian O'Connell, Esq., Boose Casey Ciklin Lubitz Martens McBane &amp; O'Connell, Committee Chair</i>
8:30am - 10:00am	<b>Case Law Update</b> – <i>J.B. Murray, Esq., Squire, Sanders &amp; Dempsey, L.L.P.</i>
10:00am - 10:10am	<b>Break</b>
10:10am - 11:00am	<b>Mechanic's Corner - Kelley on Office Practice and Executing Documents</b> - <i>Rohan Kelley, Esq.</i>
11:00am - 11:40am	<b>Multi-state Estate Planning</b> – <i>Amy B. Beller, Esq., Kaye Scholer, LLP</i>
11:40am - 12:00pm	<b>Judicial Update</b> - <i>Judges to be announced</i>
12:00pm - 1:00pm	<b>Lunch sponsored by Bernstein Investment Research and Management &amp; LexisNexis</b>
1:00pm - 1:25pm	<b>Legislative Update</b> - <i>Speaker to be announced</i>
1:25pm - 2:05pm	<b>Tax Law Update</b> – <i>David F. Click, Esq.</i>
2:05pm - 2:35pm	<b>Discovery Concerning Federal Estate Tax Returns</b> – <i>Peter Forman, Esq., Tescher Gutter Chaves Josepher Rubin Ruffin &amp; Forman, P.A., along with William E. Boyes, Esq., Boyes &amp; Farina, P.A., in a point/counterpoint format.</i>
2:35pm - 3:15pm	<b>Probate Potpourri (Accounting Preparation Tips, Discussion Regarding Administration of Life Estates, and Principal &amp; Income Issues Under the New Act)</b> – <i>Abraham M. Mora, Esq., Kaye Scholer, LLP</i>
3:15pm - 3:25pm	<b>Break</b>
3:25pm - 4:15pm	<b>The New Florida Trust Code</b> - <i>Donald R. Tescher, Esq., Tescher Gutter Chaves Josepher Rubin Ruffin &amp; Forman, P.A.</i>
4:15pm - 4:45pm	<b>Nuts and Bolts Presentation</b> – <i>William E. Boyes, Esq., Boyes &amp; Farina, P.A., John M. Severson, Esq., Burns &amp; Severson, P.A., and Richard J. Barron, Esq., Richard J. Barron, P.A.</i>

**This course has been granted 8.0 CLER, 6.0 Wills, Trusts & Estates Certification credits or 6.0 Real Estate Certification credits from The Florida Bar** The cost of the seminar, which includes lunch, is \$180 for PBCBA members/legal assistants; \$220 for non-PBCBA members/legal assistants if registered by May 2, 2006; add \$25 to registration fee after that date.

If a phone reservation is made and we do not receive payment and you do not attend, you will be charged \$25. All refund requests must be made in writing and made no later than 48 hours prior to the date of the seminar.

\_\_\_\_ Please check here if you have a disability that may require special attention or services. To ensure availability of appropriate accommodations, attach

<b>HOW TO REGISTER</b>	 <b>MAIL</b> the completed form w/check	 <b>FAX</b> the completed form to 561/687-9007	 <b>ON-LINE</b> at <a href="http://www.palmbeachbar.org">www.palmbeachbar.org</a>
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a general description of your needs. We will contact you for further coordination.

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\_\_\_\_\_ I will not be able to attend the seminar but would like to order the CD (allow 2 weeks for delivery) (Estate and Probate 5/9/06) Cost is the same as listed above.

**Palm Beach County Bar Association, 1601 Belvedere Road, Suite 302E, West Palm Beach, FL 33406. Telephone: (561) 687-2800**

**Palm Beach County  
Bar Association**

"I'm a new member of the PBCBA and have already been impressed by the quality of programs and the colleagues I have met here. I have already begun working relationships with four other lawyers, which I met at your solo luncheon.



You have brought together top notch speakers at an affordable rate; I will take advantage of as many as possible. The PBCBA programs are well worth fighting construction from South County!"

Chandra Doncette  
Solo Practitioner

**Noon-time  
Networking  
Luncheons**

**11:45 a.m. - 1:00 p.m.**

At each luncheon, every participant will have the opportunity to introduce themselves and give a 60-second presentation on their practice. Plus, a list of all participants will be distributed at each luncheon. Be sure to bring plenty of business cards!

