



PALM BEACH COUNTY BAR ASSOCIATION

BULLE^{IN}

www.palmbeachbar.org

April 2008

Law Week Judicial Reception April 29

Don't forget to stop by the Law Week's Annual Judicial Reception on April 29. Once again, this event will be held at 5:30 p.m. at the Harriet at City Place. Reservations are not required; however, this event is free to Palm Beach County Bar members, the judiciary and their judicial assistants. Guests may attend for a fee of \$45 per person.

Don't Forget to Vote!

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.** Voting will take place April 14 through April 26 at 5 p.m. Winners will be announced via e-mail and will be posted on the Bar's website. There are two candidates for the position of president-elect: **Michael Napoleone and Michelle Suskauer.** There are three director seats available and the following five members are running: **Wade Bowden, Jason Guari, Christopher C. Hopkins, Maureen Martinez-Schwab and Jill Weiss.**

Mark your calendar for upcoming Membership Meetings

Inaugural Texas Hold 'Em Tournament

Thursday, April 17, 5:30 pm - 8:00 pm
Gatsby's, West Palm Beach

Leadership Academy

Friday, April 25, 8:30 - 1:00
Bar Association Office

Annual Law Week Judicial Reception

Tuesday, April 29, 2008 5:30 p.m.
The Harriett at City Place

Law Day Luncheon

Thursday, May 1, 11:45 - 1:00 p.m.
West Palm Beach Marriott
Speaker: James P. Cooney III, Attorney for Reade Seligmann, Duke rape case

Annual Installation Banquet

Saturday, June 7, 2008, 7 p.m.
The Breakers Hotel, Palm Beach

Bench Bar Conference

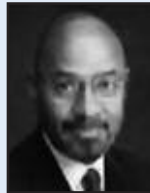
Friday, October 31
Palm Beach County Convention Center

Leadership Academy April 25

The PBCBA is launching its first "Leadership Academy" with the goal being to awaken and educate the leader inside us all. The scheduled speakers include Florida Supreme Court Justice Raoul Cantero, former ABA president, former Justice of the Michigan Supreme Court and former mayor of Detroit Dennis Archer, president-elect of The Florida Bar Jay White, Nora Bergman, a practice advisor for Atticus and moderated by Michael Napoleone. We hope that participants will not only gain insight on why taking on leadership roles should be an obligation for lawyers, but will find purpose in the needs around you and seize upon the opportunity to get involved and make a difference.



Justice Cantero will address the obligations and importance of 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.



Dennis Archer will address the participants on the service nature of the legal profession, leading and lawyering in a diverse society, and the importance of personal motivation.



Jay White will speak to 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,



Nora Bergman will offer some 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.

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THE
BULLETIN

**PALM BEACH COUNTY
BAR ASSOCIATION**

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



Dues Statements Mailed

Annual membership dues statements have been mailed to all PBCBA members for fiscal year 2008-2009, which begins July 1. If you did not receive a bill, contact Shoshanah at the Bar Office (687-2800) or sspence@palmbeachbar.org. Please take a moment to see a list of the many benefits of remaining a member on page 19.

Save the Date!

Mark your calendar now for the PBCBA's Annual Installation Banquet which has been scheduled for Saturday, June 7 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.



Volunteers needed to serve on committees

This is the time of year that the president-elect, Richard Schuler, 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 Please take the time to volunteer to serve YOUR Bar Association.



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President's Message



"Lawyers as Leaders"

By Meenu Sasser, President

During law school, the regular legal curriculum does not provide an opportunity for courses in leadership training. However, in our local communities, lawyers are both viewed and needed as leaders. In Palm Beach County, lawyers serve as leaders in all aspects of our community. I know that many of us serve in leadership roles in our churches, in our children's schools, on non-profit boards of directors, and throughout our community. I am particularly proud of the leaders who serve our Bar Association, by service on our Board of Directors or as Committee Chairs. Thank you

for all that you do. However, we can all improve our leadership skills and abilities.

In an effort to promote and improve the ability of our local lawyers to serve as leaders, the Bar Association has created and organized its first ever Leadership Academy on April 25, 2008. Through the Leadership Academy, national speakers, such as former ABA President Dennis Archer, Florida Supreme Court Justice Raoul Cantero, Florida Bar President-elect Jay White and Atticus Practice Advisory Nora Bergman, will stress the importance of leadership in our daily lives. These leadership skills will help improve our efforts for our clients, our firms and colleagues and for our community.

Law Week Committee Wins ABA Award



Congratulations to the Palm Beach County Bar Association's Law Week Committee, chaired by Maureen Martinez-Schwab! Our Committee was recently awarded the ABA's Law Day 2007 Outstanding Activity Award at a meeting in Los Angeles. Executive Director Patience Burns accepts the award from H. William Allen, National Law Day Chair.

Legal Aid Society Elects New Officers for 2008



At its January 2008 Board of Directors Meeting, the Legal Aid Society of Palm Beach County elected its new officers for 2008. The individuals selected were Mariano Garcia, a partner in Gonzalez, Porcher, Albear & Garcia (President); Jeffrey A. Devore, a partner in Devore & Devore P.A. (Vice-President); Miriam Acosta-Castriz, principal Miriam Acosta-Castriz, P.A. (Secretary); Jerry Beer, partner in Casey, Ciklin, Lubitz, Martens, McBane & O'Connell (Treasurer) and Gary Woodfield a partner in Edwards, Angell, Palmer & Dodge, LLP (Immediate Past-President).

TAX DEEDS • QUIET TITLE ACTIONS

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Eminent Domain,
Landlord-Tenant,
Real Estate and
General Civil Litigation**

**(Palm Beach, Broward
and Miami-Dade County)**

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Board of Directors

Meeting Attendance

	July Retreat	Aug	Sept	Oct	Nov	Dec	Jan	Feb
Bowden	X	Phone-in		X	X	X	Phone-in	X
Doner	McCabe	X	X	X	X	X	X	X
Farach	X	X	X	Phone-in	X	X	X	X
Guari	X	X	X	X	X	X	X	X
Howe	X	X	X	X	Phone-in	X	X	X
Napoleone	X	X	X	Phone-in	X	X		X
Poulton	X	X		X	X	X	X	X
Rabin	X	X	X	X	X	X	X	Phone-in
Sasser	X	X	X	X	X	X	X	X
Schuler	X	X	X	X	X	X	X	X
Suskauer	X	X	X	X	X	X	X	X

First Remote Computer-video Hearing Held at South County Courthouse

February 13, 2008, was a miserable, blustery, rainy day at the South County Courthouse in Delray Beach. Soaked litigants and their attorneys clamored to get in the door, through security, and hustle to hearings. In the midst of the mess, attorney Jay Kauffman made a bit of Palm Beach County legal history, when he fired up a laptop computer at his office in Boca Raton, and participated in the County's first pre-scheduled computer-video hearing with Probate and Guardianship Judge John Phillips, working from his courtroom in Delray Beach.

Both participants appeared on their computer screens simultaneously, as the ex parte Petition in question was presented for consideration, argued, and approved. Attorney Kauffman presented his proposed Order to Judge Phillips via email, and watched him review and modify it on the computer screen. Judge Phillips then printed the Order at his desk, signed it, and attached it to the Court's paper file. A conformed copy of the Order was instantly emailed to Attorney Kauffman, and the hearing was concluded.

The business part of the hearing was completed in less than 10 minutes, leaving time for the participants to talk informally on the computer-video connection while Kauffman's partner, James Herb, celebrated in the background. Kauffman didn't drive, park, get wet, wait in line, pass security inspection, or drag paper files around in a briefcase. He just appeared at his necessary Court hearing efficiently and simply from his office.

Attorney Jay Kauffman is more than mildly enthused:

"It used to take me over an hour to appear at even the briefest hearing, most of that being travel time. Judge Phillips and his staff have worked diligently to create a streamlined procedure for computer-based videoconference hearings that will benefit my practice and my clients' bottom line. I am not a computer expert by any means, yet the system took me very little time to learn and is easy to use. The ability to see each other is invaluable. By e-mailing a proposed order beforehand, the judge has the flexibility to edit the document based on his ruling, sign it electronically, and e-mail me a signed copy right then and there, making the process extremely efficient. I am sure that many judges, lawyers and clients will find these procedures valuable."

"To paraphrase a popular television commercial:

Saving an hour by not traveling to the courthouse - \$300;

Receiving a signed edited order from the judge that day - Bonus;

Seeing the judge and opposing counsel at a hearing while still in my office (or at the beach) - Priceless."

