

# PALM BEACH COUNTY BAR ASSOCIATION

# BULLETIN

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

March 2008

## Bar elections to be conducted online

This year's election for Board directors will be conducted electronically. An email will be sent to all members in good standing. **Please be sure to set your spam filters to preapprove anything from ballotboxonline.com** For those members that we do not have an email address, a paper ballot will be sent. Voting will take place beginning on April 14 and ending on April 26 at 5 p.m. Winners will be announced via e-mail and will be posted on the Bar's website.

A contested election will take place for the position of president-elect between **Michael Napoleone** and **Michelle Suskauer**. There are three director seats available and the following five members are running: **Wade Bowden, Jason Guari, Christopher Hopkins, Maureen Martinez-Schwab and Jill Weiss**.

## Mark your calendar for upcoming Membership Meetings

**Joint Luncheon with South County Bar Association**  
**Guest Speaker: FL Bar President Frank Angones**  
Wednesday, March 5, 2008, 12 noon  
Delray Beach Golf Club

**Trial Superstars Seminar: Trying the Catastrophic Injury Case**  
March 7, 8 am - 5 pm (see insert inside this issue)  
Speakers to include Ted Leopold, John H. Richards, Ted Babbitt, Spencer Silverglate, Ervin Gonzalez, David Knight, Joe Reiter, Roy Watson, Chris Searcy and Eric Peterson

**Historic Courtroom Open House**  
March 27, 5:30 - 7:30 p.m.

**Leadership Seminar**  
April 25, 8:30 a.m. - 1:00 p.m.  
Speakers to include Former ABA President Dennis Archer, FL Supreme Court Justice Raoul Cantero; FL Bar President-elect Jay White; and Nora Bergman, Atticus Practice Advisor

**Annual Law Week Judicial Reception**  
Thursday, April 29, 2008 5:30 p.m.  
The Harriett at City Place

**Annual Installation Banquet**  
Saturday, June 7, 2008, 7:00 p.m.  
The Breakers Hotel, Palm Beach

**Bench Bar Conference**  
October 31, 2008  
Palm Beach County Convention Center



## Florida Bar President Frank Angones to Address the Bar

Frank Angones of Miami, The Florida Bar's 60th president, will address the 5th annual joint luncheon of the Palm Beach and South Palm Beach County Bar Associations on March 5. The meeting will be held from 11:45 - 1:00 p.m. at the Delray Beach Golf Club. Cost to attend the luncheon is \$25 for members of either organization if registered before

March 3, after that date \$35; judges complimentary. Registration is available online at [www.palmbeachbar.org/register.php](http://www.palmbeachbar.org/register.php).

Frank Angones is a founding partner of the Miami law firm Angones, McClure & Garcia, P.A., where he practices personal injury defense, commercial torts and insurance defense litigation.

Mr. Angones is a graduate of the University of Miami, where he received a B.A. degree, Magna Cum Laude, in June, 1972, and a J.D. degree in June, 1976. Among numerous Bar positions, he has served as president of the Dade County Bar Association and the Cuban-American Bar Association; as a member of the Board of Governors of the Florida Bar; in the House of Delegates of the American Bar Association; and on the Board of Directors of the Florida Bar Foundation.



This photo shows the courtroom in the restored 1916 courthouse. The Bar Association, by invitation of the Historical Society, will be placing educational exhibits in this courtroom. An open house will take place on March 27 from 5:30 - 7:30 p.m. and members can register for this event online at [palmbeachbar.org](http://palmbeachbar.org).

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THE  
**BULLETIN**

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The mission of the Palm Beach County Bar Association is to serve its members, foster professionalism and enhance the public's understanding and awareness of the legal system.

**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:  
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## President's Message



### “And Justice for All: Palm Beach County Bar Association’s Efforts on Government and Civics Education”

*By Meenu Sasser, President*

It has been well recognized that a crisis is growing in American schools today. Our children are not being adequately prepared with a base of knowledge in government, history and civics. As part of our Bar’s theme of Tradition and Education this year and at the invitation of the Palm Beach County Historical Society, the Palm Beach County Bar Association has launched a significant project to create educational exhibits in the 1916 Historic Courtroom. Thanks to the tremendous support and generosity of our members, the Bar has raised over \$257,000 for these exhibits in the 1916 Historic Courtroom. These exhibits, which will open this month, make an effort to educate and empower students and citizens alike to learn about history and civics. The exhibit will be open to all members on the evening of **March 27, 2008**. Please register for these special tours on the bars website.

In a recent message by former U.S. Supreme Court Justice Sandra Day O’Connor, she stated “the evidence is clear – and should be profoundly disturbing – we are failing to impart to today’s students, the information and skills they need to be responsible citizens. Only an educated citizen can insist that our nation’s commitment to liberty be upheld, and the proverbs of our Constitution fulfilled.” David McCullough, the Pulitzer

prize winning author of the acclaimed biographies Truman and John Adams has said “we are losing our story, forgetting who we are and what it has taken to come this far...Our story is our history, and if we ever should be taking steps to see that we have best prepared, most aware citizens ever, that time is now”.

In Palm Beach County, home of the infamous “butterfly ballot” that captured the national spotlight in 2000, we must take steps to ensure all citizens have the opportunity to learn about civics and government. This spring, the Bar Association will be hosting four Title I schools in Palm Beach County to tour the exhibits in the 1916 Historic Courtroom. During the tours, these students will be exposed to information on the Constitution, Declaration of Independence, Bill of Rights, separation of powers, and information on the 2000 presidential election. These students will also be exposed to an interactive video relating to William Holland, one of the leaders of the local civil rights movement and a man who was instrumental in desegregating the public schools in Palm Beach County.

It is our hope, through the significant effort of our Bar Association, that we will empower and educate our children. Further, we hope that you will come to the courtroom, view the exhibits and let everyone know that this will be one of the signature destinations for visitors in Palm Beach County.

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### Board of Directors Meeting Attendance

	July	Aug	Sept	Oct	Nov	Dec	Jan
	<b>Retreat</b>						
Bowden	x	Phone-in		x	x	x	Phone-in
Doner	McCabe	x	x	x	x	x	x
Farach	x	x	x	Phone-in	x	x	x
Guari	x	x	x	x	x	x	x
Howe	x	x	x	x	Phone-in	x	x
Napoleone	x	x	x	Phone-in	x	x	
Poulton	x	x		x	x	x	x
Rabin	x	x	x	x	x	x	x
Sasser	x	x	x	x	x	x	x
Schuler	x	x	x	x	x	x	x
Suskauer	x	x	x	x	x	x	x

## American government quiz

In preparation for the opening of the displays in the historic 1916 courtroom, we have prepared a quiz for our members to see how much they remember from their American government classes. Take this short quiz and test your knowledge, answers can be found on page 22. This information, along with much more, is included in the exhibits in the Historic Courtroom.

*Which battle brought the American Revolution to an end?*

- A. Saratoga
- B. Gettysburg
- C. The Alamo
- D. Yorktown

*“A government of laws, and not of men” is a government:*

- A. in which public officials receive special treatment
- B. run by the people
- C. under which no person is above the law
- D. in which there is no written constitution

*Since its adoption, how many amendments have been added to the U.S. Constitution?*

- A. 25
- B. 24
- C. 27
- D. 23

*The basic principles of American democracy include all of the following EXCEPT the idea that*

- A. government power must be limited
- B. the people have the right to elect their representatives
- C. all citizens must vote
- D. all citizens abide by majority decisions

*Which constitutional amendment granted citizenship to “all persons born or naturalized in the United States”?*

- A. First
- B. Fourteenth
- C. Fifteenth
- D. Thirteenth

## Contributions sought for 2008 law week judicial reception

The Law Week Committee is beginning its efforts to request contributions from law firms to underwrite the cost of the annual judicial reception honoring the local judiciary to be held on April 29, 2008. Sponsors will be recognized on the invitation, in the Bar Bulletin and on a sign at the reception.

