



PALM BEACH COUNTY BAR ASSOCIATION BULLETIN

www.palmbeachbar.org

April 2016

Bench Bar Conference Another Big Success

The Bench Bar Conference is held once a year for attorneys and judges to gather and discuss ideas. Breakout sessions in various practice areas explore in depth concerns identified in panel discussions. This year's conference was held for close to 900 people at the Palm Beach County Convention Center. For more photos from the event, please see page 5.



PBCBA President Grier Pressly (left) and Lisa Kohring (right) Committee for Diversity & Inclusion Co-Chair, congratulate Scott Hawkins (center) recipient of the Judge Edward Rodgers Diversity Award



Amy Borman (center) was honored with this year's Sidney Stubbs Professionalism Award. Pictured with Amy is PBCBA President Grier Pressly and Joanne O'Connor, Professionalism Committee Co-Chair

Mark your calendar for upcoming Membership Events

May 3:

Annual Judicial Reception

May 7:

Legal Aid's Annual Pro Bono Recognition Evening

May 10:

Law Day Luncheon
with guest speaker former
U.S. Attorney General Alberto Gonzales

May 12:

North County Section's
Annual Jurist of the Year Dinner

May 13:

Young Lawyers Section
Inaugural Golf Tournament

June 11:

Annual Installation Banquet

Volunteers needed to serve on committees

This is the time of year that president-elect John Whittles will begin working on appointing volunteers to serve on 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 e-mailed to all Bar members. Additionally, the form is also available on the Bar's web site <http://www.palmbeachbar.org/committee-preference/>. Please take the time to volunteer to serve YOUR Bar Association.

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THE
BULLETIN
PALM BEACH COUNTY
BAR ASSOCIATION

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President

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1507 Belvedere Road
West Palm Beach, FL 33406
PHONE (561) 687-2800
FAX (561) 687-9007
EMAIL info@palmbeachbar.org

Advertising Information:

Mikki Johnson • mjohnson@palmbeachbar.org

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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
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DERBY

Legal Aid Society's
28th Annual Pro Bono
Recognition Evening & Auction



Hope to see you at our Derby!

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President's Message



In Their Words: A Tribute To Patience Burns, The Matriarch Of The Bar

by Grier Pressly

On February 27th, Executive Director Patience Burns announced her retirement (effective September 1) to the board of directors. Patience has literally and figuratively “set the Bar” during her 35 year career with our Association, 25 as its Executive Director, leaving a legacy of excellence in leadership and stewardship. While she is our treasure, Patience has been admired by her peers far and wide as she helped build our Bar into the best county bar association in the state. There will be another day to formally recount and celebrate all of Patience’s career accomplishments, but here are just a few:

- *The Bar has seen its membership grow from 990 lawyers in her first year to more than 3,000 today.

- *Hiring top notch, dedicated staff throughout the years.

- *Patience created the first local bar website in the state (which won a national award just one year later) and has always kept our Bar ahead of the curve with regards to technology. Additionally, instead of having to share fees with a private vendor to handle our online CLE, she partnered with a local company to create our own in-house site.

- *Patience accepted the Bar’s responsibility of expertly administering a first of its kind residential mortgage foreclosure program in the 15th Circuit during the height of the Florida foreclosure crisis, which provided a tremendous benefit to the courts and citizens of Palm Beach County.

- *Patience will be awarded the Suzanne Foley “Serving Justice” Award from the Legal Aid Society of Palm Beach County.

- *Patience oversaw the Bar’s acquisition of a vacated Denny’s restaurant and its conversion into a first-class, and now debt-free, new home for the Bar.

- *Patience was the first recipient of The Florida Bar’s Marshall R. Cassidy, Sr. Award for exemplary service and extraordinary support of the legal profession. I know this award meant a lot to her as she worked for Mr. Cassidy while employed by The Florida Bar.

- *Patience achieved the designation of Certified Association Executive by the American Society of Association Executives, of which less than five percent of all association professionals have achieved.

It has been a profound personal privilege to have had the opportunity to serve as President alongside one of the most well-known, well-liked and well-respected bar executives in the entire country.

In their words:

“Patience Burns has been a great friend and confidant for many years, and her dedicated service to our bar association and its members has been immeasurable. As a past president of the Bar, I know firsthand the level of dedication and love Patience has for the Palm Beach County Bar Association. Although saddened by her retirement, I am truly happy for Patience in knowing she will now have additional time to spend with her family and friends. Although we have shared many great memories over the years, one of the more memorable was having her drop by our hospital room at Good Samaritan last April after the birth of my son. What other executive director would do that? Only Patience Burns!”

-Theo Kypreos, PBCBA President 2014



“Patience has made the Palm Beach County Bar what it is today - one of the best voluntary bars in the country. It is not just a job for her, it is her calling. She cares more than she would admit. The organization and the lawyers in it are her family. I have known Patience for almost 25 years, first as my Bar Executive but mostly as a dear friend. I have been blessed to work with her. Bar Presidents come and go and Patience has been the constant. Patience - you are “The Best Ever”! I love you and will miss you so much!”

-Michelle Suskauer, PBCBA President 2009

“Patience has been the heart and soul of our Bar Association. Through her guidance, leadership and mentoring our Bar Association has remained the finest in the country year in and year out.”

-Ted Leopold, PBCBA President 2005

“I have had a front row seat to much of the Bar’s dynamic growth since my days as President. Patience deserves a lot of the credit for the trajectory of excellence the Bar has taken the last three decades.”

-James G. Pressly, Jr., PBCBA President 1988

“With deft skill and insight, Patience navigated the Bar to success, notwithstanding the annual interruption by the latest ‘president’, but we all know who the real leader was.”

-Edward Downey, PBCBA President 1999

“Patience- I am glad for you but sorry to see you go. The idea of new director breaking us in is a little frightening. Your service to the Palm Beach County Bar and the legal community has been outstanding. My parting words are that I want your box of photos from all these years. With that I might also be able to retire.”

-Stan Klett, PBCBA President 2004

“When I was sworn in as President of The Florida Bar, during my comments, I stated that I had two Mommies. My birth mother and my ‘Bar’ Mother. I was not kidding. Patience Burns has played an instrumental role in every single person’s life who has been involved in the Association. I know that I could have never progressed without her guidance, support and loving ways. Patience is simply one of the kindest people I have ever met. We all love her to pieces and will miss her terribly.”

-Greg Coleman, PBCBA President 2002

“The reason that we have such an incredible legal community in Palm Beach is directly because of the Palm Beach County Bar. Patience has been the heart and soul of the Bar for decades and working with her during my year as Bar President was an honor and privilege. Her hard-work, effort and dedication to the legal community are unparalleled.”

-Judge Meenu T. Sasser, PBCBA President 2007

“For over 23 years, I have known Patience as the one to help chart and steer the course of our Bar Association. I worked side by side with Patience from 2003-2004 as Bar President ; she was my trusted adviser and partner as she has been with each Bar President. Whether you have served as a leader of our Bar, a committee chairperson, committee member or attended a Bar event, you have experienced Patience’s unyielding loyalty and passion for our Bar. Thank you Patience for 35 years of AMAZING service!”

-Judge Lisa S. Small, PBCBA President 2003

Continued on page 4

Tribute to Patience Burns...

Continued from page 3

"While I am happy to see Patience reach the pinnacle of retirement, it is sad for the PBCBA to see her go. I was there when she took over the job from Catherine Royce and it has been a monumental climb for every aspect of our Bar with Patience at the helm. For the 14 years I had a Bar leadership role she was right there by my side with her wisdom and assistance. Thank you, Patience for making the PBCBA the very best of its kind in the state."

-Judge Amy L. Smith, PBCBA President 2001

"Patience helped make my time on the Board and as President a wonderful experience. Her wealth of knowledge regarding the Association was invaluable and she was always a delight to work with. Most importantly she could really boogie down at the Bar prom. Patience, thank you for all of your hard work and friendship."

-Mike Kranz, PBCBA President 1998

"I remember when Patience took over for Catherine Royce and watched her mature into one of the best Executive Directors in the state, if not the country. I always enjoyed working with Patience and appreciated her guidance (she "broke in" many young bar Presidents), professionalism and friendship. I wish her nothing but the best in her retirement. Best of luck also to the bar in trying to fill her big shoes!"

-Michael Viscomi, PBCBA President 1994



"When I was PBCBA president there was no Patience. Mary Burdick at the Law Library helped some but most of the work was done by my secretary. Since I was Chair of United Way the same year, I ran a very good secretary into the ground. Catherine Royce and Patience brought the Bar Association into the 20th and 21st centuries,

respectively. Patience has been a marvel--- the PBCBA is now a model of efficiency and good management, notwithstanding the turnover in her bosses. We will miss her greatly."

-John Flanigan, PBCBA President 1977

"We do not have enough, nor adequate superlatives to describe Patience's service to the Palm Beach County Bar Association over the years. Thank you, Patience."

-Sid Stubbs, PBCBA President 1978

"Handling over 25 different Bar presidents, (with at least as many diverse personalities!) as Executive Director with grace and aplomb shows what a quiet, determined, effective leader Patience is. She certainly was critical to the Bar's success during my year as President. A great travelling companion to Bar meetings and conventions, and apparently an avid history buff, being particularly enamored with B-52's, she will be sorely missed."

-Jerry Beer, PBCBA President 1996

"I think our PBCBA members do not realize how large Patience's presence as an outstanding Bar Executive Director extends beyond Palm Beach County. When you travel to bar meetings both in Florida and nationally representing the Palm Beach County Bar Association, it is like traveling with a rock star. The reaction you get from others is 'Oh - you are so lucky - you have Patience!' My response: Damn right. We are all so very lucky."

-Jill Weiss, PBCBA President 2013

"Patience, you are not only the finest bar leader/executive, but one of the finest persons I have ever met. No doubt in my mind that you are making the right decision as you have already devoted so many years to making the PBCBA what it is today. Going to the Bar building won't be the same without you there."

-Richard Schuler, PBCBA President 2008

It is impossible to articulate just how much Patience Burns has meant to the PBCBA. It was a great privilege and honor to

serve as Bar president with Patience as Executive Director. Future Bar presidents are really going to miss out on a great experience. I feel fortunate to have served with Patience in realizing some of the Bar's greatest achievements both in diversity and securing our beautiful home building. Here's to you, Ms. P!