Judge Phillips is also excited about the possibilities computer-video hearings offer to attorneys in our Circuit:

"Attorneys often come to the Courthouse for routine non-evidentiary hearings, spending time on the road, parking, getting through Courthouse security, and waiting behind other attorneys for their hearing. It seemed we could accomplish many fairly routine matters with Computer technology, saving a lot of aggravation, fees, and Courthouse trips. Judge Peter Evans (my technology guru) and I envisioned a hearing system using cheap, easily available technology most attorneys already have: a laptop computer with accessory camera, and a cell phone. Court Administration assigned a fantastic technical team, including Noel Chessman, Mary McCain and Matt Dreiss, to assist us with the technical end of the project. The South County Probate and

Guardianship Bar volunteered to pioneer the concept. Since early 2008, about 20 attorneys have attended training in use of the technique. All have been very positive about the experience. Now, we're 'rolling it out' with specially-set non-evidentiary hearings, and we'll see how it goes. We will work out any 'bugs' at South County, then try it in the other Probate and Guardianship divisions, and hopefully develop a worthwhile tool that can be used by many divisions of the Court throughout our Circuit."

"Attorneys can attend these hearings from any place in the world, needing only a high-speed internet connection for the laptop computer and a cell phone hookup. We can conduct a hearing with three parties and the Judge onscreen at once, all visible on each participants' computer screen, and audible to each other. We can look at documents together, conduct verbal argument of a motion, and craft a written Order while all parties are on-screen at the hearing. A court reporter can attend the hearing at the Courthouse, and see and hear the participants with a big monitor we've dedicated for that purpose. I'm hopeful this technique will open a lot of opportunities for attorneys to improve the quality of their practice and their lives, with less cost, less stress and more productive use of time. The Court system should see lower traffic volume at the Courthouse, more productivity, and lower costs per case, which has become of utmost importance in light of funding decreases."

"The business and entertainment world has routinely used these techniques for years, now it's our turn to step into the 21st Century. Wednesday, February 13, 2008, Jay Kauffman took one small step for a lawyer, and a giant leap for attorneys Circuit-wide. Congratulations, Jay."

Probate and Guardianship attorneys interested in participating in this South County pilot project are invited to contact Judge Phillips' Judicial Assistant, Harriet S. Merlin at 561-330-1750, for more information regarding training sessions and hearing dates.

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County Court Judge James L. Martz

Submitted by David A. Greene on behalf of the Judicial Relations Committee

Judge Martz has devoted his career to making his community a better place for all. As a self-described “wild kid” growing up in Rockland County, New York, few would have anticipated the career path that Judge Martz would embark upon. However, it is apparent that he learned many important lessons from his father, a Police Officer, and his mother, a high school teacher whose classes he often visited as a child.

At 20 years old, Judge Martz decided to leave New York to become a police officer in Santa Monica, California. To his father’s astonishment, Judge Martz got in his van and drove across country to take the necessary tests and enroll in the Los Angeles Sheriff’s Academy. Serving as a police officer in California is where he met and worked with Scott Gordon, who became a life-long friend. After a few years in California, he returned home to Rockland County and served as a police officer for 15 more years, holding virtually every position within the department, from road sergeant to investigator. During this time, Judge Martz also kept busy maintaining a real estate development business.

Judge Martz then made a decision that would change the course of his life. With the encouragement of his good friend, Scott Gordon, Judge Martz decided to leave the police force and attend law school. He and his wife moved to Parkland and attended Nova University, earning his degree in only two and one-half years. He interned at the State Attorney’s Office, but then spent a year in private practice. While much of his work during that time was criminal defense, he also handled interesting landlord-tenant, family law, and commercial litigation matters, learning much from the diverse practice and the fine attorneys that he faced.

State Attorney Barry Krischer then called Judge Martz and asked him to come back and work for the State Attorney’s Office. Judge Martz gratefully accepted the position and spent 11 years working in the State Attorney’s Office. During that time, he devoted much time and effort to a “weed and seed” program called the Community Based Anti-Crime Task Force. He is most proud of his accomplishments in this regard, having assisted law enforcement, the community and government to work together to reduce crime and encourage urban redevelopment without displacement. This program has been very successful in places such as Delray Beach, where the community has truly bought into the concept and attitudes have been changed. Some of his most memorable moments with this program included participating in “drug marches”, where community members get together outside at night and reclaim their neighborhoods from drug dealers and other criminals. He is also proud of his involvement in working closely with law enforcement and the community to complete the successful prosecution in the case concerning the murder of Jimmy Webb.

Judge Martz also worked to improve communities around the world. He and Scott Gordon continued their public service

by providing pro bono service in Europe and Africa. Specifically, they worked with the United Nations War Crimes Tribunals of the Former Yugoslavia and Rwanda, assisting with the prosecution of genocide crimes in those regions.

Like many others, Judge Martz eventually submitted his name for consideration for a position as a County Court Judge. After applying two times, he decided he would not apply again and would continue his career in the State Attorney’s Office. However, several judges, including his good friend Scott Gordon, who had by then become a Judge of the Superior Court in Los Angeles County, California, again encouraged him and he applied one more time. The third time proved to be the charm and Judge Martz still recalls that Monday morning when Governor Jeb Bush called him at the office to advise him that he had been selected to fill the County Court Judge vacancy, as long as Judge Martz would remain true to what he said during his interview.

As a jurist, Judge Martz is guided by the principle that, if you stand for the law, people will accept it. He works hard to make his a Court for the people and to provide creative solutions to provide long term solutions for people. He acknowledges that he has much to learn and appreciates a good lawyer who has done his homework. He strives to be patient and allow the attorneys appearing before him to have the full opportunity to develop their cases.

Judge Martz is truly grateful for the assistance of his Court Deputy, Stan Cale, who keeps everything running smoothly. He is also greatly appreciative of his Judicial Assistant, Joli Katz, whom he described as a “magnificent find.” Judge Martz understands that Joli is the face of his administration and appreciates her exuberance and sophistication. While she is a taskmaster who ensures that Judge Martz gets everything done, she always has a positive attitude.

Judge Martz lives in South County, in the very community in which he works. This gives him the opportunity to see the people that appear before him in his courtroom and to make sure that they are working to improve their lives. Judge Martz lives with his wife of 23 years, who is a teacher and, while they didn’t know each other at the time, they actually went to the same elementary school in New York. His older son attends the University of Florida, where he is working on developing fully-autonomous automobiles. His younger son attends Florida State University, where he is studying business with the hopes of becoming an entrepreneur. Judge Martz feels that he owes a great debt of gratitude to his devoted and loving family, without whom he would not be where he is or accomplished what he has today. A quick scan of Judge Martz’s office reveals that he truly appreciates the road he has traveled and that he is a die-hard New York Yankees fan.

David A. Greene, Esq. is a partner with the law firm of Ruden McClosky, P.A., where he concentrates his practice on commercial litigation matters.



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.

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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** **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
- 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** **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*
- 11:15am - 12:05pm** **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*
- 12:10pm - 1:15pm** **Lunch and Dessert Reception**

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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.

HOW TO REGISTER		MAIL the completed form w/check		FAX the completed form to 561/687-9007		ON-LINE at www.palmbeachbar.org
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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) (Leadership Academy 4/25/2008.)

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

2008-09 Board of Directors Election Candidates' Statements

Once again, the Bar's Board elections will be conducted online. Each member in good standing will receive an email ballot beginning on April 14.

The following two candidates are running for president-elect:



Michael J. Napoleone
Firm: Richman Greer, P.A.
Year Admitted to practice: 1998
Law School: St. John's University
Year Joined PBCBA: 1998

I am writing to request your vote for president-elect of the Palm Beach County Bar Association. For the last 10 years, I have been an active member of the bar, having served the last 2 years on the PBCBA Board of Directors, 5 years on The Florida Bar's Standing Committee on Professionalism, and 5 years on the Executive Board of the PBCBA's Young Lawyers Section. I am particularly proud that 11 former PBCBA Presidents endorsed my candidacy. I want to be your next president – not because it is on my bucket list – but because I have the experience, support and demonstrated commitment required to lead our bar and ensure that we remain the best bar association in the state.

Through my experiences I have had the privilege to work with lawyers of every race, age, gender and ethnicity who make up our diverse legal community. I am committed to enhancing the perception of lawyers in the community as well as promoting professionalism and collegiality among members of the bench and bar. A paramount goal is to increase our membership; currently only half of all lawyers in the county are members of the PBCBA. I am working to create a transactional law committee to reach out to those attorney's who believe the PBCBA is too heavily geared to litigators. I will also have more bar-to-business events that will provide our members more opportunities to network with potential clients and referral sources.

Thank you for your trust and confidence.



Michelle R. Suskauer
Firm: The Suskauer Law Firm, P.A.
Year Admitted to practice: 1991
Law School: American University
Year Joined PBCBA: 1992

For over 15 years, I have been an active member of the Palm Beach County Bar Association, just completing my second two-year term on the Board of Directors. I am an AV rated and Board Certified Criminal Trial Lawyer, practicing in Palm Beach County for more than 16 years as a government attorney, a civil litigator, and most recently, as a partner in a law firm that I run with my husband.

I have striven to give back to our profession and community, both of which I feel so fortunate to be a part. Over the years, I have served actively in local legal organizations, taking on leadership roles. I am a member of the Board of Directors of Legal Aid, and have served as Co-Chair of their Pro Bono Recognition Evening in 2007 and 2008. I have also served as President of the Florida Association for Women Lawyers (PBC), where I started a mentoring program for at-risk juvenile offenders, a program adopted statewide. As President of the Bar, one of my priorities would be to promote mentoring between Bar members and our local schools.