Those interested in making contributions should send a check no later than March 1 to the Palm Beach County Bar Association, ATT: Patience Burns, 1601 Belvedere Road, Ste. 302E, WPB, FL 33406. Sponsorships have been set as follows: \$225 for firms with 1-2 attorneys; \$350 for firms with 3-10 attorneys; and \$550 for firms with 11 or more attorneys.

# Please join us for a special Brooks Brothers Made-to-Measure Event

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## Judicial Profile: Judge David E. French

By Adam Myron on behalf of the Judicial Relations Committee

If you would like to know, I have a secret to share with you about one of our Circuit Court’s newer judges. It turns out that Judge David French, who just celebrated his first anniversary on the bench, is a budding movie star.

That’s right, a movie star. In fact, if you go to [www.theshootdown.com](http://www.theshootdown.com), you can get a sneak peek at Judge French flying his personal Skymaster airplane as a stunt pilot in “The Shoot Down.” That film is a documentary that recreates and tells the story of the Brothers to the Rescue, two South Florida pilots who, before being shot down by Fidel Castro (a fact denied by Castro) rescued Cuban immigrants on their way to America. Although Judge French does not have any actual face time in the film, we all have to start somewhere right?

When Judge French isn’t flying his Skymaster, he’s also serving to faithfully fulfill his duties as a Circuit Court Judge – a service he truly relishes. When asked about his role in the Judiciary, Judge French declared that he is “firmly committed to the idea that being a Circuit Judge is one of the highest offices you can hold in this State” and that “the Fifteenth Judicial Circuit is one of the best, if not *the* best, Circuits.” It is this desire to maintain the high level of our judiciary that prompted Judge French to run for the bench. As the Judge says, “good judges come from good trial lawyers,” and Judge French’s background as a trial lawyer has prepared him for the bench.

After obtaining his Bachelor of Science degree in Finance from Florida State University and his Juris Doctor degree from Cumberland School of Law in 1975, Judge French pursued his dream of being a trial lawyer by litigating with the Wicker Smith law firm in Miami. A year later, he and another attorney opened Wicker Smith’s Fort Lauderdale office, and the Judge remained with the firm until 1982, when he and a partner

opened their own practice, David & French, P.A. Then in 2000, the Judge went on to open a solo practice by opening David E. French, P.A., where he primarily focused on Plaintiff’s litigation. There he remained until being elected to the bench in 2007. Recognizing the “tremendous responsibility” that the voters faithfully placed in him, Judge French works to “do what’s right” in his courtroom and ensure that every litigant not only feels welcome, but knows that they will receive a fair shake. Furthermore, Judge French is a strong advocate of the jury system. Noting that juries are the “backbone of the judicial system,” Judge French urges that “we have to protect it as a check and balance against arbitrary and capricious bureaucrats and judges, as well as a system that allows people to focus on being the determinate of the mores of our community.”

Outside of the law, Judge French has other passions. In addition to logging over 2,000 hours in his Skymaster, Judge French has great admiration and respect for horse-breeding. In fact, although the Judge has not competitively bred horses for some time, he can proudly claim to have raised Muscles Yankee, an award-winning competitive trotter horse. Judge French is also a family man. His wife, Christie, is a local chiropractor, and both she and the Judge are the proud parents of their one son, James, who is a freelance photographer for ABC, CBS, and other national affiliates.

Whether on the ground or in the air, Judge French brings his commitment to excellence and personal growth to everything he does, and it is on the bench that he hopes to maintain that commitment for many years to come.

*Adam M. Myron, Esq. is an associate with the law firm of Richman Greer, P.A., where he practices in the areas of commercial litigation and the resolution of business disputes.*

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Thank you to these judges who recently spoke at the Bar’s Employment Law Seminar: Judges Daniel T.K. Hurlley, Robin Rosenberg, Glenn Kelley, Jonathan Gerber and William Berger



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## The Latest On Liability For Obstructing Foliage

by Ted Babbitt

The landmark case on the issue of the responsibility of a landowner for allowing foliage on property to obstruct the vision of adjacent motorists is McCain v. Florida Power Corp., 593 So. 2d 500 (Fla. 1992). There the Florida Supreme Court rejected the “agrarian rule” that holds that a landowner has no liability when foliage on the landowner’s property extends to such an extent as to block the view of oncoming motorists and an accident ensues. Instead, the McCain Court held that the issue was one of foreseeability both as to duty and proximate cause. In McCain the Court held that the trial court must determine whether a “zone of risk” was foreseeable thus creating a duty to act or avoid to minimize that zone by cutting back foliage.

The Court next met this issue in the case of Whitt v. Silverman, 788 So. 2d 210 (Fla. 2001). There a pedestrian was injured when foliage on a gas station extended and blocked ingress and egress to a vehicle entering or exiting the premises. In Witt at Page 285, the Court held:

Accordingly, we conclude that under our analysis in *McCain*, the landowners’ conduct here created a foreseeable zone of risk posing a general threat of harm toward the patrons of the business as well as those pedestrians and motorists using the abutting streets and sidewalks that would reasonably be affected by the traffic flow of the business. Notwithstanding this conclusion, of course, cases like this must be subjected to a factual determination of whether the landowners actually breached their duty under the particular circumstances and whether the accidental death or injury was a proximate result of any breach of that duty. In other words, although

we conclude that the landowners had a duty of care, a discrete factual analysis and determination is required to determine the landowner’s alleged responsibility in each case.

In Williams v Davis, 32 Fla. L. Weekly S745 (Fla. 2007) the Court, once again, was faced with a similar issue but this time relating to residential property where the foliage did not extend into the public right-of-way. In that case, the plaintiff’s decedent was driving down the road when she was struck and killed by a dump truck traveling on a crossing road. The plaintiff claimed that the foliage on the property in question obstructed the decedent’s view of other traffic and thereby contributed to the accident. The Court was faced with a certified question that the Court reworded as follows:

DOES THE FORESEEABLE ZONE OR RISK ANALYSIS ESTABLISHED IN *MCCAIN V. FLORIDA POWER CORP.*, 593 So. 2d 500 (Fla. 1992), APPLY TO PRIVATE OWNERS OF RESIDENTIAL PROPERTY CONTAINING FOLIAGE THAT DOES NOT EXTEND INTO THE PUBLIC RIGHT-OF-WAY SO AS TO CREATE A DUTY BY THE LANDOWNER TO ADJACENT MOTORISTS?

The Court answered the question in the negative. In analyzing the issue, the Court conceded that the facts of this case were very similar to those contained within Witt, supra. However, the Court further concluded that there was a substantial difference in the factual underpinning of Witt because a commercial business was involved and because there was a duty to provide a safe ingress and egress for both customers and passing pedestrians. At Page S747, the Court held:

We conclude that these prior decisions can best be reconciled by a recognition that ordinarily a private residential landowner should be held accountable

under the zone of risk analysis principles of *McCain* only when it can be determined that the landowner has permitted conditions on the land to extend into the public right-of-way so as to create a foreseeable hazard to traffic on the adjacent streets...