-John M. Howe, PBCBA President 2011

"Congratulations, Patience! You've been a steadfast partner to literally dozens of PBCBA presidents, guiding us and the Bar Association with wisdom and much good humor. Your expert management made us all look good. Hope you have time in your glorious retirement to visit San Francisco to see this old past president (1995-1996) and reminisce about those ancient times. We barely had email--let alone "essentials" like smartphones or Facebook or Twitter--yet you managed superbly. Wishing you all the best!"

-Carol McLean Brewer, PBCBA President 1995

"One cannot think of the PBCBA without thinking of Patience Burns. She has been the true leader, the heart and the soul of the PBCBA for over 30 years. She served as an inspiration to countless bar members, friends and colleagues. Most of us are easily replaced, but Patience is one of a kind. She made all of us who worked with her better leaders and better people. You will be missed, my friend."

-Michael Napoleone, PBCBA President 2010

"Patience has dedicated her entire professional life to the lawyers of Florida. She has supported the Florida Bar Voluntary Bar Leaders Conference for years and is an active member of the Voluntary Bar Liaison Committee. Her service to the profession even extends beyond Florida's border to American Bar Association and National Association of Bar Executives committees. Patience has been a friend and advisor to me, and, while I congratulate her on her retirement, I will miss our interactions and sharing laughs with her."

-Jack Harkness, Executive Director of The Florida Bar

"Patience Burns has been the Jack Harkness of the Palm Beach County Bar Association for as long as I can remember during my 35-year career. She guided our State's finest volunteer bar association from its infancy to the well-respected association it is today. In doing so, she touched the careers and lives of thousands of lawyers in Palm Beach County, including my own. We will all miss her patient management and the continuity she provided for so long."

-Florida Supreme Court Chief Justice Jorge Labarga

"What can I say about my friend Patience Burns? She is the very best! She has been the backbone of the Palm Beach County Bar Association for nearly four decades. Under her steadfast leadership, the Palm Beach County Bar Association continues to be one of the greatest voluntary bar associations in the state. Patience's extraordinary leadership is known not only in Florida but among bar executive directors nationwide. Over all the years that I have worked with Patience, I have never known her to be anything but accommodating and positive in her approach--and that was even before I became a judge! Patience is her name and also one of her greatest qualities--how else could she have survived all these years! I wish that I could join in a court order to be issued by Chief Justice Labarga that would prevent Patience from departing but even we know our limits. I for one will miss Patience and join all of you in celebrating a remarkable person and a great Executive Director."

-Florida Supreme Court Justice Barbara J. Pariente

"Patience: Words cannot begin to express what you have meant to me personally, professionally and to the PBCBA and its members. Over the last 30 plus years you have worked tirelessly in dedicating your time to the PBCBA and its members. You are clearly one of the most respected Bar executives in the country and deservedly so. I will always have the deepest respect for you as a person and a professional. We will miss you!"

-John G. White, III, PBCBA President 1997

Continued on page 6

Bench Bar Highlights



Job well done by our Bench Bar Co-Chairs Kai Li Fouts and Poorad Razavi



Thank you to ALL our judges for supporting the conference including Judges Melanie May, Robert Gross, Sandra Bosso-Pardo and Robert Panse



Florida Supreme Court Justice Barbara Pariente and Federal Judge Ken Marra



Iola Mosley and PBCBA President Elect John Whittles



Due to construction at the convention center, members like Richard Schuler took advantage of parking at the Kravis Center and rode Molly the Trolley.



Cari Podesta and Elisha Roy attending eEverything session



Bill Schiffino, President Elect of the Florida Bar and Immediate Past Florida Bar President Greg Coleman



Judges Catherine Brunson and Sheree Cunningham

The YLS recently worked on their seventh Habitat for Humanity Project. Members of the YLS board and other volunteers (including Judge Edward Artau) prepped a house in Delray Beach for painting and were able to meet the family that will be living there.



Tribute to Patience Burns...

Continued from page 4

"Patience: I'm so happy for you and Tom that you can retire with the PBCBA at its apex. You've earned it! You've helped guide us with incredible professionalism, grace, class, and character. You are a very special Lady! God Bless and please remember your promise of confidentiality regarding some of our BoD dinner parties. Ha! Much love and respect."

-Patrick Massa, PBCBA President 1988

"Who can continue the legacy of a legend?! Your influence and spirit will be forever felt."

-Adam Rabin, PBCBA President 2012

"Patience is an outstanding professional and person. Her commitment to the Bar is without parallel. We worked closely in leading the Bar's Revitalization Committee; her leadership in this regard helped elevate the Palm Beach County Bar to be a model in the state and nation. Patience--Godspeed."

-Scott Hawkins, PBCBA President 2000

"I don't ever remember Patience without a huge smile on her face. I have a lot of fond memories from serving as President, but without a doubt the fondest, most lasting memory will always be Patience A. Burns, ATOBE. Godspeed and best in retirement!!!"

-Michael P. Walsh, PBCBA President 1992

"My association with the Burns family goes back to the 50's. I watched Tom, Patience's husband, grow up and practiced with Tom's Dad, John, for many years. Observing Patience's service throughout her PBCBA career I must comment 'well done, lady'---thanks and much happiness in retirement."

-William A. (Bill) Foster, PBCBA President 1960

"Patience is the heart and soul of the PBCBA.; we wish her well in retirement but will miss her dearly."

-Manuel Farach, PBCBA President 2006

"I have known Patience Burns for about three decades (ouch, that hurts to see in print). Every moment has been a pleasure. Patience has been the epitome of professionalism, elegance, and grace under pressure. She deftly handles her job while dealing with egos that range from King to Emperor. She has created pathways for lawyers to uphold the high standards of our profession; she has thrown parties; obtained CLE credits; counseled the new and experienced lawyers alike; she is on the forefront of creating programs to enhance our practice. Her charm and dedication has helped create the environment that we all now enjoy. I will miss her daily presence."

-15th Circuit Chief Judge Jeffrey Colbath

"Patience and I have served together in our respective positions for over 35 years. Her remarkable leadership skills combined with her enthusiasm, vision and quiet unassuming style have combined to make the Palm Beach County Bar Association the best in the state. Executive Directors come and go and Patience in that capacity will be truly missed but as a friend and colleague she is irreplaceable. It will not be the same without her."

-Bob Bertisch, Executive Director of the Legal Aid Society of Palm Beach County

"Wow! We are really going to miss **you**. Happy Retirement!"

- Ted Prior, PBCBA President 1958

Congratulations North County Section!

North County Section garners bragging rights with a 25-5 win during its second annual softball challenge against members of the Martin County Bar Association. A special thank you to Chief Judge Jeffrey Colbath who served as our home town umpire. A family picnic followed the game. Thank you to *Domnick Cunningham & Whalen* for the Ice Cream!



NCS Director Larry Strauss announced the game



Freddy Rhoads rounds third base for a run!



Umpire Chief Judge Jeffrey Colbath called the shots



NCS President Larry Buck and his wife Dolores



Coach Greg Yaffa and his North County Section team (wearing black shirts) along with the Martin County members (blue and white shirts)



Freddy Rhoads, Michael Brevda and Aaron Coven



Fred Cunningham and his son Sebastian



Coach Yaffa and NCS Director Nick Johnson



Introduction to Podcasts for Lawyers in 2016

by Christopher B. Hopkins

If you have heard the word “podcast” in the last year, it likely arose because of *Serial*, a weekly show about a Baltimore murder trial. *Serial* was downloaded over 100 million times and its investigation sufficiently rattled the Maryland court system that, 15 years after conviction, post-trial hearings began in February 2016. Consumers and advertisers are devouring this medium and podcasts have become a perfect tool for busy lawyers.

This article explains how to select and enjoy podcasts-on-demand. Each show is free and new episodes are pushed to you. After that, just press play.

A “podcast” is like a radio show comprised of individual episodes. The podcaster can be a professional broadcaster or just someone with a microphone and a topic. Often, a podcast may tell an ongoing story in a serialized format or it could be separate shows with guest interviews, current trends, and weekly round-ups. Most podcasts run 15 - 60 minutes and new shows are typically posted weekly.

On the iPhone, Apple has installed the Podcast app. Open the app and select “My Podcasts” on the bottom left of the screen. If you have not used Podcast before, you will see a blank screen. If you had previously used the app, any old shows may be listed; if you are not interested in those old shows, swipe from the right side to the left to delete. At this point, you should either have no podcasts or a group of podcasts which you want to keep. Let’s fill in the rest of your library.

Hit “Top Charts” along the bottom right side of your screen. It will list the top 150 shows on iTunes. You can “subscribe” to a show in order to automatically receive new episodes as they are released. Likewise, you can download some or all previously released episodes. We will use two podcasts as examples in order to illustrate how this works.

First, find *Serial* on Top Charts (likely in the top 5), tap it, and then scroll down to Season 1, Episode 1. Hit the cloud-with-an-arrow icon on the right side to download to your phone. You have just downloaded that *single* episode. Hit the “Subscribe” button towards the top right. Now that you have subscribed to the show, future episodes after today will be automatically delivered to your phone. You can unsubscribe anytime by hitting, “unsubscribe.”

Second, tap “Top Charts” at the top left of the screen and let’s pick another show. Find *Stuff You Should Know* (in the top 20), select it, scroll down to the episode, “Operation Mince meat,” and tap the cloud icon to download that episode to your phone. For now, do not subscribe.

Hit “My Podcasts” on the bottom left and you will return to your library of *Serial* and *Stuff You Should Know* which are now on your phone. Select *Serial* and it should show you the episode you downloaded. Notice there are two buttons in the middle of the screen: “Unplayed” shows the episodes on your phone. “Feed” is the complete list of episodes in the cloud which you can download to your phone. Since you need to listen to *Serial*

from the beginning, hit Feed, scroll down to Season 1, Episode 2 and tap the three dots to download that episode to your phone. Tap Unplayed (upper left) and you will see that you now have two *Serial* episodes on your phone. If you enjoy *Serial*, go back to Feed and download the remaining episodes to catch up. Again, future episodes will automatically be delivered since you already subscribed.