Bar Association Office  
1601 Belvedere Rd. #302E  
West Palm Beach, FL 33406  
Call the Bar Office if  
you have questions:  
Phone: (561) 687-2800



**Solo Practitioners & Small Firm Committee  
Presents**

**"Practice of Law Meets The Business of Law"**

*For Attorneys in Firms with Five or Fewer Lawyers  
no more than 3 in the same practice area.*

**Wednesday, May 10**

**11:45 a.m. to 1:00 p.m.**

**Bar Office**

**TOPIC:**

**Law Practice Accounting**

**Paying Yourself, Your Employees,  
Your Bills and Your Government**

**COST:**

**\$10.00 for PBCBA members;  
non-members  
are welcome to attend for \$20.00.**

Lunch sponsors:



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The PBCBA Community Association Law Continuing Legal Education Committee presents

# The 17th Annual Community Association Law Seminar



**Friday, June 9, 2006 8:55 a.m. – 12:00 p.m.**  
Bar Association – 1601 Belvedere Rd., WPB #302E

## Program Schedule

- 8:30 - 8:55**      **Late Registration and Check In**
- 8:55 - 9:00**      **Welcome - Michael J. Gelfand, Esq., Committee Chairperson**  
*Gelfand & Arpe, P.A.*
- 9:00 - 9:30**      **View from the Bench: Practical and Ethical Approaches to the Court -**  
*Honorable Kathleen Kroll, Fifteenth Judicial Circuit Chief Judge*
- 9:30 - 9:50**      **Assessments: Ethics and Money or How to Pay and Why to Pay -**  
*Steven D. Rubin, Esq.*
- 9:50 -10:15**      **Fair Housing Report: What You Do Not Know May Hurt, and Ethical**  
**Considerations - Pamela Guerrier, Esq., Palm Beach County Office of**  
*Equal Opportunity*
- 10:15 - 10:30**      **BREAK**
- 10:30 - 10:50**      **Mandatory Mediation and Arbitration: How To Make It Work For You.**  
**Practical And Ethical Approaches To Resolving The Dispute -**  
*Theodore A. Deckert, Esq., Mediation, Inc.*
- 10:50 - 11:10**      **Closings: Brokers and Salespersons and Ethical Procedures -**  
*Cathleen Scott, Esq., Cathleen Scott, P.A.*
- 11:10 - 11:30**      **Zoning: Stating Your Case Ethically and Effectively - Sherry L. Hyman, Esq.,**  
*Law Office of Sherry L. Hyman P.L.L.C*
- 11:30 - 12:00**      **Case Law and Statutory Law Update: New Decisions Addressing**  
**Substance, Ethics and Procedure - Michael J. Gelfand, Esq., Gelfand & Arpe**

This course is expected to receive **3.0 CLER including 3.0 Ethics Credit** from The Florida Bar  
The cost of the seminar is \$90 for PBCBA members/legal assistants;

\$ 130 for non-PBCBA members/legal assistants if registered by 6/2/06;add \$25.00 after that date.

If a phone reservation is made and we do not receive payment and you do not attend, you will be charged \$25. All refund requests must be made no later than 48 hours prior to the date of the seminar.

Please check here if you have a disability that may require special attention or services. To ensure availability of appropriate accommodations, attach a general description of your needs. We will contact you for further coordination.

<b>HOW TO REGISTER</b>		MAIL the completed form w/check		FAX the completed form to 561/687-9007		ON-LINE at <a href="http://www.palmbeachbar.org">www.palmbeachbar.org</a>
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\_\_\_\_ I will not be able to attend the seminar but would like to order the CD. (cost same as listed above/allow two weeks for delivery)  
(17th Annual Comm. Assn Seminar 6/9/06)

**Palm Beach County Bar Assn., 1601 Belvedere Rd. #302E, West Palm Beach, FL 33406.(561)687-2800**

The Palm Beach County Bar Association's Real Estate CLE Committee presents:

**SPRING 2006  
REAL ESTATE SEMINAR  
RECENT CHANGES IN THE LAW YOU MUST  
KNOW TO PRACTICE COMPETENTLY  
AND ETHICALLY**



**Friday, June 16, 2006  
8:40 a. m. - 12:00 p.m.  
Bar Association Offices**

**Program Schedule**

- 8:15am - 8:40am** Late Registration
- 8:40am - 8:45am** Welcome and Opening Remarks - *Steven D. Rubin, Esq., Real Estate Committee Chairperson.*
- 8:45am - 9:15am** MRTA: The Impact of the Statutory Way of Necessity Ruling - *Robert I. MacLaren, II, Esq., Osborne & Osborne, P.A.*
- 9:15am - 9:45am** Fraudulent Transfers into Your Homestead: Case Law Update – *Marc Barmat, Esq., Furr & Cohen, P.A.*
- 9:45am - 10:15am** All in the Family: Exemptions from Documentary Stamp Taxes on Transfers Between Related Entities and IRS Superpower to Break the Bonds of TBTE Property - *Gary Walk, Esq., Boose, Casey, Ciklin, Lubitz, Martens, McBane & O'Connell*
- 10:15am - 10:30am** Break
- 10:30am - 10:45am** The Taking of Justice Breyer's Farm: Eminent Domain Update – *Barry S. Balmuth, Esq., Barry S. Balmuth, P.A.*
- 10:45am - 11:00am** Environmental Permitting and Property Rights Issues in Florida - *Andrew J. Baumann, Esq., Lewis, Longman and Walker, P.A.*
- 11:00am - 11:30am** They Changed it Again: 2006 Legislative Update and Ethical Considerations - *Michael J. Gelfand, Esq., Gelfand & Arpe, P.A.*
- 11:30am - 12:00am** Nothing Matters More than Ethics and Professionalism: Recent Disciplinary Rule Changes and Avoiding Ethical Missteps in Your Real Estate Practice - *Eugene E. Shuey, Esq., Eugene E. Shuey, P.A.*

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This course is expected to receive 4.0 CLER hours including 2.0 Ethics credit from The Florida Bar. The cost of the seminar is \$100 for PBCBA members/legal assistants, \$140 for non-PBCBA members/legal assistants if registered by 6/9/06; Add \$25 to registration fee after that date.

If a phone reservation is made and we do not receive payment and you do not attend, you will be charged \$25. All refund requests must be made no later than 48 hours prior to the date of the seminar.

\_\_\_ Please check here if you have a disability that may require special attention or services. To ensure availability of appropriate accommodations, attach a general description of your needs. We will contact you for further coordination.

<b>HOW TO REGISTER</b>	 <b>MAIL</b> the completed form w/check	 <b>FAX</b> the completed form to 561/687-9007	 <b>ON-LINE</b> at <a href="http://www.palmbeachbar.org">www.palmbeachbar.org</a>
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\_\_\_ I will not be able to attend the seminar but would like to order the CD (cost same as listed above/please allow two weeks for delivery) (Real Estate Seminar 6/16/2006)

**Palm Beach County Bar Association, 1601 Belvedere Rd. #302E, West Palm Beach, FL 33406.**

The Palm Beach County Bar Association (PBCBA) offers CLE hours from the sale of audiotapes recorded at previously held live seminars of the Association. We also have copies in house of audiotapes of live seminars from the Orange County Bar Association (OCBA), Clearwater Bar Association (CBA), and the Dade County Bar Association (DCBA). Members and non-members alike can benefit from this simple way of acquiring CLE and Ethics hours. **To order**, place an "x" next to the tapes you would like to order, complete this form and return to the Palm Beach County Bar Association, 1601 Belvedere Road, Suite 302E, West Palm Beach, FL 33406 or **fax to 561/687-9007**. PLEASE WATCH EXPIRATION DATES, we attempt to remove expired tapes but due to the distribution of this list occasionally courses will appear even though they have expired.