In short, while we conclude that *McCain*’s principles of duty should be extended in appropriate circumstances to owners or occupiers of commercial property and to other property owners who permit conditions on their property to extend into the public right-of-way, we do not believe *McCain*’s principles lead to a finding of duty here.

While all property owners must remain alert to the potential that conditions on their land could have an adverse impact on adjacent motorists or others, we are not convinced the existing rules of liability established by our case law that distinguish conditions having an extra-territorial effect from those limited to the property’s boundaries should be abandoned.

Thus while Florida has not adopted the agrarian rule precluding liability to a landowner for allowing foliage to obstruct the vision of motorists, the zone of risk test established in McCain, supra, does not apply to residential property where the foliage does not extend beyond the property’s boundaries.

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.

## Board seats open for North County Section

The North County Section seeks new Board members for the following positions: Five (5) director seats and President-Elect for the 2008/09 year. The seats are for a two-year term beginning July 2008.

If you would like to become more active within our Bar, we hope that you will consider serving on the North County Section's Board of Directors. The Board typically meets once a month during lunch to plan various networking events for its 650 members including CLE luncheons and community service programs.

To apply for a director position or president-elect, you must submit a completed nomination petition to the Bar Office no later than 5:00 p.m. on Friday, March 28. The petitions will be available through the Bar Office on Monday, March 3. If there is a contested election, voting will take place on line in April. The winners will be announced on line in May.

The current Board includes President, Adam Doner; President-Elect, Ryon McCabe; Secretary, Debra Jenks; and Immediate Past President Andrew Pineiro.

Directors are Marina Petillo, Jerry Beer, Scott Smith, Ken Johnson, David Spicer, Scott Fischer, Ron Ponzoli and Ned Reagan.

## North County Section seeks nominations for its 6th Annual Jurist of the Year Award

The North County Section is seeking nominations for its Annual Jurist of the Year Award. If you're a North County Section member, please take a minute and send us a recommendation as to which local judge you feel deserves to be honored for his or her dedication to the Bench and our community. The letters of recommendations will be reviewed and discussed by the 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 as a judge; is generally recognized by Bar members as highly qualified; and 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 11, or email your recommendation to [lpoirier@palmbeachbar.org](mailto:lpoirier@palmbeachbar.org). The winner's name will be announced during the section's annual end-of-the-year dinner at Ruth's Chris Steak House on May 15. Previous winners of the award are Judge Mary Lupo, Judge Roger Colton, Judge Peter Blanc, Judge Thomas Barkdull and Judge Barry Cohen.



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## Florida Supreme Court Rules Homestead Cannot Be Waived

By Mark P. Barmat

The Florida Supreme Court recently ruled, consistent with its longstanding precedent, that a waiver of the homestead exemption in an unsecured agreement is unenforceable. DeMayo v. Chames, – So.2d –, 2007 WL 4440212 (Fla.). In the DeMayo case, Mr. DeMayo executed a retainer agreement with his lawyers. The retainer agreement included the following language: “The client hereby knowingly, voluntarily and intelligently waives his right to assert his homestead exemption in the event a charging lien is obtained to secure the balance of attorney’s fees and costs.” The retainer agreement was not a mortgage nor did Mr. DeMayo execute and deliver a separate mortgage and promissory note.

Mr. DeMayo failed to pay his attorney’s fees and subsequently a final judgment was entered in the law firm’s favor. The trial court expressly enforced the waiver provisions of the retainer agreement and the case was appealed to the Third District Court of Appeals. In a plurality opinion, the Third District Court of Appeals reversed the trial court and found the voluntary waiver of a homestead exemption unenforceable. DeMayo v. Chames, 934 So.2d 548 (Fla. 3rd DCA 2006). In a concurring opinion, the concurring judges certified a question of great public importance, which the Florida Supreme Court rephrased to the following: “Should this Court recede from longstanding precedent holding that the Florida Constitution’s exemption from forced sale of a homestead cannot be waived?” The Florida Supreme Court answered the certified question “no.”

The Florida homestead exemption is contained in article X, section 4(a)(1) of the Florida Constitution<sup>1</sup>. While the exemption

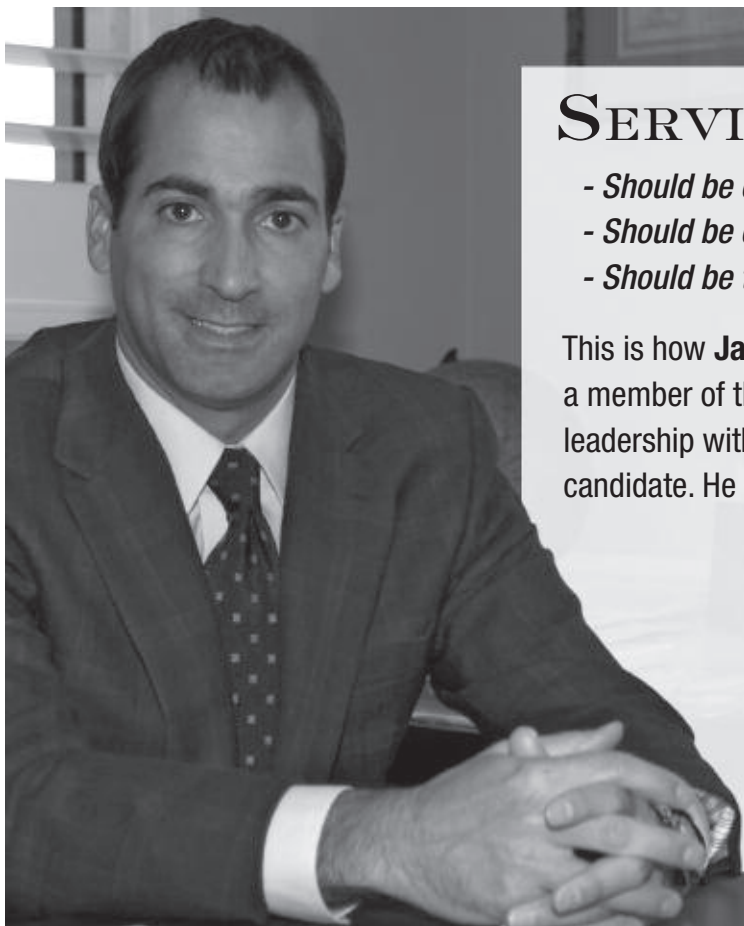
can be waived in a mortgage, the Florida Supreme Court has previously held that it cannot be waived in an unsecured agreement. See, Carter’s Adm’rs v. Carter, 20 Fla. 558 (1884); Sherbill v. Miller Mfg. Co., 89 So.2d 28, 31 (Fla.1956).

In support of its decision, the Court explained the reason behind the homestead exemption as follows: “The public policy furthered by a homestead exemption is to ‘promote the stability and welfare of the state by securing to the householder a home, so that the homeowner and his or her heirs may live beyond the reach of financial misfortune and the demands of creditors who have given credit under such law.’ Id. at 2, citing McKean v. Warburton, 919 So.2d 341, 344 (Fla.2005).

In Demayo, the unsecured creditor asked the Florida Supreme Court to recede from its precedent based on the following three, alleged, subsequent developments: (1) the 1984 amendment to article X, section 4 of the Florida Constitution, which substituted “a natural person” for “the head of family,” changed the purpose of the homestead exemption from one protecting the family home into a personal right that may be waived; (2) a purported national trend approving such waivers; and (3) the Florida Supreme Court’s recent holdings that other constitutional rights can be waived.