But you did not subscribe to *Stuff You Should Know*. You just downloaded one episode. Unlike the ongoing saga of *Serial*, you can pick and choose episodes of *Stuff You Should Know* which interest you. To add episodes, go back to Feed and download the episodes you like (or go ahead and subscribe). You are ready to listen.

When you play an episode, it will fill the entire screen: there is a volume bar, time remaining indicator, play and pause buttons, and the ability to jump forward or backwards 15 seconds. A faint circle and downward arrow is in the upper left corner. Tap that and it brings you back to the list of episodes. You can swipe from right to left to delete an episode (likewise, in My Podcasts, the same swipe will delete the entire podcast from your library).

Some fine tuning: inside your library, tap a podcast to see the list of unplayed episodes. There is a cog wheel icon above Feed. Tap that to refine settings for that podcast. Likewise, delete old episodes to save space on your device.

To find law-related podcasts, hit Search in the bottom right corner. Search for shows like *ABA Podcasts*, *Above the Law*, *Bloomberg Law*, *Florida Bar Podcast*, *Lawyer 2 Lawyer*, *Lawyerist*, and *Legal Talk Network*. You can also search for keywords like “Florida law” or “injury law.” When you find something you like, subscribe and/or download individual episodes.

You might also try podcasts about sports, news, hobbies, or topics of interest. Try *Bob and Chez* (politics), *Mike O’Meara* (humor), *Slate’s Political Gabfest*, *Reply All*, *TEDTalks*, *Welcome to Night Vale*, and *WTF with Marc Maron*.

Christopher B. Hopkins is a member of McDonald Hopkins LLC (West Palm Beach). Since you cannot dial him from the infamous Best Buy pay phone in *Serial*, try chopkins@mcdonaldhopkins.com.

Save the Date

Young Lawyers Section
Golf Tournament

Friday, May 13, 2016
1 pm Shotgun Start

5:30 pm BBQ Dinner and Awards

Madison Green Country Club





Voluntary Dismissal Of A Guardianship – The Pendulum Swings!

by David M. Garten

In *Gort v. Gort*, 2016 Fla. App. LEXIS 1448 (Fla. 4th DCA 2/3/16), the appellate court, in distinguishing *Jasser v. Saadeh*, 97 So. 3d 241 (Fla. 4th DCA 2012), held that a party **can** voluntarily dismiss a petition to determine incapacity.

In *Gort*, the petitioner petitioned to have his brother found incapacitated and for appointment of a limited guardian and emergency temporary guardian. The brother and his cousin opposed the petition. The cousin petitioned to determine the brother's incapacity and sought to be appointed plenary guardian of his person and property. The trial court entered an order setting an incapacity hearing, appointed counsel for the brother, and appointed a three-member examining committee. All three members found the brother was incapacitated and lacked the capacity to contract. Prior to the incapacity hearing, the court referred the parties to mediation. All parties participated and were represented by counsel. The mediation resulted in a settlement agreement, in which the petitioner and the cousin would dismiss their pending petitions without the need for prior court approval. Pursuant to the agreement, the petitioner and cousin voluntarily dismissed their petitions. Over one year later, the petitioner filed an action against the brother and cousin in the probate division seeking a declaration that the settlement agreement was valid and enforceable. The brother responded by filing a counter-petition seeking to have the agreement declared invalid and unenforceable. The trial court enforced the settlement agreement.

On appeal, the brother and cousin argued, in part, that the trial court erred in enforcing the settlement agreement because it is void under Florida law and public policy. Specifically, they argue the petitioner cannot voluntarily dismiss his petition without the statutorily required adjudicatory hearing on the brother's incapacity, citing *Jasser v. Saadeh*, 97 So. 3d 241 (Fla. 4th DCA 2012).

The appellate court, in affirming the trial court's order enforcing the settlement agreement, reasoned in part:

While the rules are silent on whether a petition can be voluntarily dismissed prior to an adjudicatory hearing, common sense dictates that a petitioner has that ability. *Katke v. Bersche*, 161 So. 3d 574 (Fla. 5th DCA 2014), is helpful. There, in ruling on a petition for a writ of prohibition, the Fifth District implicitly recognized the voluntary dismissal of a petition to determine incapacity prior to an adjudicatory hearing. *Id.* at 575-76.

"A party may voluntarily dismiss any claim, and such a dismissal, if accepted by the trial court, deprives the court of jurisdiction over the subject matter of the claim dismissed." *Cutler v. Cutler*, 84 So. 3d 1172 (Fla. 3d DCA 2012). The plaintiff's right to voluntarily dismiss its own lawsuit is almost absolute, with exceptions for fraud on the court and child custody. *Tobkin v. State*, 777 So. 2d 1160, 1162 (Fla. 4th DCA 2001). *Id.* at 576.

* * * *

[In *Jasser v. Saadeh*] [w]e distinguished a voluntary dismissal from an agreed settlement and mutual dismissal. *Id.* We then discussed the importance of insuring that the person alleged to be incapacitated is protected. *Id.* at 247-48. We did not hold that a person cannot voluntarily dismiss a petition once filed.

While the policy discussion in *Jasser* supports the brother and cousin's position, the facts and issue in *Jasser* were different from this case. Here, the brother is not suffering from Alzheimer's, but has a mental health disorder, which appears controllable when properly medicated. The brother attests to that fact. Instead of proceeding with the adjudicatory hearing, the trial court sent the parties to mediation to resolve their dispute. They resolved it, and the brother did not complain about the settlement agreement until more than one year after dismissal of the petition to determine incapacity.

Although three examining committee members concluded the brother lacked capacity to contract in June 2012, the reports were never considered at a formal adjudicatory hearing. And, there was never a trial court determination that the brother was incapacitated. In fact, the brother maintained that he was NOT incapacitated.

Because our guardianship and probate rules do not prohibit a party from voluntarily dismissing a petition to determine incapacity, and section 744.331 does not mandate an adjudicatory hearing, the trial court did not err in finding the settlement agreement did not violate Florida law or public policy.



VICTOR TOBIN

Circuit Civil, County & Appellate Mediator
American Arbitration Association Panelist
Certified Property Insurance Umpire

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In Mediation, One Size Does Not Fit All: How to Customize Your Mediation

by Michael D. Mopsick

Imagine yourself in Bloomingdale's, looking at a rack of designer suits, on sale today for only \$500, but they're non-returnable. The salesperson assures you that these new suits are "one size fits all". Just pick out the color, and you're done. You're skeptical, but this is a reputable store and you're in a hurry, so you buy one. You take it home and put it on, and your 40-short body is now swimming in 48-long fabric. Ridiculous, right? You wouldn't buy a suit that way. Suits need to be customized, tailored to fit. So do mediations. So why would you spend your client's money on the whole mediation process without ensuring that what you're buying is going to fit your case and the particular needs of your clients?

How can your mediation be customized? Start with choosing the right mediator. Here are some examples of the choices you have. If you have a construction defect case, would you choose a mediator who specializes in personal injury cases, because he's cheap and available? Probably not. But if the loss is covered by insurance, and the PI mediator has experience in dealing with adjustors, maybe you would. If your case is about a trustee's malfeasance that might be a breach of fiduciary duty, would you hire a family law mediator with no experience in trust litigation? Maybe not, but what if the mediator is known for being smart, a quick study, and for developing rapport with elderly parties like your client who come to the mediation feeling betrayed by their children?

Undoubtedly, there are some types of cases that require subject matter expertise. Mediators in securities fraud and stockbroker malfeasance cases, complex business relationship issues, and complex marital dissolution cases, for example, probably should be chosen primarily for their practice expertise and experience. But it could be a good idea to cross practice lines and choose a mediator for his or her personality and people skills if your case, or the parties, warrant it. You can choose a mediator whose personality will engender empathy in your client, or who will not be so abrasive that your client will be offended by his manner. A "tough" mediator who will "talk sense" into your client, or the other side, is not going to be effective if the personalities don't warrant that kind of approach. Selecting the right mediator is critical to the process of customizing your mediation.

Once the mediator is chosen, the simplest and most direct way to customize your mediation is to educate your mediator. Schedule a confidential pre-mediation conference or phone call with the mediator; don't wait for the caucuses to begin the process. By the time you reach mediation, you should well know your client's personality and what kind of approach would work best with her. Let the mediator know about it in advance. Learn from your client what her real interests are in the case. Tell the mediator what your client really wants

from the case, even if it's not something the Court could grant based on the pleadings, and encourage the mediator to think outside the box to try to get it for you. Give the mediator a confidential mediation statement, in advance of the mediation conference, that includes not just the pleadings and the client's financial settlement position, but also some of the background that provides insight into what is driving the dispute. Give the mediator a hook to hang a settlement on.

Finally, do not minimize the importance of an atmosphere of civility in the mediation. Civility is at the heart of the mediation process. It allows for listening instead of just reacting. It keeps submerged the emotional impediments to the focus on solutions. All of your efforts to tailor the mediation to suit the particular needs of your client and the circumstances of the case will be wasted unless the inherent hostility of the litigation is kept in check. Do not skip the opportunity to make an opening statement, and use it to set the tone. Listen to what the other side is saying for clues as to what it will take to get the case settled. Keep the "we will bury you" rhetoric out of your opening. Talk directly to the opposing litigants, and focus not on why they will lose, but on why the case should be settled.

You have the ability to make your client's mediation a custom fit. Make it a worthwhile purchase, not just a bargain.

Michael D. Mopsick is Of Counsel to Shapiro, Blasi, Wasserman & Hermann in Boca Raton, 561-477-7800. He is a Florida Supreme Court Certified Circuit Civil Mediator and is a member of the Palm Beach County Bar Association's Alternative Dispute Resolution Committee.



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Medicare and Medicaid Benefits are not Admissible as Collateral Sources

by Ted Babbitt

In *Florida Physician's Insurance Reciprocal v. Stanley*, 452 So. 2d 514 (Fla. 1984) the Supreme Court concluded that Fla. Stat. 768.76(1), Fla. Stat. (2014) required the admission into evidence of all collateral sources which were available to the plaintiff free of charge. At 516 the Court held

[E]vidence of free or low cost services from governmental or charitable agencies available to anyone with specific disabilities is admissible on the issue of future damages... Such evidence violates neither the statutory nor the common-law collateral source rule and does not, therefore, require a new trial.