**03/06/06.**

✓	Sponsor	Course Title	Credit General	Ethics Hours	PBCBA Member	Non Member	Expires
	DCBA	Civil Lawyers/Criminal Law	1.0		\$20	\$60	04/21/06
	CBA	Wage and Hour Law (CD)	1.0		\$20	\$60	04/26/06
	DCBA	Probate & DCF	1.0		\$20	\$60	05/09/06
	CBA	Family Law Case Update	1.0		\$20	\$60	05/17/06
	DCBA	Nuts & Bolts of Divorce	4.0	.5	\$85	\$125	05/19/06
	CBA	Avoiding Conflicts in Litigation (CD)	1.0	1.0	\$30	\$70	05/30/06
	PBCBA	Elder Law – Nursing Homes & Assisted Living Facilities +++(CD)	4.5		\$90	\$130	06/03/06
	CBA	Working Effectively with Law Office Staff (CD)	1.0	1.0	\$30	\$70	06/07/06
	DCBA	Probate & Guardianship	3.5	.5	\$75	\$115	06/10/06
	CBA	Ethical Strategies & Untimely Exit (CD)	1.0	1.0	\$30	\$70	06/14/06
	PBCBA	Bankruptcy Law – Avoiding the Icebergs +++(CD)	6.5		\$130	\$170	06/15/06
	PBCBA	Residential Transactions	3.5	2.0	\$90	\$130	07/28/06
	DCBA	Workers Compensation	1.5		\$30	\$70	08/10/06
	PBCBA	Securities Arbitration (CD) +++	6.0		\$120	\$160	08/11/06
	PBCBA	Modern Face of ADR +++(CD)	8.0	3.0	\$190	\$230	08/16/06
	PBCBA	Class Actions +++(CD)	7.0		\$140	\$180	08/16/06
	DCBA	Role of Courts in a Politicized System	1.0		\$20	\$60	08/17/06
	PBCBA	Construction Law Update +++ (CD)	4.5		\$90	\$130	08/25/06
	OCBA	Veteran Reemployment	2.0		\$40	\$80	08/25/06
	DCBA	Overview/Personal Bankruptcy	3.5		\$70	\$110	09/04/06
	PBCBA	Trying The Case +++ (CD)	6.0	1.5	\$135	\$175	09/04/06
	DCBA	The Road to Partnership	1.5		\$25	\$65	09/16/06
	CBA	Probate Update 2005+++	4.5	1.0	\$100	\$140	09/17/06
	DCBA	DUI 101+++	1.0		\$20	\$60	09/31/06
	PBCBA	Inside Information: Direct from the Bench Bar II (CD)	2.0		\$40	\$80	10/06/06
	PBCBA	14 <sup>th</sup> Annual Professionalism (CD)	3.0	3.0	\$90	\$130	10/08/06
	DCBA	CIV/CRIM Sec Investigation+++	2.0		\$40	\$80	10/12/06
	DCBA	Guardianship: Responsibilities	1.0		\$20	\$60	10/14/06
	DCBA	19 <sup>th</sup> View From the Bench+++	3.5		\$70	\$110	10/15/06
	CBA	Long Term Care Issues+++	1.0		\$20	\$60	10/21/06
	PBCBA	Stress Management Part II (CD)	4.0	1.5	\$95	\$135	10/22/06
	DCBA	3 <sup>rd</sup> DCA/Standards of Review+++	2.0		\$40	\$80	10/22/06
	DCBA	Basic Federal Practice	1.0		\$20	\$60	10/27/06
	DCBA	Domestic Violence	2.0		\$40	\$80	11/03/06
	DCBA	Legislative Update/Probate	1.0		\$20	\$60	11/12/06
	PBCBA	22 <sup>nd</sup> Annual Estate & Probate+++ (CD)	7.5	1.0	\$160	\$200	11/18/06
	CBA	Real Estate Appraisals	1.0		\$20	\$60	11/18/06
	CBA	Organ Donation	1.0		\$20	\$60	11/19/06
	PBCBA	16 <sup>th</sup> Annual Community Association+++ (CD)	3.0	1.5	\$75	\$115	11/20/06
	DCBA	Nuts & Bolts of Divorce 2005	4.0	1.0	\$90	\$130	12/03/06
	DCBA	Probate & Guardianship+++	1.0		\$20	\$60	12/07/06
	PBCBA	Trial Strategies of the Masters+++ (CD)	6.0	1.0	\$130	\$170	12/10/06
	PBCBA	Modern Real Estate Contracts+++ (CD)	3.5	1.0	\$80	\$120	12/17/06
	DCBA	Nuts & Bolts of Inc. & 501	3.0		\$60	\$100	01/19/07