The Florida Supreme Court disagreed with the first argument and found that when the voters expanded the homestead exemption from protecting families to protecting all individuals, the voters did not also intended to approve a waiver of the homestead exemption. In response to the second argument, the Court found that Florida remained in line with a majority of

*Continued on page 18*



## SERVING ON THE BOARD:

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- *Should be done with **pride***
- *Should be taken seriously, with a **dedicated commitment***

This is how **Jason J. Guari** sees it. And this is how he will serve as a member of the PBCBA Board. His experience and demonstrated leadership with the Young Lawyers’ Section make him an ideal candidate. He appreciates your vote!



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## Romano Law Group brings Florida's first green "living" office building to downtown Lake Worth



by Susan Maynor

When it opens in the spring of 2008, EcoCentre, the Living Building will be the world's first office building of its kind – a 33,000 gross sq. ft., four-story structure incorporating natural "living" systems and "green" technologies designed to save energy,

reduce CO2 emissions, water consumption and create an overall healthier environment. The project will be registered with the U. S. Green Building Council in order to seek Gold L.E.E.D. certification, a procedure demonstrating that the project has been planned, designed, and completed with a primary goal of environmental enhancement. But what makes this building truly unique is its Living Machine®, or Biolarium®, a natural water-filtering system which collects, purifies and reuses water throughout the building. In the end, EcoCentre, the Living Building, will offer a synergistic approach to improving environmental quality while contributing to the health, productivity and wellbeing of its occupants.

The main occupant of the building will be the law firm of Romano Law Group (formerly Romano, Eriksen & Cronin). John F. Romano, senior partner of the firm believes, "There is no second chance when it comes to the environment. We either do it right in this century, or it may well be ruined forever. This is why builders, developers, contractors, owners, community leaders and elected officials must make an all-out effort towards 'building green' from this day forward. The concept of simply flattening a parcel of land and then loading it up with steel and concrete is at best wrong and - at its worst – immoral! We are looking forward to creating this 'Living Office Building' to prove that business can develop a working structure for their daily activities which houses them comfortably while at the same time address environmental concerns and needs, sustain energy, recycle water, and provide for a happy environment for those working within the building."

EcoCentre, the Living Building will be lush with indoor gardens and a 12-foot waterfall spilling reclaimed water from the second floor down to the first floor. To reduce the flow of storm water and cut potable water use, the project includes an advanced system to retain, filter and recycle rainwater and wastewater. Through the use of recycled water for toilet flushing and landscape irrigation, drought-resistant plantings and water-efficient plumbing, the building is projected to use 60 percent less potable water than a comparable non-green building. The three floors above will contain office space and views into the atrium-center of the building and its Biolarium® and will assure occupants of both outdoor views to nature or the city and indoor views to the building's gardens, streams, and waterfall. A "Living Roof" lush with plants, trees, gardens and sitting areas will top the building.

A mock trial courtroom with jury facilities; a shuttle system to the Palm Beach County courthouse; a full, complete state-of-the-art video conference center; and a state-of-the-art workout gym and fitness center will be available for use by the other law firms or law-related companies with offices at EcoCentre.

Other green technologies such as a raised flooring system designed to maximize the efficiency of air conditioning and air flow; an exterior constructed of recycled Chicago brick; countertops which look like marble but which are made entirely of recycled, crushed bottled glass and environmentally sensitive concrete; and an elevator powered by vegetable oil are just a few of the features that make EcoCentre, the Living Building an example of how companies such as the Romano Law Group are building environmentally responsible buildings while creating healthy, enjoyable and productive environments for its employees and other building occupants.

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## Pro Bono Attorneys Who Closed Cases in January 2008

Clients met and/or served by the attorneys listed below .....63

Hours of pro bono services by these attorneys .....854.50

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Richard Abedon	Lynn Solomon
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## Pro Bono Assistance needed amidst Mortgage Foreclosure crisis!

The Legal Aid Society's Pro Bono Program is soliciting volunteer attorneys to assist in the representation of individuals facing the loss of their home. Every day in the news we hear about the rising foreclosure rates in Palm Beach County. At the Legal Aid Society we receive numerous calls daily asking for help from people facing foreclosure. Many of our clients are elderly or disabled having lived in their homes for 20-30 years. Most of these people have been victimized by predatory lenders, charged exorbitant fees and generally exploited. Unfortunately these individuals living on fixed incomes below the poverty level do not have the means to defend themselves in these lawsuits. Because of the current crisis the Legal Aid Society is asking for additional attorneys to volunteer on a pro bono basis to assist these vulnerable individuals in saving their homes. For more information about this volunteer opportunity, please contact Kimberly Rommel-Enright at 655-8944 ext. 265.

## Florida Bar Board of Governors Report

At its December 14 meeting in Amelia Island, The Florida Bar Board of Governors:

- Heard a preview of legislative issues for the upcoming Regular Session of the Florida Legislature, with main assessment being that budget issues will dominate. The Bar is committed to continuing to support adequate funding for the court system and opposing budget cuts that would cripple its ability to timely handle cases.
- Approved the Bar strategic plan for 2008-11, setting as the Bar's top goals protecting the judiciary, promoting the legal profession, ensuring access to the courts and the legal system, and enhancing Bar services for its members.
- Heard a report on the implementing of a new program that has all grievance complaints, written as well as telephonic, screened through the ACAP program. Preliminary results show a

dramatic drop in the number of cases referred to Bar counsel for investigation, which is expected to lead to a better use of Bar resources.

- Approved overturning a Bar advertising staff ruling on whether an attorney can answer legal questions posed to a group in an Internet chat room. The Board Review Committee on Professional Ethics is studying the underlying advertising opinion on which that ruling was based.
- Heard a report from the Investment Committee, including that none of the Bar's investments are in mortgage-back securities, and hence the Bar's holdings are not affected by the ongoing subprime mortgage crisis.

*If you have any questions or comments, contact one of your four local delegates to the Board of Governors: Scott Hawkins, Greg Coleman, Lisa Small, David Prather or Florida Bar President-elect Jay White.*

## Circuit Court Report CIVIL DIVISIONS • December 2007

DIVISION	JURY TRIALS	NON-JURY TRIALS	MOTIONS	CASES PENDING
A	03/08	03/08	03/08	1556
B	06/08	06/08	02/08	1318
D	05/08	05/08	02/08	1690
E	06/08	04/08	04/08	1723
F	04/08	04/08	04/08	1404
G	08/08	08/08	04/08	1147
H	08/08	08/08	02/08	1431
I	05/08	02/08	03/08	1311
J	08/08	08/08	04/08	1365
N	06/08	06/08	03/08	1659
O	06/08	05/08	04/08	1652

All Civil Division Judges schedule their own Jury and Non-Jury Trials. Pending cases as of 1/04/08.