In preparing to lead our local bar association, I have served in various capacities, as Past Chair of the Bench Bar Conference, Judicial Relations Committee, and Criminal Practice Committee. I truly feel as though I have demonstrated leadership, experience, energy, and enthusiasm to lead our Bar Association.

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Palm Beach County Bar Association Member Benefit Providers

Services Offered

- Disability Insurance (10% additional monthly benefit)
- Long Term Care Insurance (Discount available)
- Life Insurance
- Business Overhead Expense Insurance
- Group Health Insurance
- Group Dental Insurance
- Long Term Disability Insurance
- Retirement Planning

Bob Greenberg is our "go to man". Insurance claims are our core business, accordingly, we demand great coverage. Be it group disability, long term care, or health insurance; he provides this firm with the best the market has to offer.

– Steven Dell, Attorney's Dell & Schaefer, Chartered

For More Information Contact

Bob Greenberg, CLTC (772) 340-7741 **OR** **Branden Schiralli, CLTC** (561) 844-4000
Lynda Cairo, CLTC (561) 912-1332

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Email: ted@matrixmediation.com

Contact Mr. Deckert Directly

Phn: 561-835-9800
Fx: 561-966-1428
Cell: 561-635-3259
Email: tdeckert@bellsouth.net
www.deckertmediate.com

2008-09 Board of Directors Election Candidates' Statements

There are five members running for 3 director seats:



C. Wade Bowden

Firm: Jones, Foster, Johnston & Stubbs, P.A.

Year admitted to practice: 1996

Law School: Boston University School of Law

Year joined PBCBA: 1998

What do you feel you can contribute to the Association as a Board member?

Over the past ten years, I have been privileged to serve both the Palm Beach County Bar Association and The Florida Bar in many ways. I joined the PBCBA Young Lawyers Section in 1998, after which I rose through the officer positions to become President in the 2005-06 term. While with the YLS, I enjoyed the many projects on which I worked, especially the Holidays in January toy distribution in Belle Glade. More recently, as a Director of the PBCBA, I personally raised \$25,000.00 for the renovation of the historic courtroom.

With respect to The Florida Bar, I have been on the Young Lawyers Division Board of Governors since 2001. Over the years, it has been my honor to represent the Fifteenth Circuit across the State and to assist The Florida Bar with local CLE's.

I thank the PBCBA Members for your votes in the past. With your votes in April, I shall be honored to continue my service.



Christopher B. Hopkins

Firm: Cole, Scott & Kissane, P.A.

Year admitted to practice: 1997

Law School: Tulane Law School

Year Joined PBCBA: 2000

What do you feel you can contribute to the Association as a Board member?

I am an AV-rated civil trial and appellate lawyer who has been practicing in Palm Beach County for the last decade. I am a partner at Cole, Scott & Kissane, P.A. and have always been an active member of the Association including sponsoring events and CLE's. Over the years, I have tried cases or handled appeals with many of you. I hope my forthrightness and civility in our working relationship would lead you to support me in this election.

I hope to bring to the Bar Association not only my enthusiasm but also my strong belief in civility and ethics in our practice. I want to project to the rest of the State that it means something to be a lawyer from Palm Beach County and I believe that starts with our Association. To that end, I have the unusual qualification of being a seminary-trained lawyer who is also a certified mediator and arbitrator.

I am likewise a proponent of technology and would like to see even further development with the Association website as well as help our lawyers know what technology exists in our courthouse and how to use it. Having gotten on the trend of blogging (www.FloridaArbitrationLaw.com), I believe that we can use technology both for business generation and better lawyering.

I would like your vote for the Board of Directors!



Jason Guari

Firm: Murray & Guari Trial Attorneys

Year admitted to practice: 1996

Law School: Thomas M. Cooley Law School

Year Joined PBCBA: 1996

What do you feel you can contribute to the Association as a Board member?

I am writing to seek your vote in the upcoming election for a seat on the Board of Directors of the Palm Beach County Bar Association. There are three seats available. At this time, in addition to myself, Wade Bowden, Jill Weiss, Maureen Martinez-Schwab and Christopher Hopkins are also running. The election will be online and an email will be sent during the weeks of April 14-26.

I am currently President of the Young Lawyers' Section of The Palm Beach County Bar Association and in that capacity, sit on the Palm Beach County Bar Association's Board of Directors. I have been a member of the Palm Beach County Bar Association since I first became a lawyer in 1996 and am highly committed to our organization. I have also held the offices of Secretary, Treasurer and President-Elect for the Young Lawyers' Section and have been closely involved with and chaired some of The Young Lawyers' Section's community projects, including:

- Youth Court
- Holidays-in-December/January
- BallenIsles Silent Auction
- YLS Fundraising Happy Hours
- Martin County/Palm Beach County YLS – Joint Happy Hours
- Adopt-A-School (School Supply Distribution and Career Day) and
- Easter/Passover Toy Distribution at St. Mary's Pediatric Cancer Center

My last membership project was creating, speaking and chairing a Young Lawyers' Section seminar titled, "What Every Young Lawyer Should Know."

I look forward to having our Bar Association continue to be one of the best in the nation.

Thank you for your vote!

Inaugural Texas Hold 'Em Tournament April 17



We hope that you will join us for our inaugural Texas Hold 'Em tournament and happy hour to be held on Thursday, April 17 from 5:30 - 8:00 pm at Gatsby's in West Palm Beach. This tournament will be limited to the first 20 players. In conjunction with the tournament, we will be hosting a happy hour with drinks, hors d'oeuvres and pool. Registration information is available on the Bar's website. All those registered for the happy hour will be eligible to win something in our raffle. Thank you to our sponsors to date: Holland & Knight; Mellon UNB; Squire, Sanders & Dempsey; Lytal Reiter Clark Fountain & Williams; Sterling Bank and the Young Lawyers Section.

2008-09 Board of Directors Election Candidates' Statements



Maureen Martinez-Schwab
Firm: The Romano Law Group
Year admitted to practice: 1997
Law School: Nova
Year Joined PBCBA: 1997

What do you feel you can contribute to the Association as a Board member?

Passion: For most of my adult life, I have volunteered my time to assist with various organizations. I have always had a passion for taking on leadership roles, especially when it involves an organization that accomplishes so much for the community and the legal profession. It is a natural transition for me to serve on the Bar Board of Directors, if elected.

Commitment: For the past several years I served as a member of the Law Week Committee. In 2007 I became chair of the committee and am the chair again for Law Week 2008. I currently serve as a member of the Judicial Relations Committee and am a member of the Young Lawyers Section. I was also a member of the three person team representing the Bar at the adult spelling bee. It was a great time (and embarrassing)!!

I serve as a Director on the Florida Justice Association, Young Lawyers Section Board- 2005 to present; serve as a Director of the Belli Society; serve on the executive board of the Craig S. Bernard, American Inns of Court LIV (Secretary) 2007-2008; Florida Justice Association/Research & Education Foundation, Hon. E. Earle Zehmer Law School Mock Trial Competition chair 2005, 2006 and 2007; and Palm Beach County Justice Association Board of Directors 2004 - 2007.

Excellence: It would be an honor to serve the Bar membership if elected. If given the chance, I will continue to strive for excellence in all my endeavors and responsibilities on behalf of the membership.



Jill Weiss
Firm: Rutherford Mulhall
Year admitted to practice: 2003
Law School: Nova
Year Joined PBCBA: 2003

What do you feel you can contribute to the Association as a Board member?

As a Board member, I intend to use my skills as a proven leader who is committed and able to get things done. I decided to practice law after successful careers in corporate and small business. This perspective and experience is somewhat unique and I believe will be a benefit to our Bar.

Since I became an attorney, I have actively served the Palm Beach County Bar. I am the Chair of the 2008 Palm Beach County Bench Bar Conference. I will build on the success of last year's Bench Bar Conference and make further improvements to specific practice areas e.g. family and criminal law to include a separate session focusing on trial advocacy. I am also a member of the Judicial Relations Committee, and on March 24 I moderated the Bar's Judicial Luncheon Series. I have also been a member of several PBCBA committees including membership and professionalism.

I am an active member of the 1916 Courtroom Fundraising Committee which raised over \$250,000 for exhibits in the historic courtroom. This project provides a vital link between the PBCBA, our community and its history.

I am proud to be the current President of the Palm Beach County Chapter of the Florida Association for Women Lawyers. Our chapter has been recognized as a model for other chapters. As a direct result of the success of our local FAWL chapter, I was selected as Chair of the Ad Hoc Revenue Committee for State FAWL. Thank you for your support.

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Setting A Cause For Trial

by Ted Babbitt

Fla. R. Civ. P. 1.440 provides "Rule 1.440 Setting Action for Trial

(a) **When at Issue.** An action is at issue after any motions directed to the last pleading served have been disposed of or, if no such motions are served, 20 days after service of the last pleading...

(b) **Notice for Trial.** Thereafter any party may file and serve a notice that the action is at issue and ready to be set for trial...