...

We believe that the common-law collateral source rule should be limited to those benefits earned in some way by the plaintiff. Governmental or charitable benefits available to all citizens, regardless of wealth or status, should be admissible for the jury to consider in determining the reasonable cost of necessary future care. Keeping such evidence from the jury may provide an undeserved and unnecessary windfall to the plaintiff.

The *Stanley* opinion has been difficult to apply. Exceptions to its application have been frequently made. In *Gormley v GTE Prods. Corp.*, 587 So. 2d 455 (Fla. 1991) the Court held that *Stanley* did not apply to homeowner's insurance benefits because plaintiffs had paid for the insurance. In *Nationwide Mut. Fire Ins. Co. v. Harrell*, 53 So. 3d 1084 (Fla. 1st DCA 2010) the Court concluded that *Stanley* did not apply to allow the admission of payments made by private health insurer. In *Weaver v. Wilson*, 532 So. 2d 67 (Fla. 1st DCA 1988) the Court declined to apply *Stanley* to employer benefits.

In *Joerg v. State Farm Mut. Auto. Ins. Co.*, 176 So. 3d 1247 (Fla. 2015) the Court was faced with the question of whether future Medicare or Medicaid benefits were admissible. In the District Court case of *State Farm Mutual Automobile Insurance Co. v. Joerg*, 38 Fla. L. Weekly D1378 (Fla. 2d DCA June 21, 2013) the Second District applied *Stanley* to reverse a jury verdict where the trial court had refused to allow the defendants to place future Medicare benefits in evidence. The Second District concluded that under *Stanley* these benefits constituted free or low cost services from a governmental agency and were thus admissible under *Stanley*. In *Joerg, supra*, the Florida Supreme Court receded from *Stanley* and held that future Medicare and Medicaid benefits are not admissible in evidence and, indeed, that all social legislation benefits fall in the collateral source category and should not be admitted in evidence. In *Joerg* the Supreme Court reviewed the steps taken by Medicare to require reimbursement when the plaintiff obtains an award which includes the medical benefits for which he or she obtained benefits through Medicare. At 1254, the Court holds:

Regardless of whether an individual has directly paid for his or her Medicare benefits, a factual matter which is unclear from the record before this Court, all Medicare beneficiaries who receive an award for future medical damages will be liable to reimburse Medicare, if Medicare makes a conditional payment on their behalf. Therefore, the assertion by State Farm that any Medicare and Medicaid benefits provided to Luke are free and admissible under *Stanley* is unsupported under the law.

The reasoning behind this decision is that where the right of reimbursement exists as it does with Medicare and Medicaid, there is no windfall to the plaintiff by recovering for those damages without allowing the jury to know about the Medicare or Medicaid benefits. The Court concluded that it is inherently prejudicial to permit admission of evidence showing that plaintiff has obtained a governmental benefit and there is no certainty that payment under governmental programs will, in fact, occur. At 1255, the Court holds:

Moreover, it is absolutely speculative to attempt to calculate damage awards based on benefits that a plaintiff has not yet received and may never receive, should either the plaintiff's eligibility or the benefits themselves become insufficient or cease to continue. Even where very particular benefits exist, extensive waiting lists may prevent an individual from actually receiving the benefit. The continued existence and sufficient funding of public services depend upon legislative action, which is by no means a predictable matter. "To encourage juries to mitigate damages based on tenuous public resources forces plaintiffs, like the foolish house builder in the parable, to rebuild lives on shifting sands. The floods may come, and the winds blow, and great will be the fall." *Cates v Wilson*, 361 S.E.2d 734, 739 (N.C. 1987) In cases that involve presumptive Medicare reimbursements, it is even more speculative to anticipate a reduction of future damages because the structure of the MSPA is intended to prevent Medicare from paying if there is forthcoming payment from a primary payer. *See Cochran*, 291 F.3d at 777-78.

Finally, to consider Medicare, Medicaid, and other similar social legislation benefits as exceptions to the general rule that precludes admission of collateral sources circumvents the purpose of the collateral source rule. It is a basic principle of law that tortfeasors should not receive a windfall due to benefits available to the injured party, however those benefits were accrued.

This opinion clarifies the inadmissibility of Medicare and Medicaid payments as collateral sources and precludes the admission of those benefits in a personal injury suit.

LAW DAY LUNCHEON

Guest Speaker: Former U.S. Attorney
General Alberto Gonzales
May 10, 11:45 a.m. - 1:00 p.m.
Marriott West Palm Beach



The Securities Law CLE Committee Presents:



HOLA!! The Revised Florida Arbitration Code, Hot Topics in Securities Arbitration & Litigation, Mock Arbitration-Liability & Damages in Closed-End Fund Cases

*April 7, 2016, 12:30p.m. - 6:00p.m.
PBCBA Offices, 1507 Belvedere Road, WPB*

Program Schedule

- 12:30 p.m. - 1:00 p.m. **Lunch, Check-in and Opening Remarks** - Robert Harvey, Esq., Jenks & Harvey LLP, Securities Law CLE Chairperson
- 1:00 p.m. - 1:30 p.m. **Case Law Update & Other Hot Topics** - Jonathan Butler, Esq., Akerman LLP
- 1:30 p.m. - 2:15 p.m. **Judicial Panel** - Moderated by Debra A. Jenks, Esq., Jenks & Harvey LLP
U.S. District Court Judge Kenneth Marra, Southern District of Florida; Judge Meenu Sasser, 15th Judicial Circuit; and Judge Mark W. Klingensmith, 4th District Court of Appeal
- 2:15 p.m. - 2:30 p.m. **BREAK**
- 2:30 p.m. - 3:00 p.m. **FINRA Update** - Manly Ray, FINRA Southeast Regional Director, Boca Raton
(FINRA Hot Topics, FINRA Dispute Resolution Portal, FINRA Role in Motions to Vacate Alleging Arbitrator Misconduct or Bias). Moderated by Kelly Shivery, McCabe Rabin, P.A., Florida Registered Paralegal
- 3:00 p.m. - 3:45 p.m. **Mock Arbitration** - University of Miami Law Students and The Investor Rights Clinic at the University of Miami will present legal arguments on liability and damages in Closed-End Fund Cases. Moderated by Teresa J. Verges, Director, University of Miami Law School of Law Investor Right Clinic
- 3:45 p.m. - 5:00 p.m. **FINRA Arbitrators' Rulings & Rationale and Open Q&A with FINRA Arbitrators**
Moderated by Jeremy Colvin, Esq., McDonald Hopkins, LLC
- 5:00 p.m. - 6:00 p.m. **Happy Hour**

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The Palm Beach County Bar Association's Family Law CLE Committee in conjunction with
The Susan Greenberg Family Law American Inn of Court of The Palm Beaches presents:



Everything you need to know about Marital and Family Law Agreements in Florida



Friday, April 8, 2016 - 12:30pm - 5:30pm, Main Courthouse - Ceremonial Courtroom (11A)
LUNCH NOT INCLUDED

Program Schedule

12:30pm - 12:45pm **Late Registration and Check In**

12:45pm - 12:50pm **Welcome & Opening Remarks** - Abigail Beebe, Esq., The Law Office of Abigail Beebe, PA,
Family Law CLE Committee Chair

12:50pm - 1:00pm **Importance of Drafting Agreements for Purposes of the QDRO** - Matthew Lundy, Esq.,
Matthew Lundy Law

1:00pm - 1:40pm **Prenuptial & Postnuptial Agreements: Negotiating and Crafting Agreements to protect and
provide for Distribution of Assets** - Jeffrey A. Weissman, Esq., Board Certified in Marital and
Family law; Gladstone & Weissman, P.A.

1:40pm - 2:20 pm **Drafting Marital Settlement Agreements and Addendums: Fundamental Considerations every
Marital and Family Law Attorney must know** - Benjamin T. Hodas, Esq., Board Certified in
Marital and Family Law; Law Office of Benjamin T. Hodas, LLC

2:20pm - 2:30pm **Break**

2:30pm - 3:10pm **Tax Implications in Drafting All Agreements in Family Law** - Matthew Smith, CPA,
Moore, Ellrich & Neal, P.A.

3:10pm - 3:50pm **Enforcement of Agreements in Florida- Marital Settlement Agreements v. Prenuptials:**
Dori Foster Morales, Esq., Board Certified Marital and Family Law; Foster Morales Sockel Stone and
Jane Kreusler-Walsh, Esq., Board Certified Appellate Attorney; Kreusler-Walsh, Compiani & Vargas, P.A.

*Strictly adhering to the Family law rules/statute; Best interests of children still need to be considered;
Fair, Reasonable and Voluntary; Disclosures; Modifying terms*

3:50pm - 4:00pm **Break**

4:00pm - 4:40pm **Modifications of Agreements** - Judge John Philips; Standard in Florida

4:40pm - 5:30pm **Attacking Agreements in Florida - Panel Discussion:** Jeffrey A. Weissman Esq., Benjamin T.
Hodas, Esq., & Dori Foster Morales, Esq. All Board Certified in Marital and Family Law and Jane
Kreusler-Walsh, Esq., Board Certified Appellate Attorney

Fraud, Failure to Disclose; Illegal and Void Provisions; Best Interests of Child

5:30 - **Happy Hour** - Location TBA

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Palm Beach County Bar Association, 1507 Belvedere Road, West Palm Beach, FL 33406

The Palm Beach County Bar Association's Business Litigation CLE Committee Presents:



**2015 Compressed Into One Hour:
Everything You Wanted To Know About 2015
Business Litigation Cases**



**Monday, April 11, 2016, 11:30a.m. – 1:00p.m.
PBCBA, 1507 Belvedere Road, WPB**

Program Schedule

11:30 a.m. - 12:00 p.m. **Late Registration / Check In / Lunch**

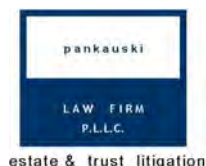
11:55 a.m. - 12:00 p.m. **Welcome & Opening Remarks** - *Kent Frazer, Esq., Akerman;
Business Litigation CLE Committee, Chair*

12:00 p.m. - 1:00 p.m. **Speaker:** *Manuel Farach, Esq., McGlinchey Stafford; Board Certified in
Business Litigation and Real Estate*

Program

A review of the most significant cases of 2015 as they affect business litigation practitioners, including topics such as the Business Records Exception to the Hearsay Rule, Consumer Protection Litigation, Foreclosures, Contracts and Damages, the evolving law of Defamation and Litigation Privilege in Florida, Landlord-Tenant, Johnson v. Davis claims and Guarantees.