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## 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.*

**SIMEON D. BRIER** – Miami; Nova Southeastern University, 2001; Associate in Edwards Angell Palmer & Dodge LLP, Ft. Lauderdale

**KAREN A. CHILDERS** – Pensacola; Florida State University, 1990; Karen A. Childers, Lake Worth

**JALINDA B. DAVIS** – Sebring, FL; Florida State University, 1997; Associated with Attorneys' Title Insurance Fund, Inc., West Palm Beach

**JENNIFER R. FLEMING** – Arlington, VA; University of Miami, 2007; Associated with 15th Judicial Circuit, West Palm Beach

**KRISTEN A. FLOYD** – Houston; Stetson University, 2007; Associate with Joel M. Weissman, P.A., West Palm Beach

**KRISTA G. GARBER** – Bridgewater, Nova Scotia Canada; Florida Coastal School of Law, 2000; 15th Judicial Circuit, West Palm Beach

**LISA M. GOMEZ-RIVERA** – Cuba; Rutgers School of Law; Rachlin Cohen & Holtz LLP, West Palm Beach

**TIMOTHY L. GRICE** – Gainesville; Nova Southeastern University, 2007; Law Office of Timothy L. Grice, PA, West Palm Beach

**PATRICIA L. HARTLEY** – LaPorte, IN; University of Florida College of Law, 1991; Associate in Hilley & Wyant-Cortez, P.A., North Palm Beach

**PATRICK M. JOHNS** – Richmond, VA; University of Miami, 2007; Associate in Walton Lantaff Schroeder Carson, LLP, West Palm Beach

**RYAN D. KELLEY** – Miami; Stetson University College of Law, 2004; Associate in Fisher & Bendeck P.A., West Palm Beach

**LARISSA LACMAN** – CT; Quinnipiac University School of Law; Affiliate Member, Palm Beach Gardens

**WENDY S. LEAVITT** – Poughkeepsie, NY; University of Florida, 1991; Associated with Ackerman, Link & Sartory, P.A., West Palm Beach

**RYAN R. MCCAIN** – Vero Beach; Stetson University College of Law, 2006; Associate in Barfield, P.A., West Palm Beach

**TIMOTHY C. NIES** – St. Albans, NY; Nova Southeastern University, 2001; Associate in Howard S. Grossman, PA, Boca Raton

**JACOB M. NOBLE** – Washington, D.C.; Stetson University College of Law, 2004; Solo Practitioner in Palm Beach Gardens

**DANIALLE RIGGINS** – HighPoint, NC; FAMU College of Law, 2005; Associate in Rosenthal, Levy & Simon, P.A., West Palm Beach

**MICHAEL R. SANTANA** – Palm Beach Gardens; Florida International University College of Law, 2007; Associate in Robert M. Montgomery, Jr. & Associates, PL, West Palm Beach

**IRA SHERMAN** – New York; SUNY at Buffalo, NY, 1975; Partner in Chaikin, Sherman, Cammarata & Siegel, P.C., Washington, D.C.

**SARINA SIGEL** – Rochester, NY; American University; Affiliate Member, Lake Worth

**REED B. SOMBERG** - Miami; Nova Southeastern University, 1982; Reed B. Somberg, P.A., Jupiter

**MARLA B. SOMERSTEIN** – Ft. Lauderdale; University of Miami, 2007; Associate in Ruden, McClosky in West Palm Beach

**DALIAH WEISS** – New Jersey; Villanova, 1996; State Attorney's Office, West Palm Beach

**DAVID G. WEISSER** – University of Miami, 1994; Bernstein Global Wealth Management, West Palm Beach



**ADAM M. ZBOROWSKI** – Michigan City, IN; Thomas Goode Jones School of Law, 2007; Associate in Law Offices of Matthew S. Nugent,

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### Strategic Conversations: The Initial Consultation

by Mark Powers

Your initial consultation with a prospective client is an often-overlooked Strategic Conversation and one that's critical to the client development process. When handled well, the impression you create with this first consultation will inspire trust and convert a prospective client into a paying client. When handled poorly, the client will seek the services of one of your competitors. Your success, and your firm's profitability, depends directly on how skilled you are in making this all-important conversion.

To make a significant first impression, think about the lawyer/client relationship from the client's point of view. Clients seek your professional services because they lack the necessary expertise to solve a problem. In hiring you, they gain the appropriate expertise they need, but lose something else: their sense of control over a problem or situation. Along with a lessened sense of control most clients tend to believe that their risk – the consequences that face them if they fail – is much greater than their lawyer's.

In many cases, they are right.

To compensate for this unbalanced feeling, clients will depend on the level of trust they feel for you. If, in the initial stages of getting to know you, the client feels you'll minimize their risk, they'll trust you, and subsequently hire you. So how do you demonstrate that you are worthy of their trust?

By knowing what the client looks for in the initial interview.

First, the client wants to tell his story. Whether the situation involves a simple transaction, or a complex business dispute, clients are impressed by someone who will listen to and understand their situation. For complex matters, the use of reflective listening techniques can help. Ask relevant questions and repeat back what the client has said using phrases such as, "Let me see if I understand what the main issues (or concerns) are..." or "What I hear you saying is..." This approach not only provides the client with the sense he is being heard, it allows you to gain clarification on important details. During this, or any meeting with clients, don't allow interruptions or take phone calls. Clients won't trust you if they don't feel important enough to have your full attention when faceto-face.

Once the client has told his story, if it is appropriate to express sympathy upon hearing the client's problem or situation, do so. Phrases such as, "I'm sorry you've had such a difficult time." Or "It's unfortunate you've had to go through this experience," or "I sympathize with you – that must have been very hard," go a long way to building trust with a new client. Though this may seem like a minor point, clients need to believe you care about them and their matter before they'll trust you. Clearly, the need to be sympathetic will vary according to your practice area, and the type of work you plan to do, so use your best judgment. For the most part, however, a client wouldn't be in your office if

he wasn't experiencing some kind of a problem that requires professional help, so act accordingly.

The next step in earning the trust of a potential client is to explain how and why you can help them. In all likelihood, you've dealt with many situations similar to theirs; refer to these cases as you discuss the actions you might take. Clients want to hear that you have experience with similar situations – it provides evidence that you've got the appropriate experience.

In addition, especially with clients who are inexperienced, explain each stage of your work together to help the client understand the process and potential pitfalls along the way. Explain how you'll handle the matter and what you can deliver within the established constraints. Don't over-promise and be sure to explain what you'll need from the client in terms of time, access, decisions, documents and information. The more you educate the client on the role they play, set appropriate expectations and involve them in the process, the more cooperative they become. You can say something like, "Here's what I'm going to do to help you...and here's what I need you to do to help me..." When appropriate, reiterate these points in your Engagement Letter.

To see how successful you are at inspiring confidence right from the start, keep track of the number of desirable clients who hire you compared to the number of desirable clients who don't. (If at all possible, screen undesirable clients over the telephone so you aren't spending face time talking to people who don't meet your standards). If eight out of 10 desirable clients sign on, your conversion rate is 80% – an excellent score.

If you score lower than 80%, ask yourself how you can improve your conversational skills to gain the trust and confidence of clients early on. Do you listen and fully understand the needs of the client, sympathize when appropriate and then demonstrate your expertise? Or do you shortcut the first two steps in your desire to demonstrate your expertise right away? Remember the old adage, "I don't care how much you know, until I know how much you care." It's the key to building trust.

Trust is critical to the attorney/client relationship from the beginning of an engagement through to the end. It's important to inspire the trust with the initial consultation and equally important to maintain it throughout the course of the matter.

From the beginning, track the number of people that call and inquire about working with you. Subsequently, track the number of people that set a first appointment with you, and finally, track the number of people that become paying clients. This will tell you how good you are at the intake conversation and how much trust you have inspired.

Mark Powers is the President of Atticus, Inc., co-authored "The Making of a Rainmaker: An Ethical Approach to Marketing for Solo and Small Firm Practitioners" and is a featured marketing writer for *Lawyers, USA*. Mark founded *Rainmakers*<sup>TM</sup>, a simple process for attorneys at all levels to stay focused on marketing, creating fresh ideas, and on-going accountability to marketing. To learn more about Atticus or *Rainmakers*<sup>TM</sup>, please visit the Atticus website at [www.atticusonline.com](http://www.atticusonline.com) or contact the Atticus office at 352-383-0490.