(c) **Setting for Trial.** If the Court finds the action ready to be set for trial, it shall enter an order fixing a date for trial..."

Circuit Courts around the State have interpreted Paragraph (c) to mean that the Court has discretion as to whether or not to set a case for trial even though the pleadings are settled. There have now been at least three reported cases which make it clear that once the requirements of Rule 1.440(a) are met, a trial judge does not have the discretion to refuse to set a case for trial for any reason. Trial judges in some circuits insist that all discovery must be completed before a trial will be set. The problem with that thinking is that after discovery is finally concluded there will necessarily be a substantial amount of "dead time" between the time discovery is concluded and the time of the actual trial. The Courts have made it clear that such a practice is not permitted under the Rules.

In *Garcia v. Linnicare, Inc.*, 906 So. 2d 1268 (Fla. 5th DCA 2005), the plaintiff sought a writ of mandamus to compel the trial court to set a case for trial. Despite the fact that several

notices for trial had informed the Judge of its readiness under Rule 1.440, the Judge refused to set the case because discovery had not yet been completed. In granting the petition and issuing a writ of mandamus, the Fifth District held:

"In this medical malpractice case, Petitioner filed several notices for trial after the closure of the pleadings. In response, Respondents filed various objections claiming that the case is not ready for trial because of trial conflicts and outstanding discovery. On each occasion, the trial court sustained the objections, concluding that it would not set the case for trial until discovery had been completed. We think the trial court's conclusion misapprehends the applicable rule. Procedural readiness for trial differs from actual readiness for trial. It is the former, coupled with a properly filed "Notice for Trial," that imposes upon the court the mandatory duty to set a trial date. *Kubera v. Fisher*, 483 So. 2d 836 (Fla. 2d DCA 1986)."

In *Rolle v. Birken*, 33 Fla. L. Weekly D194 (Fla. 3d DCA, Jan. 9, 2008), the same question arose. There the trial judge refused to set a case for trial even though it was at issue under Rule 1.440 because of internal operating procedures adopted by the Circuit which required the completion of a certificate of readiness for trial by all parties. Obviously, there is often disagreement between plaintiff and defense counsel as to when they are ready for trial. It is not necessarily advantageous to the defense to have an early trial date and one could assume there would be great difficulty in getting an agreement on such a certificate of readiness. In granting the writ of mandamus, the Third District held:

"Once a case is procedurally at issue and upon the filing of a

proper notice for trial, the court must act upon the notice within a reasonable time and give the parties a trial date. Fla. R. Civ. P. 1.440(a); *Garcia v. Linnicare, Inc.*, 906 So. 2d 1268, 1269 (Fla. 5th DCA 2005); *Ivans v. Greenbaum*, 613 So. 2d 130 (Fla. 3d DCA 1993); *Kubera v. Fisher*, 483 So. 2d 836, 838 (Fla. 2d DCA 1986). Accordingly, the application for writ of mandamus is granted. See *id.* Internal operating procedures of the court must give way to the rules of procedure promulgated by the Florida Supreme Court."

In the Fourth District, the case of *Little v. Brave*, 870 So. 2d 966 (Fla. 4th DCA 2004) stands for the same proposition. In that case, a trial judge here in Palm Beach County refused to set a case for trial which was at issue under the Rules. Once again, a petition for writ of mandamus was requested and issued by the Fourth District. In that case at page 966, the Court held:

"Because setting a cause for trial in accordance with Florida Rule of Civil Procedure 1.440 is a mandatory duty, we grant the petition and require that the case be set for trial. See *Pate v. Sawaya*, 663 So. 2d 679, 679-80 (Fla. 5th DCA 1995); *Ivans v. Greenbaum*, 613 So. 2d 130, 130 (Fla. 3d DCA 1993); *Globe Life & Accident Ins. Co. v. Preferred Risk Mut. Ins. Co.*, 539 So. 2d 1192, 1193 (Fla. 1st DCA 1989).

It is apparent that a trial judge does not have discretion as to whether or not to set a case for trial once it is at issue under the Rules. The trial judge, of course, may take into consideration whether or not discovery is completed or any other factor with regard to the date on which the case should be set and, where appropriate, motions for continuance can be granted when justified. The Court cannot, however, refuse to set the case for trial once it is at issue. To do so violates the Rules of Procedure which govern our Courts.

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	PBCBA	How Good Lawyers Become Great Rainmakers (CD) Speaker Mark Powers, President, Atticus	3.0		\$70	\$110	9/09/08
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	DCBA	Discretionary Distribution +++ (Wills, Trusts, Estates)	1.0		\$20	\$60	10/12/08
	PBCBA	Ethics & Florida Bar Grievance (CD) (No manual) (NCS)	2.0	2.0	\$60	\$100	10/20/08
	PBCBA	Ethics in Civil Law Lit +++ (CD) (Prof Committee)	1.5	1.5	\$45	\$85	10/23/08
	PBCBA	24 th Estate & Probate+++ (CD) (Elder / Wills, Trusts & Estates / Tax Cert.)	7.5	1.0	\$160	\$200	11/09/08
	DCBA	Civility in Probate	1.0	1.0	\$30	\$70	11/10/08
	PBCBA	Ethics in Probate Law Litigation+++ (CD) (Wills, Trusts & Estates)	1.5	1.5	\$45	\$85	11/14/08
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	DCBA	Year in Review/Top Ten	1.0		\$20	\$60	12/14/08
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	PBCBA	Tips for Trial Practice In Criminal Court (Jud'l Lunch) +++ (1.0 Crim Appellate/1.0 Crim Trial Cert credit (CD)	1.0		\$20	\$60	6/13/09
	PBCBA	The Business of Employment Law+++ (3.5 Labor & Employ Cert. (CD)	4.5	1.0	\$115	\$155	7/11/09
	CBA	Concerns Client Memory Loss+++ (1.0 Elder Law Cert) (CD)	1.0		\$20	\$60	7/17/09
	PBCBA	Winter '08 R/E "Keeping Up in a Down Mkt"+++ (CD) (2.5 R/E Cert. Credits)	3.5	3.5	\$105	\$145	7/25/09
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	PBCBA	Pitfalls Equitable Distribution +++ (CD) (6.0 Marital/Fam Law Cert. Credits)	8.0	2.5	\$180	\$220	8/29/09
	PBCBA	CD - Trial Superstars: Trying the Catastrophic Injury Case+++ 5.5 Civil Trial Cert. Credits	7.0		\$175	\$215	9/7/2009
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So there I was in LA (Beverly Hills, actually) on the same weekend as the Grammys. Within blocks of where the beautiful people were congregating to see and be seen. I didn't get to go. I didn't see and I wasn't seen. Such is my dismal life. Oh, well, maybe they'll save a seat for me at the Oscars. Anyway, on to ABA business.

The House of Delegates had another light agenda and met for only one day. As I have stated before, it can be rather tiresome to travel all the way to California for a one day meeting in a windowless room full of over five hundred lawyers – when there is no real debate over the issues. This time there were three or four issues that sparked heated discussion, but that's not what I want to tell you about. I want to tell you about the remarkable people in the ABA. They really are what make this organization special.

As I have mentioned before, the Florida Delegation is a powerhouse in the ABA. At this meeting, Stephen Zacks from Miami was nominated for President, unopposed. If elected (and as he said, all he has to do now is not drool) he will be the fifth ABA president from Florida following Chesterfield Smith, William Reece Smith (former Attorney General of the United States), Sandy D'Alemberte, and Martha Barnett. The man behind the scenes who played a huge role in Martha and Steve being president in so short a time span is Ben Hill from Tampa. Ben is on the ABA Board of Governors and has served us long and well. He is the power behind the throne. He doesn't seek the limelight, but very quietly and effectively represents our state and advances our interests. He dedicates an enormous amount of time and energy to the ABA. We are lucky to have him.

During a panel discussion on Guantanamo detainees, I heard two other remarkable ABA members. First was Charles Patterson, a lawyer from Los Angeles who represents a Guantanamo detainee. The obstacles he has had to overcome to try and defend his client are unbelievable. First he had to get a security clearance, that took six months. Patterson is required to get all visits approved thirty days in advance. Patterson set up the first visit, flew across the country to Ft. Lauderdale, then to Guantanamo. He went in to see the client, spoke to him briefly about things in general and then when he started to ask questions about the substantive issues, the client suddenly said, "You are very clever." And never spoke again. The client thought Patterson was another interrogator. Detainees are denied any contact with their families.

Patterson's client had no idea his family had arranged counsel for him. Patterson is still trying to convince his client that he is a lawyer, not an inquisitor.

I also got to hear and meet Stephen Abraham. Lt. Col. Abraham served twenty-five years in the U.S. Army Reserve. During that career he was mobilized repeatedly and after 9/11 served as Senior Counterterrorism Analyst, Joint Intelligence Center, Pacific Command, Pearl Harbor. From there he was sent to Washington to review intelligence gathered against detainees and then he was assigned to serve on the tribunals set up to review the status of prisoners at Guantanamo. Abraham says he was told three irrebuttable presumptions were in effect for the tribunals: 1) All the information you have is accurate; 2) Information you do not have does not exist; 3) There is no information helpful to the detainee.