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\$75.00 for non-PBCBA members/paralegals if registered by **4/4/16**; add \$20 to registration fee after that date.

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Palm Beach County Bar Association, 1507 Belvedere Road, West Palm Beach, FL 33406. Telephone: (561) 687-2800



The Workers' Compensation CLE Committee presents:

Taxing Issues Concerning Case Management

Friday, April 15, 12:00pm - 6:00pm
PBCBA, 1507 Belvedere Rd., West Palm Beach



Program Schedule

- 12:00a.m. - 12:25 a.m. **Late Registration/Check In**
- 12:25a.m. - 12:30 p.m. **Welcome and Opening Remarks** - Jeffrey M. Friedman, Esq., Florida Bar Board Certified, Workers' Compensation, Workers' Compensation CLE Chairperson
- 12:30p.m. - 2:00p.m. **Heart and Lung Bill** - The Honorable Gerardo Castiello; Geoffrey Bichler, Esq., Bichler Kelley Oliver & Longo, PLLC; and Alan Kalinoski, Esq., Florida Bar Board Certified, Workers' Compensation, Dean, Ringers, Morgan & Lawton, P.A.
- 2:00p.m. - 2:50p.m. **Medical (TBD)** - Speaker TBA
- 2:50p.m. - 3:00p.m. **BREAK**
- 3:00p.m. - 3:50p.m. **PI/WC Interplay (Focus on Workers' Compensation Immunity and Liens)** - Speaker TBA
- 3:50p.m. - 4:40p.m. **Longshore/Jones Act** - Speaker TBA
- 4:40p.m. - 6:00pm. **Cocktail Reception and Presentation of the Kennie Edwards Award**

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



16th Annual View From The Bench

Dinner on Palm Beach with the
Palm Beach County Probate Division Judiciary



Thursday, April 21, 2016

The Colony Hotel, 155 Hammon Avenue, Palm Beach

6:00 - 6:30 p.m. Registration and Cash Bar

6:30 - 8:30 p.m. Panel Presentation moderated by radio personality, Scott Greenberg

JUDICIAL PANEL

Judges Martin Colin, Jessica Ticktin, Janis B. Keyser,
John L. Phillips, and Howard K. Coates, Jr.



Have an issue or question you would like the judges to address?
Email Eric Severson: ers@burnsandseverson.com



Please select one of the following:

- _____ Chicken Marsala, Mascarpone Mashed Potatoes, Grilled Zucchini
- _____ Broiled Mahi-Mahi, Tropical Fruit Salsa, Rice Pilaf, Julienne Vegetables
- _____ Wild Mushroom Ravioli, with Golden Tomato Fondue, White Truffle Essence

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This course has been granted **2.5 CLER and certification credits of 2.5 hours in Elder law** from The Florida Bar. **Early registration cost** (including 1 complimentary drink) is **\$70.00** for PBCBA members/paralegals; **\$110.00** for non-PBCBA attorney members/paralegals if registered by 4/14/16; add \$20 to registration fee after that date.

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Local Rule 7.1 , Local Rule 4 and Lawyer Communication as a Critical Component for Successful Motion Practice

A CLE presented by the North County Section
Moderated by Michael Gelfand, Esq.

Friday, April 22, 2016

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

Palm Beach Gardens Marriott, 4000 RCA Blvd., Palm Beach Gardens

Do you know what Local Rule 7.1 and Local Rule 4 requires of you in Federal and State Courts? Attend this one hour CLE Luncheon and find out what Judges are saying about these new rules. They will also discuss: Civility and Professionalism; Standards of Conduct; Scheduling and discovery issues and Disputes between parties. Plus, the Judges may reveal their pet peeves, so don't miss it!



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Palm Beach County Bar Association, c/o NCS Luncheon, 1507 Belvedere Road, WPB 33406

NCS CLE/UMC April 22, 2016





Federal Criminal Defense



Tuesday, April 26, 11:30 - 1:00pm
1507 Belvedere Road, WPB

Program Schedule

11:30 a.m. - 12:00 p.m. **Lunch / Late Registration and Check In**

12:00 p.m. - 12:05 p.m. **Welcome - Opening Remarks** - Ron D. Herman, Esq., Herman Law, P.A.

12:05 p.m. - 1:00 p.m. **Guest Speaker:** Valentin Rodriguez, Esq., Valentin Rodriguez, P.A.
Board Certified Criminal Trial Attorney

Program

- Advancing theory and themes through opening to closing
- Organizing discovery in complex federal criminal cases
- What to expect in the proffer and what to avoid
- Pitfalls of "relevant conduct" in federal criminal cases
- Loss calculations in fraud and white collar cases

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The Palm Beach County Bar Association's Employment Law CLE Committee Presents:



Americans with Disabilities Act



Friday, April 29, 2016, 1:00 - 5:00 p.m.
PBCBA, 1507 Belvedere Road, West Palm Beach

Program Schedule

1:00 pm - 1:25 pm **Late Registration**

1:25 pm - 1:30 pm **Welcome and Introductions** - Dana Spader, Esq., Reid Burman Lebedeker
Chair, Employment CLE Committee

1:30 pm - 2:30 pm **Overview of the EEOC/Legal Update of recent ADA cases** -
Kimberly Cruz, Esq., Supervisory Trial Attorney, EEOC Miami District Office

2:30 pm - 3:30 pm **ADA in the Workplace; what is a "reasonable accommodation"** -
Shayla Waldon, Esq., Akerman

3:30 pm - 3:40 pm **BREAK**

3:40 pm - 5:00 pm **ADA Title III, Public Access** - Laura L. Mall, Esq., Ford Harrison LLP

This course has been granted 4.0 CLER and 4.0 certification credits in Labor and Employment law from The Florida Bar. Enjoy an **"Early Bird"** discounted registration cost of \$ 100 for PBCBA members/paralegals; \$150 for non-PBCBA members/paralegals. After 4/22/16, add \$20 late fee. All refund requests must be made no later than 48 hours prior to the date of the seminar.

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Palm Beach County Bar Association, 1507 Belvedere Road, West Palm Beach, FL 33406.



Probate Boot Camp



Monday, May 9, 2016 - 8:00 a.m. to 5:00 p.m.
Marriott Hotel, 1001 Okeechobee Blvd, West Palm Beach

Moderator: Jonathan A. Galler, Esq.

Program Schedule

- 8:00a.m. – 8:30a.m. **Late Registration/Check In**
- 8:30 a.m. – 8:40 a.m. **Welcome & Opening Remarks** - *Matthew Triggs, Esq., Proskauer Rose LLP*
- 8:40 a.m. – 9:15 a.m. **Estate Planning-Anticipating Litigation** - *Michael Simon, Esq., Gunster and Duane Pinnock, Esq., Boyes, Farina & Matwiczyn*
- 9:15 a.m. – 9:50 a.m. **Estate Planning-Vulnerable Client** - *John Moran, Esq., and Cristina Papanikos, Esq., Gunster*
- 9:50 a.m. – 10:40 a.m. **Client Meeting with Child Contestant** - *Jeffrey Baskies, Esq., and Tattiana Stahl, Esq., Katz Baskies LLC*
- 10:40 a.m. – 10:50 a.m. **BREAK**
- 10:50 a.m. – 11:25 a.m. **Personal Representative's Perspective** - *Michael Singer, Esq., and Andrew Comiter, Esq., Comiter, Singer, Baseman & Braun, LLP*
- 11:25 a.m. – 12:00 noon **Contestant's Perspective** - *John Murray, Jr., Esq., Squire Patton Boggs*
- 12:00 noon – 1:00 p.m. **LUNCH Topic: Crimes against the Elderly** - *Jessica L. Kahn, Assistant State Attorney, Chief of Special Victim's Unit and Michael J. Rachel, Assistant State Attorney, Chief of White Collar Crime Unit, Palm Beach County State Attorney's Office*
- 1:00 p.m. – 1:50 p.m. **Depositions** - *Theodore Kypreos, Esq., Jones Foster Johnston & Stubbs, P.A.*
- 1:50 p.m. – 2:00 p.m. **BREAK**
- 2:00 pm. – 2:50 p.m. **Creative Settlements** - *Peter Forman, Esq., Gutter Chaves Josepher Rubin Forman Fleisher Miller, P.A.*
- 2:50 p.m. – 3:00 p.m. **BREAK**
- 3:00 p.m. – 4:00 p.m. **Judges' Panel** - *Honorable Howard Coates, Jr., Honorable Mark Speiser and Honorable David French*
- 4:00 p.m. – 5:00 p.m. **Reception**

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This course has been granted **8.0 CLE** from The Florida Bar. **Early registration** cost is \$ 200 for PBCBA members/paralegals; \$ 250 for non-PBCBA members/paralegals if registered by 5/2/16; add \$20 late fee after that date. **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.