## Homestead Cannot Be Waived

*Continued from page 9*

jurisdictions and discerned no trend towards approving waivers of homestead. Finally, in response to the third argument, the Court found that permitting a waiver of the homestead exemption in a mortgage, but not in an unsecured agreement, is consistent with their cases allowing waivers of constitutional rights, but requiring them to be knowing, intelligent, and voluntary. Accordingly, the Court declined to recede from their prior decisions and the long-standing precedent that a voluntary waiver of a homestead exemption is not enforceable remains the law. Keep in mind that the outcome of this case would have been different if Mr. DeMayo executed a separate promissory note and mortgage in favor of the law firm.

*This article was submitted by Marc Barmat, Furr and Cohen, P.A., One Boca Place, Suite 337 West, 2255 Glades Road, Boca Raton, FL 33431, mbarmat@furrcohen.com*

1 Homestead; exemptions (a) There shall be exempt from forced sale under process of any court, and no judgment, decree or execution shall be a lien thereon, except for the payment of taxes and assessments thereon, obligations contracted for the purchase, improvement or repair thereof, or obligations contracted for house, field or other labor performed on the realty . . . Art. X, § 4(a), Fla. Const. (2004).

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## Elect Maureen Martinez-Schwab

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Maureen Martinez-Schwab is a partner at Romano Law Group (formerly Romano, Eriksen & Cronin), where she maintains a successful trial practice in the areas of Criminal Defense, Personal Injury and Construction Defects. She began her career as an Assistant State Attorney at the Office of the State Attorney for the 15th Judicial Circuit, Florida. She is also an invited lecturer to legal groups throughout the country.



**Maureen is actively involved in the legal community and participates in the following organizations:**

- Palm Beach County Bar Association, Young Lawyers Section 1997–Present
- Palm Beach County Bar Association, Law Week Chair, 2007 & 2008
- Palm Beach County Justice Association, Board of Directors 2004–2007
- Belli Society, Board of Directors 2005–present
- Florida Justice Association, Young Lawyers Section Board of Directors, 2005–present
- The Palm Beach County Association of Criminal Defense Lawyers
- Florida Justice Association/Research & Education Foundation, Hon. E. Earle Zehmer Law School Mock Trial Competition, Chair 2005, 2006 and 2007
- The American Association for Justice
- Craig S. Bernard American Inns of Court LIV, Secretary
- The Florida Bar, Criminal Justice and Young Lawyers Sections
- Florida Association of Criminal Defense Lawyers
- Hispanic National Bar Association, 1996–1998
- Nova Southeastern University - Shepard Broad Law Center, Student Government Association President 1996

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### Legal Aid Society

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### Florida Bar

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Endorsement list as of January 25, 2008

# Bulletin Board

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**FAMILY LAW FIRM** in West Palm Beach seeks highly motivated litigation attorney with 5-10 years experience, preferably Board Certified. Please submit your resume and cover letter with salary requirements by fax to (561) 658-0943.

**AV RATED** West Palm Beach law firm seeks attorney with at least three (3) years litigation and/or bankruptcy experience to handle complex bankruptcy litigation matters and business related cases. Salary commensurate with experience. Forward resume and salary requirements to dbuell@ebcblaw.com.

**CASE MANAGER POSITION** available in personal injury Plaintiff's law firm in WPB. All work will be pre-suit. Significant experience required in case management, demand packages, negotiation of liens / meds. 5 days / week, 40 hours. Benefits. Email resume with cover letter to Marion Diamond, Legal Administrator at MDiamond@800goldlaw.com.

## 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 www.suskauerlaw.com.

**GREGORY TENDRICH, Esq:** Former Series 7 licensed VP & Asst. General Counsel to local & national (First Union & Wachovia) NYSE/NASD brokerage firms, and current NASD Arbitrator and Florida Supreme Court Certified County Court Mediator, is available to mediate investment-related matters, including prudent-investor and commercial disputes. Mr. Tendrich also accepts referrals and is available to co-counsel or consult in investment-related matters, SEC, NASD, NYSE and other regulatory enforcement matters. Please call 561-417-8777 or visit our website www.yourstocklawyer.com.

**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

**W. GREY TESH:** "Criminal Law is not Black & White, it's Grey" aaacriminaldefense.com. Over 60 jury trials. Former assistant public defender. Defended over 1,000 criminal cases, Federal and State. Past Director, Palm Beach Association Criminal Defense Lawyers. 1610 Southern Blvd. WPB, FL 33406. greytesh@aaacriminaldefense.com. (561) 686-6886.

**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.

**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 admarr1@earthlink.net and www.admiraltyatty.com

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- 1916 Courthouse Fundraising Committee
- Judicial Relations Committee
- Membership Committee

### Additional Leadership:

- ◇ Past President-Elect & Treasurer, *FAWL*
- ◇ Chair Judicial Reception Committee, *FAWL*
- ◇ Member Inns of Court (Craig S. Bernard Inn) 2004-Present
- ◇ Founding Board Member, Women's Foundation of Palm Beach County
- ◇ State *FAWL* Chair, Ad Hoc Revenue Committee

# Bulletin Board

**PALM BEACH GARDENS:** Law Office offering suite to share. Space includes 1 private office, 1 secretarial station, kitchen facilities and 2 conference rooms. Call (561) 624-2110.

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## HEARSAY

**Mike Celeste**, a Board Certified Workers' Compensation attorney, has been selected at this year's outstanding Workers' Compensation claimant attorney by the Friends of 440 Scholarship Fund, Treasure Coast Division.

Jeck, Harris & Jones, LLP is please to announce that **Jeffrey S. Raynor**, a Board Certified Real Estate attorney, has joined the firm as a Partner. The firm has changed its name to Jeck, Harris, Raynor & Jones, P.A. New office location is 790 Juno Ocean Walk, Suite 600, Juno Beach, FL 33408-1121. Phone (561) 746-1002 Fax (561) 747-4113 Email: [Info@jhrjpa.com](mailto:Info@jhrjpa.com).

**Keith James** has been appointed to the Palm Beach Community College Foundation Board of Directors.

**Gary S. Betensky**, a shareholder at Richman Greer, P.A., has achieved Board Certification in Business Litigation Law by the Florida Bar.



**Patricia E. Lowry** of the law firm Squire, Sanders & Dempsey, L.L.P., was ranked in the top tier of product liability lawyers in Florida in the 2008 edition

of *Who's Who Legal: Florida*.



**Yueh-Mei Kim Nutter** of Hodgson Russ LLP, has been named managing partner of the firm's Florida offices. Ms. Nutter follows



**James M. Hankins** as managing partner. Mr. Hankins will continue as a partner in the firm's Estates & Trust Practice Group. Searcy Denney Scarola

Barnhart & Shipley, P.A. announced that **Harry A. Shevin**, one of the firm's Shareholders, was recently inducted as President of the Palm Beach County Justice Association.



**Richard A. Jarolem** and **Matthew N. Thibaut** have become partners of

the law firm of Casey Ciklin Lubitz Martens & O'Connell. Mr. Jarolem has been with the firm since 2000, while Mr. Thibaut has been there since 2001.

**Judge Don Hafele** recently received the Peter Fairclough Memorial Recognition Award for his work at the Civil Drug Court which was founded by Judge Edward Rogers.