Lt. Col. Abraham was appalled at the process in place to review detentions. Several of the JAG officers representing detainees tried to obtain Supreme Court review (post-Hamdi). The Supreme Court initially denied cert. Abraham was so concerned he submitted an affidavit to the Supreme Court outlining the shortcomings in the process he had observed first hand. After receiving Abraham's affidavit, the Supreme Court reversed itself and granted cert review to a number of detainees. Those cases are now pending.

Messrs. Patterson and Abraham are lawyers who are making history. They are the ABA. I want to tell you about one more lawyer in the ABA.

His name is Henry "Hank" White. He is a retired Admiral. He is the new Executive Director of the ABA. Folks, there is a new sheriff in town. This man is the real deal. He is well over six foot three, stands ram rod straight, has a flat-top haircut and there will not be any cost over-runs on computer purchases on Hank's watch. Hank White retired from the Navy and opened his own law firm as a solo practitioner. He knows how to watch a dime. He is also very proud of the ABA. As he says "The ABA touches everyone, everywhere, everyday." By that he means, the ABA is the organization that deals with the federal government on Social Security, Medicare, Veterans benefits, environmental, education, criminal justice, law school accreditation and numerous other issues that touch us all on a daily basis. I think Hank will do a great job restoring accountability to ABA operations.

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Elder Law Award

Bruce Zeidel, Esq.

Emeritus Award

Dick Abedon, Esq.

Family Law Award

Mark Wilensky, Esq.
Dubiner & Wilensky

Firm Award

Carlton Fields

John Hart, Esq. & Sarah Cortvriend, Esq.

Guardianship Award

Erskine Rogers, Esq.
Rutherford Mulhall
& Patrick McKenna

Immigration Law Award

Devore and Devore, P.A.

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Paul Rampell LLC

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David M. Layman, Esq.
Greenberg Traurig

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Deena McNamara, Esq.
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All 2007 awards will be presented at the 20th Annual Pro Bono Recognition Evening to be held on Saturday evening May 10 at the Palm Beach County Convention Center. The theme of the evening will be "Roaring 20's". Chairpersons for the event are Michelle and Scott Suskauer and Amy and Matt Triggs. For additional information on this fun filled event, call Legal Aid's Director of Development, Harreen Bertisch at (561) 655-8944 x 257 or Associate Director of Development, Suzanne Foley at extension 279.

Pro Bono Attorneys Who Closed Cases in February 2008

Richard Abedon
Patricia Alexander
J. Burke Culler, Jr.
Gabriel Estadella
Anna Garber

John Kovarik
Deena McNamara
Lawrence Moncrief,
Kimberly Rommel-Enright,
Justin M. Savioli

James M. Stewart
Barry Taylor
Elissa Vessal
Barry Weiss and
Alfred Zucaro, Jr.

Total number of pro bono services: 143.20

Circuit Court Report

CIVIL DIVISIONS • January 2008

DIVISION	JURY TRIALS	NON-JURY TRIALS	MOTIONS	CASES PENDING
A	05/08	05/08	04/08	1558
B	08/08	06/08	03/08	1344
D	03/08	03/08	03/08	1654
E	06/08	04/08	07/08	1648
F	04/08	04/08	04/08	1352
G	09/08	09/08	05/08	1188
H	10/08	10/08	03/08	1435
I	06/08	06/08	03/08	1331
J	09/08	09/08	05/08	1368
N	06/08	06/08	03/08	1650
O	07/08	05/08	05/08	1567

All Civil Division Judges schedule their own Jury and Non-Jury Trials.
Pending cases as of 2/05/08.

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Dr. Jonathan D. Rapp

Licensed Psychologist, PY7348

North County Section News

The North County Section recently hosted its annual BBQ & Casino Night at the Bonnette Hunt Club in Palm Beach Gardens. Here are some pictures from the evening:



Winners! Lillian Ferraro, Branden Schiralli, Keith Campbell and Michael Slavin



Judge Richard Wennet, Jerry Beer, Judge Timothy McCarthy and Rick Ford



Martin and Denise Reeder



Having way too much fun! Curtis Shenkman, (far right) Branden Schiralli and Gregory Cohen



Preston Fields, Olga Fields and Maureen Martinez-Schwab

YLS Happy Hour with Martin County Bar



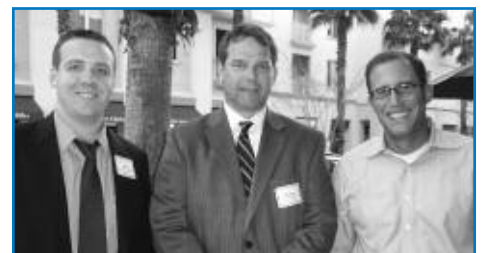
George Herbert and Jonathan Mann



Mike Dixon, Noelle Page, Nicole Seimone and Colin White



John Whittles, Michelle Suskauer and Michael Napoleone



Jeffrey Farwell, Bryan Yarnell and Gregg Weiss

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.

CONCETTA CAMACHO – West Palm Beach, FL; University of Florida, 2007; Associate in Wicker, Smith, O'Hara, McCoy, & Ford, P.A., West Palm Beach, FL

JACK R. COTTRELL – Ohio; Nova Southeastern University, 2001; Associate in The Coates Law Firm, Wellington, FL

ANGELA M. CRANDALL – Ohio; Nova Southeastern University, 2002; Associate in Tripp Scott, P.A., Fort Lauderdale, FL

BRUCE L. FINEMAN – Chicago, IL; Nova Center for Study of Law, 1978; Sole Practitioner, Boynton Beach, FL

SPENCER GOLLAHON – Ohio; Shepard Broad Law Center, 2003; Associates in The Coates Law Firm, Wellington, FL

JOSEPH E. JOHNSON – Milwaukee, WI; Nova Southeastern, 1983; Joseph E. Johnson, Atty., Delray Beach, FL

JORGE L. MAXION – Miami, FL; University of Miami School of Law, 1991; Associate in Lytal, Reiter, Clark, Fountain & Williams, LLP, West Palm Beach, FL

GRACE M. MURILLO – Coral Gables, FL; Nova Southeastern University, Shepard Broad Law Center, 2006; Associated with Fourth District Court of Appeal, West Palm Beach, FL

DEVIN S. RADKAY – FL; University of Florida, 2007; Associate in Gunster, Yoakley & Stewart, P.A., West Palm Beach, FL

ANGELA RODRIGUEZ – New York; New York Law School, 2007; U.S. District Court, West Palm Beach, FL

JUDGE JOSE G. ROLON-RIVERA – Toa Alta, Puerto Rico; University of Puerto Rico, 1985; Associated with Social Security Administration Office of Disability and Appeals Review (O.D.A.R.), Fort Lauderdale, FL

ADAM C. SABOCIK – Detroit, MI; Florida State University, 2002; Associate in Boyes & Farina, P.A., Palm Beach Gardens, FL

ELISABETH R. SALVADORE – Oregon; University of Houston, 1995; Delray Beach, FL

PATRICK S. SPELLACY – Trenton, NJ; Thomas M. Cooley Law School, 1989; Partner in Kirwan & Spellacy, P.A., Ft. Lauderdale, FL

COURTNEY G. STAFFORD – West Palm Beach, FL; Nova Southeastern University, 2007; Associate in The Law Offices of Shane L. Stafford & Assoc., P.A., Lake Worth, FL

LAUREN R. WHETSTONE – San Antonio, TX; University of Florida, 2007; Associate in Greenberg Traurig, West Palm Beach, FL



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- John Hennenberger, Esq.
- Randy Zelkin, Esq.

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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.