"Credit card registration payment not accepted by Fax to comply with PCI regulations"

Name: _____ Telephone #: _____
Address: _____ Email Address: _____

PAYMENT BY CHECK ONLY, WITH THIS FORM. PBCBA, 1507 Belvedere Road, West Palm Beach, FL 33406. Telephone: (561) 687-2800

____ I will not be able to attend the seminar but would like to order the CD (allow 4 weeks for delivery) (5/09/16 Estate and Probate). Cost is the same as listed above, in addition to \$10 for shipping and handling. **PAYMENT BY CHECK ONLY, WITH THIS FORM. Palm Beach County Bar Association, 1507 Belvedere Road, West Palm Beach, FL 33406.**



**YOUNG LAWYERS SECTION
INAUGURAL GOLF TOURNAMENT**
Friday May 13, 2016 - 1 P.M. Shotgun Start
12 – 1 pm Registration
1 pm Shotgun
5:30 p.m. – BBQ Dinner and Awards
Madison Green Golf Club
2001 Crestwood Boulevard North, West Palm Beach

SPONSORSHIP OPPORUNITIES

Proceeds support YLS's annual Back to School Program, providing school supplies and snakes to underprivileged school children in Palm Beach County

Grand Sponsor - \$1000

- ◆ Sign at registration
- ◆ Sign on course
- ◆ Marketing material in "goody bag"
- ◆ Representative at course
- ◆ 1 foursome in tournament

Beverage Sponsor - \$500

- ◆ Sign at registration
- ◆ Sign at tent/cart
- ◆ Representative at course

Questions – Please contact golf committee co-chairs:

Scott Perry – sperry@murrayguari.com

Dan Barsky – dbarsky@shutts.com

Hole Sponsor - \$100

- ◆ Sign on tee box

ENTRY FEE

Foursome - \$400

Single - \$100

Single entries will be grouped into foursomes.

Entry includes:

Goody bag, range balls, scramble tournament, closest to the pin, longest drive, tournament winner prize, and dinner.

Registration – Preferred method online at www.palmbeachbar.org/young-lawyers-section/

PLEASE make checks payable to:

Young Lawyer's Section

Attn: Patience Burns

1507 Belvedere Rd.

West Palm Beach, FL 33406

PLAYER REGISTRATION

Player 1

Name: _____

Address: _____

City: _____ State: __ Zip: _____

Phone: _____

Email: _____

Player 2

Name: _____

Address: _____

City: _____ State: __ Zip: _____

Phone: _____

Email: _____

Player 3

Name: _____

Address: _____

City: _____ State: __ Zip: _____

Phone: _____

Email: _____

Player 4

Name: _____

Address: _____

City: _____ State: __ Zip: _____

Phone: _____

Email: _____

The Palm Beach County Bar Association's Technology Practice Committee Presents:



ESI Discovery for the Technologically Challenged PART 2 - E-Discovery Boogaloo



Wednesday, May 25, 2016, 11:30a.m. – 1:00p.m.
PBCBA, 1507 Belvedere Road, WPB

Program Schedule

- 11:30 a.m. - 12:00 p.m. **Late Registration / Check In / Lunch**
- 11:55 a.m. - 12:00 p.m. **Welcome & Opening Remarks** - *Amanda Kleinrock, Esq.,
Legal Aid Society of Palm Beach County, Committee Chair*
- 12:00 p.m. - 1:00 p.m. **ESI Discovery** - *Andrew S. Kwan, Beasley Kramer & Galardi, P.A.*
- Understanding Servers, Databases, and the Cloud
 - The Care and Feeding of ESI Searches: Beyond the Keyword
 - Using Metadata for Fun and Profit
 - Forensic Examinations of Smartphones and Tablets

SPONSORED BY:



This course has been granted **1.0 CLER** from The Florida Bar.

The **early registration** cost of the seminar is **\$25.00 (includes lunch)** for PBCBA members/paralegals; **\$75.00** for non-PBCBA members/paralegals if registered by **5/18/16**; add \$20 to registration fee after that date.

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.

Credit card registration payment not accepted by Fax to comply with PCI regulations.

____ I will not be able to attend the seminar but would like to order the CD (allow 4 weeks for delivery) (5/25/16 Technology.) Cost is the same as listed above, in addition to \$10 for shipping and handling. **PAYMENT BY CHECK ONLY, WITH THIS FORM.**

PAYMENT OPTIONS:



If paying by credit card, please go to our secure website to register: www.palmbeachbar.org



If you can't leave your office, you can attend this via live webinar by registering here <http://www.palmbeachbar.org/>. **PLEASE NOTE: If you register for the webinar, you cannot attend the live version.**



If paying by check, please send payment, along with this form, to the Bar office.



Materials will now be emailed to all registrants prior to the seminar

Name: _____

Telephone: _____

Address: _____

City/Zip _____

Email Address: _____



YOUNG LAWYERS SECTION
SEVENTH ANNUAL KDW FISHING TOURNAMENT

JUNE 25, 2016

PALM BEACH YACHT CLUB

TO BENEFIT LEGAL AID'S EDUCATIONAL ADVOCACY PROJECT



The discounted early registration fee is **\$300 per boat** on or before **June 1, 2016**. After June 1, the registration fee will be **\$400 per boat**. Registration fee includes tickets to the Captain/Angler Party and the dock party for the Captain and four (4) Anglers and four (4) tournament shirts. Boats may register additional anglers for \$50 each, which includes a tournament shirt and tickets to all parties. Additional party tickets for non-anglers are available for \$25 for adults or \$15 for children under 10.

Please fill out the attached information and return it with a check to Palm Beach County Bar Association, 1507 Belvedere Road, West Palm Beach, FL 33406. If paying by credit card, please go to www.palmbeachbar.org/yls-fishing-tournament. Deadline to return is June 1. Thank you!

Boat Name: _____ Make/Model/Length: _____

Owner's Name: _____ Captain's Name: _____

Mailing address: _____

Telephone: _____ Cell Phone: _____

Email: _____

Angler # 1 Name: _____

T-Shirt Size: ____ Small ____ Medium ____ Large ____ Extra Large ____ XXL

Angler # 2 Name: _____

T-Shirt Size: ____ Small ____ Medium ____ Large ____ Extra Large ____ XXL

Angler # 3 Name: _____

T-Shirt Size: ____ Small ____ Medium ____ Large ____ Extra Large ____ XXL

Angler # 4 Name: _____

T-Shirt Size: ____ Small ____ Medium ____ Large ____ Extra Large ____ XXL

Additional Anglers:

I will have ____ additional angler(s) aboard @\$50 each: Total: \$ _____

Shirt sizes for additional angler(s) (write the quantity of each size):

Small: ____ Medium: ____ Large: ____ XL: ____ XXL: ____

Additional Dock Party Tickets

I would like ____ extra tickets to the dock party @\$25 per adult ticket Total: \$ _____

____ extra tickets to the dock party @\$15 per child ticket (under 10) Total: \$ _____

Additional Tournament Shirts @\$25 each

____ Small ____ Medium ____ Large ____ XLarge ____ XXL Large Total: \$ _____

Please total up cost of boat, extra anglers, extra dock party tickets and extra t-shirts: \$ _____ and remit check in that amount to Young Lawyers Section, 1507 Belvedere Rd., West Palm Beach, FL 33406

The Children of Palm Beach County Need You



*by Iola Mosley, Esq., Sr. Counsel
Palm Beach County School District Office of
the General Counsel*

The Palm Beach County School District serves over 150,000 students. Palm Beach County is one of the largest and equally most successful school districts in Florida. We have raised graduation rates and the future looks rosy for most students. Occasionally within our system, students have been

accused of violations of the student code of conduct for which a principal may request that the student be expelled from the general education setting. Based on school board policy¹ and Florida law², a school Principal has the authority to request that a county School Board expel a student from school, based on certain serious conduct that is alleged to violate the School Board's Policy.

When students are expelled in a school district, they are entitled to due process. In the event a principal is seeking expulsion or removal from the general education setting, a heightened due process applies³. Currently in the Palm Beach County School District, if a principal recommends that a student

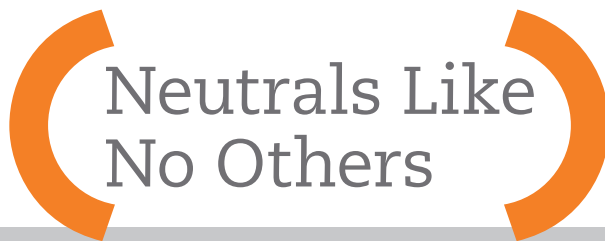
be expelled, the student will be provided a fact finding hearing pursuant to FS §120.57. Hearings are generally held at the school site (expelling school) and presided over by a volunteer administrative judge. During these hearings, a student has the right to request to be represented by Counsel. The School District, in connection with the Legal Aid Society of Palm Beach County, works with parents and gives them information to help the parent locate an attorney who will represent the student on a pro bono basis. We are working toward a system in which an attorney will be assigned to represent each student facing expulsion. The importance of having an attorney look at the facts and circumstances of the case and advise the parent accordingly must never be minimized. The attorney will provide an invaluable service in assisting students and their parents obtain a just outcome.

Attorneys are needed to volunteer to assist in protecting the rights of these students and to make certain that the process is followed in accordance with Palm Beach County School Board Policy, Florida Statutes, and case law. Give your time and your talent to help the Legal Aid Society and the Palm Beach County School Board safeguard the rights of our students. If you will agree to accept at least two assignments per year you will enrich the educational experience of our children. You may contact The Legal Aid Society at (561) 655-8944 or you may contact Brigitte Wantz with the School District of Palm Beach County at (561) 434- 7359 to request information on how you can get involved.

¹ PBCSB Policy 5.1812; 5.1813 and referenced material therein

² Fla. Stat. §1006.07

³ *Goss v. Lopez*, 419 U.S. 565 (1975) HELD: At a minimum a student is entitled a written notice of the charges and an opportunity to explain for suspensions of 10 days or fewer. For suspensions of greater than 10 days or expulsion the student has been held to have a right to notice and some sort of a hearing.



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Honors College at FAU Hosts Thank You Reception

Dean Buller, his staff and advisory board of the FAU Honors College in Jupiter recently hosted a North County Section Volunteer Appreciation Reception. The event honored our members who offer their time on campus teaching "Law in the Real World," or serving as mentors for moot court. "Law in the Real World" is a one credit class taught by a different lawyer each week. This is the fifth consecutive year that the North County Section has been presenting this legal education course. If you're interested in learning more, contact NCS President Larry Buck at lpb@lpblaw.com.



FAU Honors college Dean, staff, students and members of the Advisory Board along with North County Section volunteers



Eric Rosen and Michael Slavin



Judge Laura Johnson and FAU Professor Mark Tunick

Kate Watson, Bob Bertisch and Lindsay Warner



Welcome New Members!