## MISCELLANEOUS

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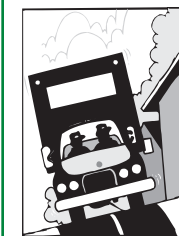
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## MOVING?

Be sure to send your updated address, phone, fax and email information to the Bar at 561/687-9007.

## American government quiz

Questions on page 4

Answers 1: C; 2: C; 3: C; 4: C  
and 5: B

*Rosenthal & Levy Proudly announces  
the firm name change to*

# Rosenthal, Levy & Simon, P.A.



In recognition of Partner Steven C. Simon's tireless efforts and unwavering commitment, he has been selected a name partner of Rosenthal, Levy & Simon. Nearly two years ago Steve took the challenge of moving his family to Port St. Lucie, Florida, and managing the firm's office there. Under his leadership the office has grown to a full service practice with three attorneys and a support staff of 15.

We applaud Steve and his family's efforts and are forever grateful for their resolve to further the mission of Rosenthal, Levy & Simon – *Fighting for the Injured.*

*Above, pictured left to right: Charlie, Steve, Donna, Julie & Eric Simon*

*We congratulate name partner*

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# CALENDAR

## March 2008

Wednesday, March 5,  
11:45am – 1:00pm  
**Joint Luncheon with South  
County Bar Assn.**  
Delray Beach Golf Club  
Speaker: FL Bar President Frank  
Angones

Thursday, March 6  
**Florida Bar Video  
Replay Seminar  
“Environmental & Land Use  
Considerations in RP Trans”**  
Bar Association Office

Thursday, March 6,  
5:30pm – 7:30pm  
**NCS Happy Hour**  
Yard House

Friday, March 7,  
8:00am – 5:00pm  
**“Trial Superstars Seminar”**  
Crowne Plaza Hotel, WPB

Tuesday, March 11,  
12:00 Noon – 1:00pm  
**YLS Board Meeting**  
Bar Association Office

Wednesday, March 12,  
12:00 Noon – 1:00pm  
**NCS Board Meeting**  
Office of Michael Slavin

Wednesday, March 12,  
12:00 Noon – 1:00pm  
**Solo & Small Firm Luncheon**  
Bar Association Office

Wednesday, March 12,  
6:30pm - 8:00pm  
**Small Claims &  
Mediation Clinic**  
Wellington Library

Thursday, March 13,  
5:30pm – 7:30pm  
**Federal Bar Assoc.  
Cocktail Reception**  
BNY Mellon

Friday March 14,  
8:30am – 9:30am  
**ADR Committee Meeting**  
Bar Association Office

Monday, March 17,  
12:00 Noon – 1:00pm  
**Membership Committee  
Meeting**  
Bar Association Office

Tuesday, March 18,  
12:00 Noon – 1:00pm  
**Historical Committee Meeting**  
Bar Association Office

Tuesday, March 18,  
5:30pm – 6:30pm  
**Inns of Court Meeting**  
Judicial Dining Room

Wednesday, March 20,  
11:45am – 1:00pm  
**Judicial Relations  
Committee Meeting**  
Judicial Dining Room

Friday, March 21  
**Court Holiday - Good Friday**  
Bar Office closed

Friday, March 21, 12:00  
**Cunningham Bar  
Association Meeting**  
Law Library Conference Room

Monday, March 24,  
11:30am – 1:00pm  
**Judicial Luncheon Seminar –  
“Jury Trials”**  
Judicial Dining Room

Tuesday, March 25,  
5:00pm – 6:00pm  
**Legal Aid Board Meeting**  
Bar Association Office

Wednesday, March 26,  
5:00pm – 6:00pm  
**PBCBA Board Meeting**  
Bar Association Office

Wednesday, March 26, 6:00pm  
**PBJA Dinner**  
Bear Lakes Country Club

Thursday, March 27  
5:30pm – 7:30pm  
**1916 Historic Courtroom  
Open House**

Friday, March 28,  
12 Noon – 1:00pm  
**United Family Law Practice  
Committee Meeting**  
Joint Meeting with South Palm  
Beach Bar Family Law  
Committee



# PALM BEACH COUNTY BAR ASSOCIATION BULLETIN

1601 Belvedere Road, Suite 302 East, West Palm Beach, FL 33406

PRESORT STD  
US POSTAGE  
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### PAST PRESIDENTS...

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RICHARD P. ROBBINS\*  
L.R. BAKER\*  
HARRY A. JOHNSTON\*  
GEORGE W. COLEMAN\*  
H.C. FISHER\*\*\*\*  
MARSHALL B. WOOD\*  
E. HARRIS DREW\*\*\*  
B.F. PATY\*  
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MANLEY P. CALDWELL\*  
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\* DECEASED  
\*\* FLORIDA BAR PRESIDENT  
\*\*\* DECEASED, FLORIDA BAR PRESIDENT, SUPREME COURT JUSTICE  
\*\*\*\* DECEASED, FLORIDA BAR PRESIDENT  
\*\*\*\*\* DECEASED, FLORIDA BAR PRESIDENT, FEDERAL COURT JUDGE



The North County Section of the Palm Beach County Bar Association  
Presents

## Changes in E-Discovery Rules and How it Effects Your Firm

Friday, April 18, 2008

11:30 a.m. to 1:00 p.m.

Abacoa Golf Club  
Barbados Drive, Jupiter



### Program Information:

#### Buffet Lunch

**Presenter:** Richard Sheffield, Applied Discovery, a division of LexisNexis.

**Changes within the Federal Rules and impact on Florida Courts.**

**Light technical overview on computers & networks to understand where data is stored.**

**Concepts of identifying data to collect and what collection looks like, structuring an electronic data review.**

**How to deal with privileged documents and accomplishing a production.**

**What efficiencies does E-Discovery provide and how do you achieve the most cost savings in an electronic review?**

**How is electronic data different from paper data?**

**Provide some real life scenarios of data discovery issues both good and bad.**

**Sponsored by:**



"Florida's Business Bank"<sup>SM</sup>

**PI Content Investigations**



*This course is expected to receive 2 CLER including .5 Ethics credit from The Florida Bar. The cost of the seminar is \$30 for PBCBA members/paralegals; \$40 for non-section members and judges are complimentary. All refund requests must be made no later than 48 hours prior to the date of the seminar.*

Name: \_\_\_\_\_ Telephone #: \_\_\_\_\_

Address: \_\_\_\_\_ Email Address: \_\_\_\_\_

Credit Card #: \_\_\_\_\_ Visa: \_\_\_\_\_ AMEX: \_\_\_\_\_ Mastercard: \_\_\_\_\_

Name on the Card: \_\_\_\_\_ Exp: \_\_\_\_\_

Amount to Charge: \$ \_\_\_\_\_ Signature: \_\_\_\_\_

\_\_\_\_\_ I will not be able to attend the seminar but would like to order the CD (allow 2 weeks for delivery) (4/18/08) 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



# LAW WEEK 2008

*"The Rule of Law: Foundation for Communities of Opportunity and Equity"*

## Attorneys Needed To Present MOCK TRIALS & SPEAKER'S BUREAU PROGRAMS April 28 – May 2, 2008

Once again, we will be offering the **MOCK TRIAL & SPEAKER'S BUREAU** programs in all public and private schools. Therefore, extensive participation by attorneys and judges is greatly needed! **Pro bono credits are available for your participation.** Please mark your calendars now and indicate below your area(s) of preference for program, location, date, etc. We will make every effort to accommodate your preferences.

Thank you for helping to make Law Week 2008 a great success!