**HOW TO
REGISTER**



MAIL the completed
form w/check



FAX the completed form to
561/687-9007



ON-LINE at
www.palmbeachbar.org

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



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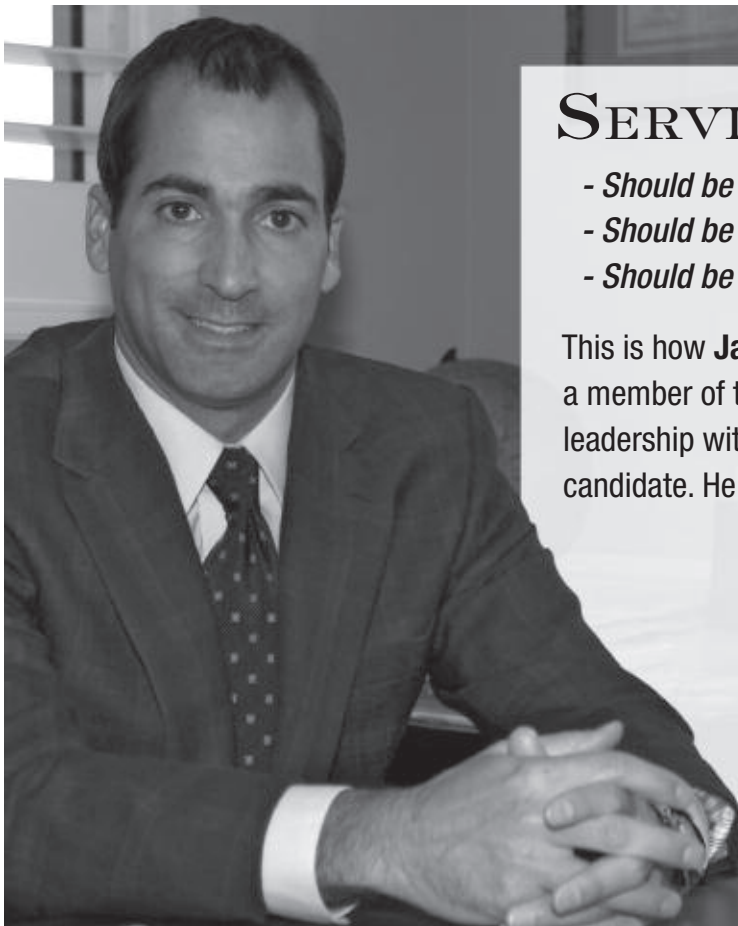
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Joseph G. Murasko
Timothy J. Murphy
Adam M. Myron
Toni M. O'Brien
Zoe Panarites
Andrew M. Pelino
Marilyn J. Perez-Martinez
Barry A. Postman
Kent S. Pratt
Guy E. Quattlebaum
Michael P. Reitzell
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David R. Rigell

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The Estate and Probate Continuing Legal Education Committee presents:

The 25th Annual Estate and Probate Seminar
Wednesday, May 14 2008 - 8:00 a.m.- 4:20 p.m.
Crowne Plaza West Palm Beach, 1601 Belvedere Rd., West Palm Beach, FL

Program Schedule

8:00am - 8:20am	Late Registration and Check In
8:20am - 8:30am	Welcome & Opening Remarks - <i>Brian M. O'Connell, Esq., Casey Ciklin Lubitz Martens & O'Connell, Committee Chair</i>
8:30am - 10:00am	Case Law Date - <i>J.B. Murray, Esq., Squire, Sanders & Dempsey L.L.P.</i>
10:00am - 10:15am	Break
10:15am - 10:30am	Legislative Update - <i>Brian Felcoski, Esq., Goldman, Felcoski & Stone, P.A.</i>
10:30am - 11:00am	Tax and Related Ethics Update - <i>Michael A. Lampert, Esq., Michael A. Lampert, P.A.</i>
11:00am - 11:30am	Estate Planning for the Florida Resident Owning International Real Estate - <i>Francis E. Rodriguez, Esq., Shutts & Bowen LLP</i>
11:30am - 12:00pm	Judicial Update - <i>Honorable John L. Phillips, Honorable Richard L. Oftedal, and Honorable Jack H. Cook, Probate Division Judges, 15th Judicial Circuit</i>
12:00pm - 1:00pm	Lunch - Sponsored by Bernstein Global Wealth Management and the Pankauski Law Firm, P.L.L.C.
1:00pm - 1:50pm	Changing Landscape of Homestead - <i>Rohan Kelley, Esq.</i>
1:50pm - 2:20pm	Use of Disclaimers in Estate Planning - <i>Lisa A. Schneider, Esq., Gunster, Yoakley & Stewart, P.A.</i>
2:20pm - 3:05pm	Avoiding Malpractice in Your Probate Practice - <i>Warren R. Trazenfeld, Esq., Warren R. Trazenfeld, P.A.</i>
3:05pm - 3:20pm	Break
3:20pm - 3:50pm	A Primer on Directed Trusts - <i>John C. Moran, Esq., Gunster, Yoakley & Stewart, P.A.</i>
3:50pm - 4:20pm	Post-Death Application of Attorney-Client Privilege - <i>John Farina, Esq., Boyes & Farina, P.A.</i>

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


Probate & Investment Litigation

This course is expected to receive 8.0 CLER / Ethics & Certification credits are pending approval from The Florida Bar.

The cost of seminar, which includes lunch, is **\$190** for PBCBA members/paralegals; **\$230** for non-PBCBA members/paralegals if registered by May 7, 2008; add \$25 to registration fee after that date. **This seminar is for attorneys only.**

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 a general description of your needs. We will contact you for further coordination.

HOW TO REGISTER	 MAIL the completed form w/check	 FAX the completed form to 561/687-9007	 ON-LINE at www.palmbeachbar.org
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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) (Estate and Probate 5/14/08) 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

Western County Happy Hour Highlights



Donald Dufresne, Kevin Wilkinson and Magistrate Tom Baker



Judge Diana Lewis and Kitty Stevens



Michael Napoleone and Betty Dunkum



Julia Wyda Ledis, Judge Nelson Bailey and Al Morici



Judge Glenn Kelley and Adam Rabin



Jo Ann Abrams and Stuart Karden

Last call for Jurist of the Year Nomination

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. The winner's name will be announced during the section's end-of-the-year dinner at Ruth's Chris Steak House on May 15. Previous winners are Judge Mary Lupo, Judge Roger Colton, Judge Peter Blanc, Judge Thomas Barkdull and Judge Barry Cohen.

April 2008

probate litigation

(5 6 1)

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referral fees

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West Palm Beach

Top 10 Ethical Minefields Involving Law Firm Staff

When Does Your Nonattorney Staff Cross the Line into UPL?

Part I

By: Francine Shay, CP, Paralegal Manager
Lewis, Longman & Walker, P.A.

You worked long and hard to become a lawyer. You continue to work hard to avoid malpractice and maintain your good name and standing. What are you doing to ensure that your law firm staff maintains your good standing as well? Do you know that you are required to ensure that each nonattorney working in your law firm maintains the ethical obligations that you practice every day? You run afoul of The Florida Bar if you, as the supervising lawyer, order or ratify nonattorney staff conduct that violates The Florida Bar's Rules of Professional Conduct. Also, if you are a managing law firm partner who knew of the conduct at a time when consequences could have been avoided or mitigated, but you failed to take reasonable remedial action, you are deemed responsible. *Fla. Bar Rule 4-5.3.*

Part of your ethical duty as an attorney is to ensure that your nonattorney staff members do not practice law. Of course

they don't – you say? Does your staff know what conduct constitutes the practice of law? Although Florida does not provide a concise definition of the unlicensed practice of law (UPL), you probably feel that you know it when you see it. Does your staff also know which conduct would be considered UPL? Generally, UPL would include:

- Giving legal advice, counsel or opinions to others;
- Representing others involving their legal rights and obligations;
- Accepting cases for legal representation;
- Setting fees for legal representation; and
- Negotiating legal matters on behalf of clients.

This article focuses on three of the top ten UPL minefields that you and your nonattorney support staff should watch out for every day while you practice law.

Minefield #1—Nonattorneys' failure to identify themselves as nonattorneys.

Clients assume that all people representing a law firm are attorneys unless they are otherwise identified. Therefore, nonattorneys working in law firms must identify themselves as paralegals, legal assistants, secretaries, receptionists, etc. when communicating with people who do not know them. If you provide your nonattorney staff members with business cards or their names appear on your law firm letterhead, then their nonattorney titles must appear with their names. Also, nonattorneys must identify their titles in signature blocks on their own written communications that appear under your letterhead. *Fla. Ethics Op. 86-4.*

Minefield #2—Attorneys must review and personally sign pleadings.

As fundamental as this is, nonattorneys have reported that they sometimes sign

Continued on page 20

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Ann is a registered patent and trademark attorney, whose areas of practice include pharmacology, biotechnology, physical chemistry, metallurgy and light mechanical arts. Ann is admitted to practice in New York, Florida and before the United States Patent and Trademark Office and will be resident in the firm's Palm Beach Gardens, Florida office.





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 printed copy of this is provided free to all members. We also have an online directory that is updated weekly.

ASSOCIATION MEMBERS ONLY OFFICE SUPPLIES

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CLASSIFIED ADVERTISING

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 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.

CREDIT CARD PROCESSING:

The PBCBA has partnered with Affiniscape to offer Law Firm Merchant Accounts for our members to allow your firm to handle credit card transactions

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25% off standard subscription rates

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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LISTSERVS

All Bar committees have listservs available for easy communication and exchange of ideas.

MEMBERSHIP LABELS

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

NEWSLETTER AND E-NEWSLETTER

The Bulletin is published 11 times a year and provides members with information about upcoming events and articles of interest.

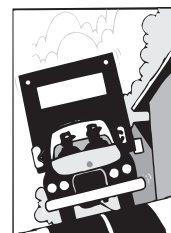
The Bar also sends out a weekly eNewsletter to remind members of upcoming events and seminars.

WEB SITE

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

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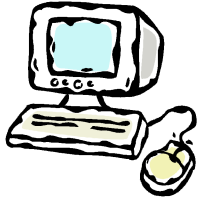
MOVING?

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

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

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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!