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

Chelsea Bellew: Ohio Northern University, 2015; Associate in Scott, Wagner and Associates, P.A., Jupiter.

James Boddien: Florida State University, 2015; 15th Judicial Circuit, Palm Beach County.

Alison K. Brown: Vanderbilt University of Florida, 2004; Associate in Holland & Knight, LLP, West Palm Beach.

Thomas John Coltery: George Washington University, 2014 15th Judicial Circuit, Palm Beach County.

Jennifer DuClair: University of Florida, 2012; Associate in Goede, Adamczyk, DeBoest & Cross, PLLC, Delray.

Kristen Allison Farber: Florida International University, 2015; 15th Judicial Circuit, Palm Beach County.

Jeffrey M. Freedman: Western New England University, 1977; Affiliate Membership, Buffalo, NY.

Robert O. Gonzalez: Nova Southeastern University, 2013; Associate in Steinger, Iscoe & Greene, P.A., West Palm Beach.

Mary Grecz: Nova Southeastern University, 2015; Associate in Derrevere, Hawkes, Black & Cozad, West Palm Beach.

Amy Alison Hinkler: Barry University, 2013; Associate in Pike & Lustig, L.L.P., West Palm Beach.

Rene Iosco: University of Miami, 2007; Associate in Broad and Cassel, West Palm Beach.

Alexandra Lohman: Northwestern University, 2014; 15th Judicial Circuit, Palm Beach County.

Charles F. Melges: Florida State University, 2015; Palm Beach Gardens.

William Mueller: University of Miami, 2015; Associate in Kula & Associates, P.A., Miami.

Rebecca Nilsen: Nova Southeastern University, 2003; Associate in Aldridge Connor, LLP, Delray.

W. Ellis Petit: Southern University, 2013; Associate in Keller, Keller, Caracuzzo, P.A., West Palm Beach.

Jonathan H. Railey: Florida International University, 2014; Associate in Cole Scott & Kissane, P.A., West Palm Beach.

Stuart Rimland: Northeastern University, 2015; 15th Judicial Circuit, Palm Beach County.

Deborah Smith: Florida Registered Paralegal Membership, Sweetapple, Broeker & Varkas, P.L., Boca Raton.

Olivia D. Soden: University of Miami, 2011; Associate in EMA Law Firm, PL, West Palm Beach.

Erica Leigh Sonn: Florida Coastal, 2014; Legal Aid Society of Palm Beach County.

Robert A. Sweetapple: University of Florida, 1980; Partner in Sweetapple, Broeker & Varkas, P.L., Boca Raton.

Danielle Alexandra Wallis: Nova Southeastern University, 2015; Boca Raton.

Lindsay Elizabeth Watkins: University of Miami, 2015; 15th Judicial Circuit, Palm Beach County.

Jeffrey A. Weissman: University of Pennsylvania, 1994; Partner in Gladstone & Weissman, P.A., Boca.

James P. Winston: Suffolk University, 1992; Law Office of James P. Winston, West Palm Beach.

Jonathan A. Yellin: Nova Southeastern University, 1999; The Yellin Law Firm, West Palm Beach.

WELCOME

A Celebration of Literacy... and, a Tornado Warning?

Not even a tornado warning could stop our Lawyers for Literacy Committee from participating in Celebrate Literacy Day! Due to a nasty South Florida storm, a tornado warning was announced and schools immediately went on lock down with our volunteer lawyers and judges safely inside classrooms reading to children. Judge Lisa Small got more than she bargained for - not only did she read with kindergarten and Pre-K students at Roosevelt Elementary in West Palm Beach, but she also participated in their tornado warning drill. Thanks for being a good sport, Judge Small.



"Today was an amazing day! I am certain your presence and time were appreciated by all of our kindergarten and Pre-K students. I would especially like to thank you for your support and patience during the Tornado Warning. Today was totally authentic and you fit right in with the Roosevelt Rockets."
Charlotte Lovely, Assistant Principal, Roosevelt Elementary

For more information on upcoming Lawyers for Literacy events, please contact committee chair Andrew Kwan at kwan@beasleylaw.net

Of all the banks in South Florida, only one has the distinction of being called "The Lawyers' Bank."

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Bud Osborne, Executive Vice President,
or Donn Londeree, Vice President at (561) 750-0075



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Law Related Education Committee Helps Kids Go Hands-On With The American Legal System At Youth Law Day

by Andrew Kwan on behalf of the
Law Related Education Committee

Over one hundred students and their chaperones packed the South County Courthouse for the First Annual Youth Law Day on January 9, 2016. This unique all-day event, showcasing local judges, attorneys, and others with law-related careers, was organized by the Law Related Education Committee and the 15th Judicial Circuit State Attorney, with support from the Ward Damon law firm and Rock Legal.



The day began with Judges Jeffrey Gillen and Samantha Schosberg Feuer answering questions about the judicial branch and running the students through a sample jury deliberation. Boynton Beach Police Department officer Mark Sohn and his K-9 partner Bako demonstrated how police dogs sniff for narcotics by finding secretly-placed bags of marijuana in the courtroom. Victoria Vasquez, from Rock Legal, and Eddie Stephens, of Ward Damon, examined attorney and non-attorney careers in the legal system, while AUSA Dan Funk, Judge James Martz, W. Craig Lawson, Nelson Baez, Dane Leitner, and Cymonie Rowe all spoke about various aspects of the law and civics. The day concluded with an hour-long live mock trial exercise that put the kids in the roles of attorneys, witnesses, and jurors.

The participating students included Girl and Boy Scouts, members of the Palm Beach County Youth Court, and a civics class from Carver Middle School. Registration for the entire day cost only \$10, including a box lunch provided by Panera Bread. The South County Courthouse hosted the event and provided security and parking.

If you are interested in joining the Law Related Education Committee or participating in upcoming events, please contact Committee Chair Amy Shayne Levenberg Terwilleger at 561-650-0695.

Andrew Kwan is an attorney at Beasley Kramer & Galardi, P.A.

Editor's Note: A big thank you to LRE Committee Members Andrew Kwan and Sherri Collins for all of their hard work in coordinating this event!

North County Section visits Scripps Research Institute

North County Section members recently enjoyed an evening at Scripps Research Institute in Jupiter. The event included a special presentation by Dr. Ronald Davis, founding chair of neuroscience. Dr. Davis talked about the exciting Alzheimer's research taking place on campus. With more than 100 scientists, cures for many diseases will be discovered right here in our own backyard. How lucky we are to have top researchers in the country living and working right here in Jupiter!



Mark Murnan and Edward Ricci



NCS Director Malinda Hayes and David Markarian



Abigail Jorandby and Cindy Sojka



Judge Scott Suskauer and NCS President Larry Buck

Jurist of the Year Nominations Due April 15

The North County Section is now taking letters of recommendations for its 14th Annual Jurist of the Year Award. Send us a letter including which local judge you feel deserves to be honored for his or her dedication to the Bench and to our community.

The letters will be reviewed and voted on by the section's Board of Directors. A recipient 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. Who is eligible to make a nomination? Any NCS member.

Send your nomination to the Bar Office at 1507 Belvedere Road, West Palm Beach, FL 33406 or email your letter to lpoirier@palmbeachbar.org. Nominations are due no later than Friday, April 15.

Previous winners include Judges Mary Lupo, Roger Colton, Peter Blanc, Thomas Barkdull, Barry Cohen, Jonathan Gerber, David Crow, Edward Fine, Jack Cook, Ron Alvarez, Richard Oftedal, Lucy Brown and Ken Marra.

Upcoming CLE Seminars

Your CLE Committee Chairs have been very busy at work planning live CLE seminars for our membership for this year. For more information about these seminars, please visit the Bar's website: palmbeachbar.org and click on the calendar icon at the bottom of the page. Also, don't forget, most of these seminars are also held live via webinar if you are not able to leave your office to attend in person.

April 7:	Securities - The Revised Florida Arbitration Code, Hot Topics in Securities Arbitration & Litigation, Mock Arbitration-Liability & Damages in Closed-End Fund Cases
April 8:	Family: Everything You Need to Know About Marital and Family Law Agreements in Florida
April 11:	Business Litigation – Everything You Wanted to Know About 2015 Business Litigation Cases
April 15:	Workers' Compensation – Taxing Issues Concerning Case Management
April 21:	Elder Law: View from the Bench
April 22:	Local Rule 7.1, Local Rule 4 and Successful UMC Practice – Lunch and Learn
April 26:	Criminal Law – Federal Criminal Defense
April 29:	Employment Law: ADA (Federal and Florida law)
May 9:	Estate & Probate Seminar
May 18:	Privacy and Security for Law Firms
May 20:	27 th Annual Community Association Law
May 23:	Bankruptcy Law
May 25:	Technology and ESI Discovery
May 26:	Judicial Lunch: Bias Discovery
June 2:	Appellate: Best Practices
June 23:	Judicial Lunch: Professional Decorum



Young Lawyers Section Seventh Annual KDW Fishing Tournament

June 25, 2016

Benefitting Legal Aid's Education Advocacy Project

Jason Lazarus Receives the Florida Bar President's Pro Bono Service Award



Jason Lazarus was awarded the 2016 Florida Bar President's Pro Bono Service Award for the Fifteenth Judicial Circuit. This award's purpose is twofold: "to further encourage lawyers to volunteer free legal services to the poor and to communicate to the public a sense of the substantial volunteer services provided by Florida lawyers to those who cannot afford legal fees." The award was given at a ceremony before the Florida Supreme Court in January.

Since joining Holland & Knight in 2001, Jason has provided more than 900 hours of pro bono service. In Jason's most recent and difficult case, an excessive use of force case, he spent more than 200 hours on it and obtained a settlement on behalf of the client. The settlement was higher than any other use of force settlement paid by that particular agency since 2005. The firm did not keep any portion of the settlement for attorneys' fees, and instead remitted all of the settlement funds, less some minimal costs incurred by the firm, to the client.

In addition to his direct representation, Jason is a source of advice and counsel for many staff attorneys at Legal Aid. In the words of John Foley, Esq., Supervisor of the Non-Profit Legal Assistance Project at Legal Aid, "Jason is one of the most knowledgeable attorneys I have worked with in my 27 years of practice. What is even more impressive is his willingness to assist legal aid clients. I can hardly think of a time when Jason hasn't had a pro bono case. Regardless of how difficult, complex or "last minute" Jason never says no.