-----Clip and Mail -----

JUDGE/ATTORNEY NAME: \_\_\_\_\_

FIRM ADDRESS & PHONE: \_\_\_\_\_

E-MAIL ADDRESS (**REQUIRED**): \_\_\_\_\_

AREA(S) OF SPECIALTY: \_\_\_\_\_

PREFERRED DAY (please circle) Monday Tuesday Wednesday Thursday Friday

EVENT PREFERENCE:  MOCK TRIAL  SPEAKER'S BUREAU

SCHOOL PREFERENCE (if any): \_\_\_\_\_

SCHOOL LEVEL PREFERENCE:  Elementary  Middle  High School

GEOGRAPHICAL PREFERENCE:

- |   |   |  |  |
|---|---|--|--|
| <input type="checkbox"/> Palm Beach         | <input type="checkbox"/> Lake Worth/Lantana | <input type="checkbox"/> Jupiter/Tequesta            | <input type="checkbox"/> Riviera Bch/Lake Park |
| <input type="checkbox"/> West Palm Beach    | <input type="checkbox"/> Delray Beach       | <input type="checkbox"/> Boca Raton                  |  |
| <input type="checkbox"/> Boynton Beach      | <input type="checkbox"/> North Palm Beach   | <input type="checkbox"/> Wellington/Royal Palm Beach |  |
| <input type="checkbox"/> Palm Beach Gardens | <input type="checkbox"/> Belle Glade        | <input type="checkbox"/> Other, please specify _____ |  |

**PLEASE RETURN BY MARCH 15 TO:**

**Sherry C. Ingram, CP, Palm Beach County Attorney's Office, 301 N. Olive Avenue, 6th Floor, West Palm Beach, FL 33401. Direct: 561/355-4389. Fax: 561/355-4234. Email: [singram@co.palm-beach.fl.us](mailto:singram@co.palm-beach.fl.us)**



# Palm Beach County Bar Association LEADERSHIP ACADEMY- THE ART OF LEADERSHIP

Friday, April 25, 2008 - 8:00 a. m. - 1:15 p.m.

Palm Beach County Bar Association Office, 1601 Belvedere Road, Suite 302E, West Palm Beach

*The goal of this program is to educate and motivate lawyers to become leaders with respect to ethical, professional and community service issues with a goal of raising the overall professional standards of lawyers in the community.*

### **SPONSORS:**

*Gulfstream Business Banking  
David Lerner & Associates*

### Program Schedule

- 8:00am - 8:20am**    **Late Registration**
- 8:20am - 8:30am**    **Welcome and Opening Remarks - Michael J. Napoleone, Richman Greer, Chairperson**
- 8:30am - 9:20am**    **Time Management:** Practical advice on how you can accomplish all of the daily activities of being a lawyer and a leader and still find time for a life - *Nora Bergman., Practice Advisor, Atticus*
- 9:20am - 10:10am**    **Leadership Styles:** The importance of building your reputation, how and why lawyers can and should get involved in a leadership role with the Bar, and the benefits of leadership and involvement - *John G. White III, Richman Greer, President-elect, The Florida Bar*
- 10:10am - 10:25am**    **Break**
- 10:25am - 11:15am**    **Leadership through Service:** The service nature of the legal profession, leading and lawyering in a diverse society, and the importance of personal motivation - *Dennis Archer, Dickinson Wright PLLC, former Mayor of Detroit, former president of the ABA and former Michigan Supreme Court Justice*
- 11:15am - 12:05pm**    **Obligations of Young Lawyers:** The obligations and importance of young lawyers taking on leadership roles, the influential positions of lawyers in society and the value in conducting yourself with professionalism and civility in all that you do - *The Honorable Raoul G. Cantero III, Justice, Florida Supreme Court*
- 12:10pm - 1:15pm**    **Lunch and Dessert Reception**

This course has been granted **4.0 CLER hours including 1.0 Ethics credits** from The Florida Bar.

The cost of the seminar is \$100 for PBCBA members/paralegals; \$140 for non-PBCBA members/paralegals if registered by 4/18/08; 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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**Name:** \_\_\_\_\_ **Telephone:** \_\_\_\_\_

**Address:** \_\_\_\_\_ **City/Zip** \_\_\_\_\_

**Email Address:** \_\_\_\_\_

**Name on Credit Card:** \_\_\_\_\_ **Signature:** \_\_\_\_\_

**Credit Card #:** \_\_\_\_\_ **Visa**  **Amex**  **MC**  **Exp. Date:** \_\_\_\_\_ **Amount \$** \_\_\_\_\_

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) (Leadership Academy 4/25/2008.)

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

The Palm Beach County Bar Association's Elder Law Affairs Committee presents:

# *“The 8th Annual View From The Bench”*

*Wednesday, April 16, 2008 6:00pm - 8:30pm  
The Colony Hotel, Palm Beach, 155 Hammon Avenue*

## **Program Schedule**

6:00pm - 6:30pm Registration and Cash Bar

6:30pm - 8:30pm Dinner and Presentation:

- *Honorable Richard L. Oftedal*
- *Honorable John L. Phillips*



This course has been granted **2.5 CLER hours**

**including 2.0 Civil Trial Certification credits** from The Florida Bar.

The cost of the seminar is \$50 for PBCBA members/paralegals; \$90 for non-PBCBA members/paralegals if registered by 4/9/08; add \$25 to registration fee after that date.

### *Sponsored by:*

*MetLife - Bob Greenberg, CLTC; Lynda Cairo, CLTC; & Branden Schiralli, CLTC  
Jo Ann Abrams, Attorney at Law*



*Probate & Investment Litigation*



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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**Please select one: Romano Crusted Chicken \_\_\_ Mahi Mahi \_\_\_ Wild Mushroom Ravioli \_\_\_**

**Name:** \_\_\_\_\_

**Telephone:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Email Address:** \_\_\_\_\_

**Name on Credit Card:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Credit Card #:** \_\_\_\_\_ **Visa** \_\_\_ **Amex** \_\_\_ **MC** \_\_\_ **Exp:** \_\_\_\_\_ **Amount \$** \_\_\_\_\_

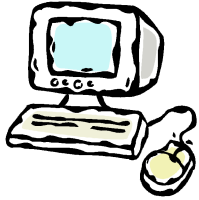
\_\_\_ I will not be able to attend the seminar but would like to order the CD Rom. (cost same as listed above/please allow two weeks for delivery) (Elder Law 4/16/08)

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

# Solo Practitioners & Small Firm Committee Presents: Networking & Learning Luncheon Series

“Practice of Law Meets the Business of Law”

For attorneys in firms with five or fewer lawyers.  
No more than 3 of whom work in the same practice area.



Upcoming luncheon  
dates & topics:

*June 4:*  
Employment

*July 18:*  
Office Supplies

**Topic: Law Office Technology**

Find out about options for computer hardware and software such as document, billing, and calendar programs. Email addresses and websites will also be discussed.

**Date: Wednesday, April 23**

11:45 a.m. to 1:00 p.m.  
Bar Offices

**Cost:** \$10.00 for PBCBA members who register before 4/18 and \$20.00 for non-members.

**RSVP:** On line @ [www.palmbeachbar.org](http://www.palmbeachbar.org)

**Sponsored by:**



**Mellon**

**MetLife**

Bar Association Office  
1601 Belvedere Rd. #302E  
West Palm Beach, FL 33406  
Call the Bar Office if  
you have questions:  
Phone: (561) 687-2800  
Fax: (561) 687-9007

**Noon-time  
Networking  
Luncheons Every 6 Weeks!**

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!