Top 10 Ethical Minefields

Continued from page 18

their supervising attorneys' names, with or without the nonattorneys' initials, to notices of hearing and other pleadings. Also, busy attorneys frequently fail to review the final version of their pleadings prior to filing them with the court. If you are not available to sign off on a pleading that must be filed that day, then you must ensure that another attorney review and sign those pleadings. *Fla. Ethics Op. 87-11*. In this age of electronic filing, it is common for attorneys to provide their nonattorney support staff with the ability to electronically file pleadings directly with the courts. However, you, as the attorney, are responsible to review and sign off on the pleadings prior to electronically filing them. It is crucial that attorneys prepare a written policy and procedure that outlines the steps attorneys and nonattorney staff are to follow prior to electronically filing pleadings with the court. This protects the attorneys and the law firm in the event a nonattorney staff

member files a crucial, inappropriate pleading without attorney supervision.

Minefield #3—Nonattorneys must not give legal advice.

You are well-aware that only attorneys are permitted to give legal advice, which is one of the services considered to be the practice of law. *Fla. Bar Rule 10-2.1; State ex rel. The Florida Bar v. Sperry*, 140 So.2d 587 (Fla. 1962), *vacated on other grounds* 373 U.S. 379. Nonattorneys, particularly those who are experienced in their field and communicate directly with non-corporate clients involving family matters, personal injury, personal estates, and real estate, are continually asked by clients to provide opinions on the chance of success and on the best course of action to resolve their legal matters. Attorneys must ensure that their nonattorney support staff members understand which communications comprise legal opinion, and how to respond to clients when they are asked to provide legal opinions. This

commonly occurs during initial client intake during which paralegals are permitted to sit with potential clients to gather facts so an attorney may assess the case and decide on whether to provide legal services to the potential client. *Fla. Bar Op. 88-6*. Responses to clients' questions involving the terms of the representation agreement and an assessment of the case must always be deferred to attorneys, even though the nonattorneys know the answers to the clients' questions. Nonattorneys may relay attorneys' legal opinions to clients, but the assistants are to make it clear that they are acting as messengers only, and that the opinions are those of the attorneys, who asked the assistant to relay the information.

Future articles will discuss Minefields #4 through #10, and other minefields that may not be considered UPL of nonlawyer staff, but otherwise cross the lines of ethical conduct.

ALEXANDER "SANDY" MYERS, ESQUIRE

Mediator/Arbitrator



- J.D. Stetson University College of Law (1970)
- Florida Bar Board Certified Civil Trial Lawyer (1983-2007)
- Florida Bar Board Certified Emeritus Specialist Civil Trial Lawyer (2007-Present)
- Florida Certified:
 - Circuit Civil Mediator (1998-Present)
 - Family Mediator (1998-Present)
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 - Governor for 15th Judicial Circuit 2001-07
 - Currently Ex-Officio, Sergeant at Arms
- **PBC Bar Association Young Lawyers Section, Past-President**
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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*
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Changes in E-Discovery Rules and How it Effects Your Firm

Friday, April 18, 2008

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

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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.

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How is electronic data different from paper data?

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HEARSAY

Lara Donlon, of the Law Offices of Glen J. Torcivia & Associates, was awarded the 2007 Human Resources Professional of the Year by the Human Resources Association of Palm Beach County (HRPBC).

Jones, Foster, Johnston & Stubbs, P.A. announces that **Theodore S. Kypreos** and **Claire A. Dumas** were elected Shareholders.

Romano Law Group is pleased to announce that **John F. Romano**, senior partner, was selected as a Florida Super Lawyer. Also, **Eric Romano** has been elected to serve as President-Elect of the Southern Trial Lawyers Association (STLA).

Christine D. Hanley was selected by her peers for inclusion in 2008 Florida Super Lawyers.

Rosenthal & Levy is pleased to announce that **Steven C. Simon** has become a name partner in the firm. The firm name has changed to Rosenthal, Levy & Simon, P.A.

Dr. Stanley Pierce, Chair of the Health Care District's Board of Commissioners of Palm Beach County, has been named a Trustee of the Year 2008 by Modern Healthcare.

Rutherford Mulhall, P.A. is pleased to announce that **Stan Klett**, **John Banister**, and **Manny Farach** have been named 2008 Florida Super Lawyers. The firm also is pleased to announce that **Bettee M. Collister** has joined as an Associate in the Palm Beach Gardens office.

MISCELLANEOUS

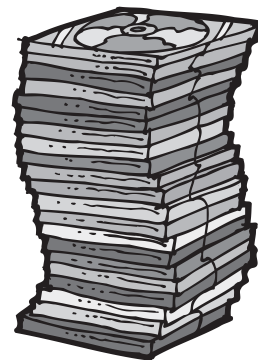
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Member- 15 years

Board of Directors- 4 years

Past Chair- Bench Bar Conference, Criminal Practice Committee

Florida Association for Women Lawyers

Member- 15 years

Past President- 2002-2003

Created Breakfast and Books, statewide mentoring for juvenile offenders



Legal Aid Society

Board of Directors

Co-Chair Pro Bono Recognition 2007, 2008

Florida Bar

Criminal Law Certification Committee

American Inns of Court

Member- 12 years

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Michael Baxter	Brian Cooke	Timothy Gaskill (1)	Richard Jarolem	Franklin Prince (8)	Alexa Sherr	Alexa Sherr	Jane West
Deborah Beard	Derek Cooper	Debra Jenks	Debra Jenks	Lisa Quarrie (6)	Harry Shevin (4)	Harry Shevin (4)	Jeannine Whalen (2)
James W. Beasley, Jr.	Ryan Cople	Robert Geisler	Christopher Jette	Guy Rabideau	Mark Shiner	Mark Shiner	Laura R. Whetstone
Abigail Beebe	Tana Sachs Cople	Jennifer Geiser-Chiampou	Robert L. Johnson	Michael Rachel	Edward Shippe	Edward Shippe	Charles R. L. White
Mitchell Beers (8,11)	Jack Cox	Michael Gelfand	William E. Johnson	Kerry Raleigh	John Shipley	John Shipley	Ralph White
Frank Benasutti	Alan Crane	Robert Gentile	Judith Ann Just	Marianne Rantala	Darren Shull	Darren Shull	Wilton White
Odette Bendeck	F. Malcolm Cunningham Jr.	Tracy Gerber	Ira Karmelin	Peter Ray	Louis Silber	Louis Silber	Patrick Whitehead
Richard Benrubi (4)	Fred Cunningham (11)	Scott Glassman	William Karp	Ned Reagan	Kyle Silverman	Kyle Silverman	James Wilkerson
Sally Benson	James Curry	Garry Glickman	Martin Katz	Justus Reid	Michael D. Simon	Michael D. Simon	Bill Williams
Michelle Berg	Eric Czelusta	Jack Goldberger (8)	Bradford D. Kaufman	Thomas D. Reilly	Michael Singer	Michael Singer	Daniel G. Williams
Flynn Bertisch	Charles H. Damsel, Jr. (1)	Marc Golden	Darla L. Keen	Bruce Reinhart (5)	William Sklar	William Sklar	Jene Williams
Robert Bertisch	Allison Davis	Craig Goldenfarb	Craig Kelley	Jeff Rembaum	Richard Slawson	Richard Slawson	John A. Willis
Victor Berwin	Patrick Dempsey	Ian Goldstein	Alan Kelman	Sherri L. Renner	Lisa Small (1,2)	Lisa Small (1,2)	Bert Winkler
Mark Bideau	Earl Denney	Jason Goldstone	Frank Kessler	Rachel Ricci	Michael Small	Michael Small	Sheryl Wood
Reid Bierer	Donna De Simone	Judy Goodman	Un Cha Kim	Gordon Richstone	Michael S. Smith	Michael S. Smith	Gary Woodfield (3)
Debra S. Block	Roni Devack	Michael Gora (9)	Mitchell Kitroser	Jill Richstone	Scott Smith	Scott Smith	Scott Wortman
Joel Blumberg	Jeff Devore	Eric A. Gordon	Sasha Klein	Rafael J. Roca (4,7)	Craig Snyder	Craig Snyder	Henry Wulf
Sharon Bock	Scott Devore	Robert Gordon	Stuart Klein	Lawrence Rochefort	Lynn Solomon	Lynn Solomon	Andrew Wyman
Bill Bone	Michelle Diffenderfer	Benjamin Greenberg	Arlene K. Kline	Bard D. Rockenbach	Cynthia Spall (2)	Cynthia Spall (2)	Gregory M. Yaffa
Shannon Bothwell	Robert Diffenderfer	David A. Greene	Kathy Klock	Kara Rockenbach	Thomas Spall	Thomas Spall	David Yarema
David M. Bovi	Ted DiSalvo	Donna Greenspan	Joel Koepfel	Lorraine Rogers	W. Morgan Speer	W. Morgan Speer	Joel Yudenfreund
Bryan Boysaw	Randall Doane	Elise Gross	Darryl Kogan (9)	Jeffrey Rollins	David Spicer	David Spicer	Susan Yofee
Warren Brams	Rebecca Doane	Adam Gumson	Ethan Kominsky	Eric Romano	Michael Steinger	Michael Steinger	Stuart Young
Steve Brannock	Marc Dobin	Richard Gumson	Susan Kornspan	John F. Romano	Eddie Stephens	Eddie Stephens	Cory Zadanosky
Robin Bresky (2)	Sean Domnick	Chris Haddad	Raymond Kramer, III	Rodney Romano	Kim Stevens	Kim Stevens	Stephen Zaloom
Rebecca Brock	Scott Donaldson	Doreen Halickman	Michael T. Kranz (1)	Kim Rommel-Enright	Tim Stevens	Tim Stevens	David Zappitell
Robert Brody	Adam Donor (11)	Brent Halversen	Paul Krasker	Marvin Rosen	Todd Stewart	Todd Stewart	Esther Zaretsky
Gary Brookmyer	Dan Doorakian	Steve Halvorson	Jane Kreusler-Walsh (3)	Dean Rosenbach	Sally Still	Sally Still	Venus Zilheris
Elliot Brooks	Roseanne M. Duane	Christine Hanley	Barry Krischer	Gerald Rosenthal	Marta Suarez-Murias	Marta Suarez-Murias	Alfred Zucaro
Lawrence Brownstein	Howard DuBosar	Tim Hanlon	Brian LaBovick	Bruce Rosenwater	Paul Sullivan	Paul Sullivan	
Lawrence Buck	Gary Dunkel	Clay Harrow	Esther LaBovick	Robin Roshkind	Scott Suskauer	Scott Suskauer	
Brian Buckstein	Michael Dyer	Carey Haughwout	Jeffrey Lampert	Steve Rothman	Stacey Sutton	Stacey Sutton	
Paul J. Burkhardt	M. Chris Edwards	Lisa Hauser	Joe B. Landy	Garry O'Donnell	Jon Swergold	Jon Swergold	