Jason's dedication to providing pro bono legal representation carries on his firm's long standing commitment to doing pro bono work and sets the example for the legal profession."

Minority Mentoring



by Krista Downey

The Palm Beach County Bar Association Committee for Diversity and Inclusion ("CDI") recently participated in the 12th Annual Minority Mentoring Picnic

hosted by The Kozyak Minority Mentoring Foundation. The primary purpose of the annual event is to connect minority law students with mentors who are able to provide inspiration and direction that will help these students succeed in law school and get a strong start in the legal profession. Each year the Minority Mentoring Picnic brings together thousands of judges, lawyers and law students from all areas of Florida and the legal profession. Hundreds of voluntary bar associations, Florida Bar sections and committees, law firms and other professional services firms sponsor tents to easily meet and greet students throughout the day long networking event.

This year, the CDI sponsored a tent at the Minority Mentoring Picnic. Whether law students were seeking a summer internship, a job upon graduation, or simply a network of contacts, CDI Co-Chair Lisa Kohring and members Jean Marie Middleton and Krista Downey were available to meet and speak with each law

student to discuss the many internship and career opportunities available in Palm Beach County. While the students were eager to take advantage of the opportunity to connect with local attorneys, many students insightfully expressed that they had not considered Palm Beach County as a possible area of interest in their job search because they lacked personal connections to the area or were unfamiliar with the legal community and job market in Palm Beach County. Nonetheless, our members encouraged law students interested in the possibility of practicing in Palm Beach County to apply for the CDI's Diversity Internship Program.

Each summer the CDI organizes the Diversity Internship Program for law students of diverse backgrounds to gain work experience through summer internships arranged at local law firms and government agencies throughout Palm Beach County. In addition to its recruiting efforts, the CDI hosts a variety of events over the summer to help the interns leverage their summer experience and gain valuable insight into the legal profession and community. The overall goal of the Diversity Internship Program is to provide the interns with opportunities for future employment and encourage them to return to Palm Beach County upon graduation, with the end result creating a Bar that

And The Winners Are... 2016 Pro Bono Awards

Family Law Award

Staci Burton
Roig Lawyers

And Justice for All Award

Greg Coleman
Critton Luttier and Coleman

Special Services Award

Bob Goldberg
Surveilx

Appellate Law Award

Robert J. Hauser
Pankauski Law Firm

Civil Litigation Award

Amanda Rae Keller
Richman Greer, P.A.

Non Profit Award

Lisa Markofsky and Andy Thomson
Proskauer Rose LLP

Veterans Advocacy Award

Maria J. Patullo
Maria J. Patullo, Esq.

Law Firm Award

Shutts & Bowen LLP

Immigration Law Award

Holly Tabernilla

Community Service Award

Anthony P. Vernace
Greenberg Traurig, P.A.

Suzanne Foley "Serving Justice" Award

Patience A. Burns

reflects the diversity of our community as a whole.

The CDI has a strong commitment to promoting inclusiveness and diversity at all levels of practice and service in Palm Beach County. While this commitment has historically been focused on attracting new lawyers to our community through the CDI's Diversity Internship Program, the CDI's commitment to promoting diversity and inclusion within our Bar Association continues to evolve. The CDI also formed the "Road to the Bench Mentor Program" in response to the recognized need to strive for diversity on the Bench. If you would like to assist in our efforts to promote diversity and inclusion through the CDI, its Diversity Internship Program or the Road to the Bench Mentoring Program, or have other ideas to help foster this mission, please visit <http://www.palmbeachbar.org/diversity-information/>.

Krista Downey served as Co-Chair of the Diversity Internship Program for 2013-2014. Krista is an associate at Thomas N. Silverman, P.A. She focuses her practice on estate planning, administration and litigation and can be reached at KD@FloridaProbateCounsel.com.



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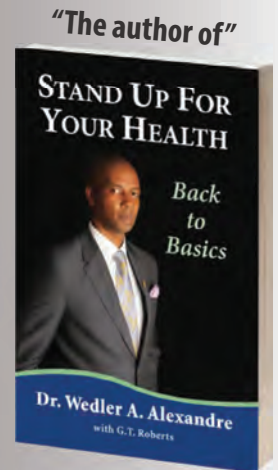


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Jumping for Justice

On January 30, over 220 friends and supporters of the Legal Aid Society of Palm Beach County gathered at the Palm Beach International Equestrian Center in Wellington to enjoy an evening of cocktails, hors d'oeuvres, and a spectacular show jumping competition. The evening benefitted Legal Aid's 28th Annual Pro Bono Recognition Evening to be held Saturday evening, May 7 at the Palm Beach County Convention Center. The theme of this year's Gala will be "Derby" and will honor eight attorneys, one private investigator, and a law firm whose pro bono contributions in 2015 were truly extraordinary. Guests donated over 125 gifts which will be auctioned at the May 7th event. A surprise gift of \$10,000 was pledged by Mark & Katherine Bellissimo.



Gary Betensky, Leonard Feuer and Jason Lazarus



Host Committee. Back row left to right: Steven Teebagy, Karen Anthony, Jon Derrevere, Sherry Derrevere, Nicole Hesson Hammack, John McGovern. Front row left to right: Janet Teebagy, Jennifer Rabin, Adam Rabin, Cynthia Napoleone, Michael Napoleone, Michelle McGovern.

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HEARSAY

The Law Offices of Elisha D. Roy PA is pleased to announce that **Elisha D. Roy** has been given the prestigious distinction of being named as a Fellow of the International Academy of Family Lawyers.

Akerman LLP announces **Eric Gordon** has taken the role of Labor & Employment Practice Group Chair. He will work to grow the national practice group while overseeing the delivery of labor and employment services to Akerman clients. Gordon is a past president of the Human Resource Association of Palm Beach County and will serve as president of the South Palm Beach County Bar Association in 2017-2018.



Glen J. Torcivia of Torcivia, Donlon, Goddeau & Ansay, P.A., was selected to serve as Town Attorney for the Town of Ocean Ridge, a seaside community in Palm Beach

County.



Palm Beach State College recently presented the school's Dr. Martin Luther King, Jr. Leadership award to retired judge **Rand Hoch**.

The honor was bestowed in recognition of Judge Hoch's efforts which resulted in the enactment of more than 100 local civil rights laws and policies throughout Florida.



Two attorneys at Ward Damon, a multi-disciplined law firm primarily serving South

Florida, are making strides in their profession. **Eddie Stephens**, a marital and family law attorney has been named an Equity Partner and **Adam R. Seligman**, a business and real estate attorney, has been appointed as an Attorney Member of a Florida Bar Grievance Committee

Jones, Foster, Johnston & Stubbs, P.A. announces that **Tasha K. Dickinson** was elected to the firm's Board of Directors at its annual Shareholder's meeting in January. Dickinson, a firm shareholder, is a trusts and estates and tax attorney in the firm's Palm Beach office. She is a *Florida Bar Board Certified Wills, Trusts and Estates Lawyer*

Kathryn L. McHale, Esq. is pleased to announce the opening of her law firm, Kathryn L. McHale, LLC. The firm will specialize in civil litigation and mediations. (561) 379-5030 or visit www.KMcHaleLaw.com.



Adam Rabin has been elected unopposed to The Florida Bar Board of Governors for the 15th Judicial Circuit. Adam was elected in December 2015

and will be sworn in on June 17, 2016 for a two-year term. Adam also recently received the "Amigo" Award from the Cuban American Bar Association for his work with the association on improving lawyer civility in South Florida.



PALM BEACH COUNTY BAR ASSOCIATION

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CALENDAR April 2016

Friday, April 1,
8:30 am – 1:00 pm
Road to the Bench CLE
North End of Main
Courthouse Cafeteria

Friday, April 1,
8:30 am – 9:30 am
ADR Committee Meeting
Bar Association Office

Saturday, April 2
ABOTA BBQ

Wednesday, April 6,
12:00 pm – 1:00 pm
**Transaction Law
Committee Meeting**
Bar Association Office

Thursday, April 7,
12:00 pm – 6:00 pm
Securities Seminar
Bar Association Office

Thursday, April 7,
6:30 pm – 7:30 pm
Small Claims
Lantana Branch

Friday, April 8,
12:00 pm – 5:00 pm
Family Law Seminar
Main Courthouse,
Courtroom 11A

Monday, April 11,
11:30 am – 1:00 pm
Business Litigation Seminar
Bar Association Office

Tuesday, April 12,
11:45 am – 1:00 pm
**Unified Family Practice
Committee Meeting**
Judicial Dining Room

Tuesday, April 12,
12:00 pm – 1:00 pm
YLS Board Meeting
Bar Association Office

Wednesday, April 13,
12:00 pm – 1:00 pm
FAWL Board Meeting
Bar Association Office

Thursday, April 14,
5:30 pm – 7:00 pm
YLS Happy Hour

Friday, April 15,
12:00 pm – 6:00 pm
Worker's Comp CLE Seminar
Bar Association Office

Tuesday, April 19,
12:00 pm – 1:30 pm
NCS Board Meeting

Tuesday, April 19,
12:00 pm – 1:00 pm
CDI Committee Meeting
Bar Association Office

Thursday, April 21,
6:00 pm – 8:00 pm
Elder Law CLE Seminar
The Colony

Friday, April 22,
12:00 pm – 1:30 pm
NCS CLE Luncheon
Palm Beach Gardens Marriott

Tuesday, April 26,
11:30 am – 1:00 pm
Criminal Law Seminar
Bar Association Office

Wednesday, April 27,
5:00 pm – 6:00 pm
Board Meeting
Bar Association Office

Thursday – Sunday,
April 28 – May 5
**Young Lawyers Division
Board of Governors Meeting**
Casa Marina, Key West FL

Friday, April 29,
12:00 pm – 6:00 pm
Employment Law Seminar
Bar Association Office

Saturday, April 30,
8:00 am – 6:00 pm
Law Week Softball Game
Osborne Pavilion and Field # 2