	DCBA	Probate/Guardianship	1.0		\$20	\$60	03/08/07
	CBA	Ethics in Probate	1.0	1.0	\$30	\$70	03/15/07
	CBA	Medicaid Reform+++	1.0		\$20	\$60	03/21/07
	DCBA	Ethics & The Probate	1.0	1.0	\$30	\$70	04/11/07
	CBA	Disclaimer New Florida+++	1.0		\$20	\$60	04/20/07
	DCBA	Domestic Violence Training	2.0		\$40	\$80	04/20/07
	PBCBA	Malpractice & Bankruptcy Reform+++ (CD)	4.5		\$90	\$130	04/21/07
	DCBA	Probate: Voluntary Disclo+++	1.0		\$20	\$60	05/10/07
	CBA	Homestead Made Easy+++	1.0		\$20	\$60	05/17/07
	DCBA	14 <sup>th</sup> Nuts & Bolts of Divorce	4.0	1.0	\$90	\$130	05/18/07
	DCBA	Deal W/Difficult Counsel	1.0	1.0	\$30	\$70	05/29/07
	PBCBA	(Elder Law ) It's Hard To Stay Current+++ (CD)	4.0	2.0	\$100	\$140	06/02/07
	DCBA	How To Handle Bar Griev	3.0	1.0	\$70	\$110	06/02/07
	DCBA	Probate\When An Atty	1.0		\$20	\$60	06/08/07
	CBA	(Family Law) Case Law Update+++	1.0		\$20	\$60	07/18/07
	CBA	(Civil Law) 2005 Case Law Update+++	1.0		\$20	\$60	07/19/07
	PBCBA	(Constr Law) In The Wake Of The Storm+++ (CD)	1.0		\$20	\$60	07/20/07
	PBCBA	Client Development (CD)	1.0		\$20	\$60	08/01/07
	PBCBA	Today's RE Environment+++ (CD)	3.5	3.0	\$100	\$140	08/03/07
	DCBA	(Health Law) New Fed Legislation Medic+++	1.0		\$20	\$60	08/09/07
	PBCBA	Do's and Don'ts of Dispute Resolution (CD)	8.0	2.5	\$185	\$225	08/15/07
	CBA	2006 Probate Update+++	4.0	1.0	\$90	\$130	08/16/07
	DCBA	Workers Comp Bench & Bar+++	2.0	1.0	\$50	\$90	08/21/07
	PBCBA	(Constr. Law ) Owner Controlled (OCIP) & (CCIP) Ins. Programs+++ (CD)	1.0		\$20	\$60	08/24/07
	PBCBA	New World Bankruptcy+++ (CD)	5.0		\$100	\$140	08/24/07

(CD) = indicates seminars that are also available on CD Rom. Please indicate your choice of CD Rom, where applicable on the order form.  
 +++Indicates Certification credits available. Please contact the Palm Beach County Bar Association for more detailed information.

**Please call Shoshannah Spence at 561/687-2800 with any questions or for additional information**

**PLEASE ALLOW TWO (2) DAYS PREPARATION TIME WHEN ORDERING TAPES. THERE WILL BE A \$25 FEE FOR RUSH ORDERS. NEW MEMBERS MAY JOIN THE PALM BEACH COUNTY BAR ASSOCIATION FOR \$75. APPLICATIONS FOR MEMBERSHIP CAN BE OBTAINED ON OUR WEBSITE AT [www.palmbeachbar.org](http://www.palmbeachbar.org) . RENEWAL OF DUES FOR PREVIOUS MEMBERS IS \$100.**

- Please call when tapes/CD's are ready to be picked up
- Please mail (\$5.00 postage fee will be added)  
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**ONLY ONE CLE CARD IS PROVIDED PER PURCHASED SET OF TAPES. IF ANY OTHER PERSON IN YOUR OFFICE WISHES TO RECEIVE CLER CREDIT FOR A SET OF TAPES, THEY MUST PAY THE APPROPRIATE FEE PER SEMINAR.**