Past Presidents: 1. PBCBA; 2. FAWL; 3. Legal Aid; 4. Trial Lawyers; 5. Federal Bar; 6. Cunningham Bar; 7. Hispanic Bar; 8. Criminal Defense Bar; 9. South P.B. County Bar; 10. Inns of Court; 11. North P.B. County Bar

***Endorsement list as of February 25, 2008**

CALENDAR

April 2008

Thursday, April 3,
8:00 am-4:40 pm
Florida Bar Video Replay
"Basic Commercial Litigation"
Bar Association Office

Thursday, April 3, 5:30 pm
Western County Happy Hour
Mayacoo Lakes Country Club

Tuesday, April 8, 12:00 Noon
YLS Board Meeting
Bar Association Office

Thursday, April 10,
8:15 am – 5:00 pm
TFB Seminar, "Practicing with Professionalism"
Marriott West Palm Beach

Thursday, April 10, 12:00 Noon
South Palm Beach Bar Assn. Membership Lunch
Muvico, Boca Raton
Speaker: Frank Brogan
Contact Stephanie Ginsburg
(561) 482-3838

Tuesday, April 15, 5:30 pm
Inns of Court Meeting
Judicial Dining Room

Wednesday, April 16, 6:00 pm
Elder Law Affairs
Dinner Seminar
"18th Annual View
From the Bench"
The Colony Hotel, Palm Beach

Thursday, April 17, 5:30 pm
Inaugural Poker Tournament
Gatsby's Palm Beach
901 Village Blvd., WPB

Friday, April 18, 11:30 am
NCS CLE luncheon,
"E-Discovery"
Abacoa Golf Club

Friday April 18, 12:00 Noon
Cunningham Bar Assn. Meeting
Law Library Conference Room

Monday, April 21,
11:45 am – 1:00 pm
Judicial Luncheon
"Tips for Trial Practice"
Judicial Dining Room

Tuesday, April 22, 5:00 pm
Legal Aid Board Meeting
Bar Association Office

Wednesday, April 23,
11:45 am – 1:00 pm
Solo Luncheon
Bar Association Office

Thursday, April 24,
7:45 am – 4:00 pm
TFB Video Replay Seminar,
"Proving and Defending
Damages"
Bar Association Office

Thursday, April 24, 6:00 pm
PBJA Reception
Chesterfield Hotel
Contact 561 . 471 . 2807

Friday, April 25, 8:00am – 1:15pm
Leadership Conference
Bar Association Office

Friday, April 25, 12:00 Noon
NCS Board Meeting
Season's 52 Restaurant

Saturday, April 26, 8:00am
Attorney vs. Judges
Softball Game
John Prince Park

Sunday, April 27, 8:00am – 8:30am
Law Week Radio -
with Brian O'Connell
WJNO

Monday, April 28 – May 2
Law Week

Tuesday, April 29
5:30 pm – 7:00 pm
Annual Law Week
Judicial Reception
The Harriett at City Place,
West Palm Beach



PALM BEACH COUNTY BAR ASSOCIATION

BULLETIN

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

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

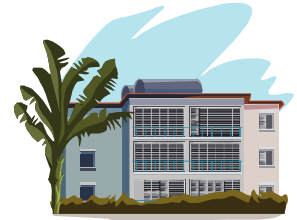
The PBCBA Community Association Law Continuing Legal Education Committee presents:

The 19th Annual Community Association Law Seminar

Friday, June 6, 2008 8:55 a.m. – 12:00 p.m.

Bar Association – 1601 Belvedere Rd., WPB #302E

Program Schedule



8:30am - 8:55am	Late Registration and Check In
8:55am - 9:00am	Welcome - <i>Michael J. Gelfand, Esq., Committee Chairperson</i> <i>Gelfand & Arpe, P.A.</i>
9:00am - 9:20am	View from the Bench: Practical and Ethical Approaches to the Court - <i>Honorable Glenn D. Kelley, Fifteenth Judicial Circuit</i>
9:20am - 9:40am	Receivers: Considerations for Appointment, Duties and Ethical Considerations - <i>Amir A. Isaiah, Lewis B. Freeman & Partners, Inc..</i>
9:40am -10:30am	Water Law: Primer on Water Restrictions in our Drought and Counsel's Ethical Duties - <i>Irene Kennedy Quincey, Esq., Pavese Law Firm</i>
10:30am -10:45am	BREAK
10:45am -11:20am	Fair Housing Law: Case Law Update and Ethical Expectations - <i>Pamela Guerrier, Esq., Palm Beach County Office of Equal Opportunity</i>
11:20am -12:00pm	Case Law and Statutory Law Update and Practice Ethics - <i>Michael J. Gelfand, Esq., Gelfand & Arpe, P.A.</i>

This course is expected to receive **3.5 CLER including 3.5 Ethics credit / 3.5 Real Estate Certification 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 5/30/08; add \$25.00 after that date. ***This seminar is for attorneys only.***

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.

**HOW TO
REGISTER**



MAIL the completed
form w/check



FAX the completed form
to 561/687-9007



ON-LINE at
www.palmbeachbar.org

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. (cost same as listed above/allow two weeks for delivery)
(19th Annual Comm. Assn Seminar 6/6/08)

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:



“Food For Thought: Digesting Current Market Conditions” Seminar

Friday, June 13, 2008 - 8:40 a. m. - 12:45 p.m.

Bar Association Offices

Program Schedule

- 8:40am - 9:00am Late Registration / Check in**
- 9:00am - 9:10am Welcome and Opening Remarks - *Steven D. Rubin, Esq., Real Estate Committee Chair***
- 9:10am - 9:55am Crossroads: The Intersection of Real Property Law and Bankruptcy -
Sales and Leases under the Code, and Ethical Considerations -
*Eric A. Rosen, Esq., Eric A. Rosen, P.A.***
- 9:55am - 10:40am 2008 Legislative and Case Law Update and Ethical Considerations -
*Michael J. Gelfand, Esq., Gelfand & Arpe, P.A.***
- 10:40am - 10:55am BREAK (Raffle - \$100 Gift Certificate to Local Restaurant)**
- 10:55am - 11:40am The Mechanics of Short Sales and Other Creative (and Legal) Techniques to Sell
Property in a Depressed Market, including Income Tax Consequences and
Ethical Considerations - *Gregory R. Cohen, Esq., Cohen, Norris, Scherer,
Weinberger and Wolmer***
- 11:40am - 12:45pm LUNCH (Raffle - \$100 Gift Certificate to Local Restaurant)**
- 12:00pm - 12:45pm Title Potpourri - Can you answer these twenty title questions (including ethics) and
eat lunch at the same time? - *Jalinda B. (“Jay”) Davis, Underwriting Counsel,
Palm Beach Branch, Attorneys’ Title Insurance Fund, Inc.***

SPONSORED BY:



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This course is expected to receive **3.5 CLER hours including 3.5 Ethics credits /
Real Estate Certification credit is pending approval** from The Florida Bar.
This seminar is for attorneys only.

The cost of the seminar (including lunch) is \$105 for PBCBA members/paralegals;
\$145 for non-PBCBA members/paralegals if registered by 6/6/08; 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.

HOW TO REGISTER		MAIL the completed form w/check		FAX the completed form to 561/687-9007		ON-LINE at www.palmbeachbar.org
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Palm Beach County Bar Association, 1601 Belvedere Rd. #302E, West Palm Beach, FL 33406.