



PALM BEACH COUNTY BAR ASSOCIATION

BULLE^{IN}

www.palmbeachbar.org

June 2011

Robert A. Bertisch Day November 1, 2011

Congratulations are in order for Bob Bertisch, Executive Director of the Legal Aid Society of Palm Beach County. The Board of County Commissioners recently honored Bob by passing a resolution declaring November 1, 2011 Robert A. Bertisch day for his 30 years of service and commitment to the citizens of Palm Beach County.



Mark your calendar for upcoming Membership Events

Annual Installation Banquet

June 4, 7:00 – Midnight
The Breakers Hotel, Palm Beach

Committee for Diversity & Inclusion Happy Hour

June 30, 5:30 – 7:00

Annual Spelling Bee/ Membership Reception

September 1, 5:30 – 7:00
Bear Lakes Country Club

Lawyers Have Heart Run

October 1

Diversity Luncheon

October 14, 12 noon
Marriott West Palm Beach

Family Picnic

October 22

Annual Holiday Party & Silent Auction

December 1, 5:30 p.m.
Frenchman's Reserve, Palm Beach Gardens

Third Annual Lawyer Variety Show

January 21, 2012
Eissey Theatre, Palm Beach State College

Bench Bar Conference

March 9
Palm Beach County Convention Center

Annual Installation Banquet

June 2
The Breakers Hotel, Palm Beach

Looking for the Bar's Best Spellers

Please mark your calendar for our 9th Annual End of Summer Cocktail Reception and Spelling Bee scheduled for Thursday, September 1 from 5:30 pm to 7:30 pm at Bear Lakes Country Club in West Palm Beach.

Due to space and time, the Spelling Bee portion of this event is limited to 12. If you would like to be a speller, please call Lynne at the Bar Office today at 687-2800.

The top three spellers will go on to represent the Bar Association's Team in the Palm Beach County Literacy Coalition's Great Grown Up Spelling Bee in the fall.

The cost to enter the contest is \$50.00 and includes your name and your firm's name on the Team T-shirt.

Attend the reception for just \$25.00 and enjoy cocktails, hors d'oeuvres and plenty of networking. Proceeds benefit local literacy programs.

Let us know you'll be joining us by registering on line at www.palmbeachbar.org.

Remember, if you want to participate in the spelling bee, call Lynne right away before the limited seats fill up.



Members of the YLS Board distributed toys to children at St. Mary's Childrens Hospital. Pictured above are Stephanie Eassa Rapp, Matt Ramenda, Chris "Easter Bunny" Cortez, Christine Bialczak and Jamie Gavigan.

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THE
BULLETIN

PALM BEACH COUNTY
BAR ASSOCIATION

MICHAEL J. NAPOLEONE
President

www.palmbeachbar.org

PATIENCE A. BURNS, CAE
Executive Director

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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



Lawyers for Literacy Committee participates in School Uniform Initiative

It's the end of another school year and perfect timing to donate your child's gently used clothes to families who could use the items next year. If you can collect from people in your firm and deliver the items to the Bar Office by June 30th, that would be great! With your help, the goal will be met to provide every child who qualifies as being financially needy with a minimum of two required uniforms to start school in August. For further information, call Lynne at the Bar Office.

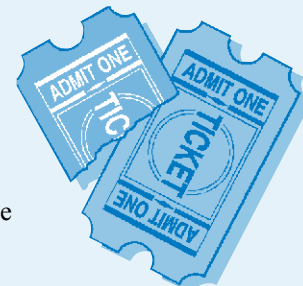


Summer's Here — Let's go to the Movies! Discounted Movie Tickets Available

The PBCBA has discount movie tickets available for its members. Remember, these tickets make great gifts for family, babysitters, staff or clients. Savings are available for the following theaters:

- * **Muvico Theater - \$7.50 each** (\$10.00 at box office)
- * **Regal Theaters \$7.50 each** (\$10.00 at box office)
- * **Cobb Theatres \$7.50 each** (\$10.00 at the box office)

Come by the office and pick up your tickets today (*payment only by check or credit card*). Tickets will only be FedEx'd (not mailed) if member provides us with a FedEx number. **PRICES ARE SUBJECT TO CHANGE**



MEDIATOR/ARBITRATOR JEFFREY GRUBMAN, ESQ.



- FLORIDA SUPREME COURT CERTIFIED MEDIATOR (CIRCUIT CIVIL)
- FEDERAL COURT CERTIFIED MEDIATOR (SOUTHERN DISTRICT OF FLORIDA)
- AMERICAN ARBITRATION ASSOCIATION & FINRA CERTIFIED ARBITRATOR AND MEDIATOR
- CO-CHAIR, ADR COMMITTEE (SOUTH PALM BEACH COUNTY BAR ASSOCIATION)
- FORMERLY PRACTICED LITIGATION WITH MORGAN LEWIS AND RUDEN MCCLOSKEY

JEFFREY GRUBMAN, P.A.

2385 EXECUTIVE CENTER DRIVE, SUITE 300
BOCA RATON, FL 33431

(561) 393-9733 • FAX: (561) 393-8770

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WEBSITE: WWW.JEFFGRUBMAN.COM

**STATE OF THE ART MEDIATION FACILITIES IN BOCA RATON
MEDIATES CASES THROUGHOUT SOUTH FLORIDA
HOURLY & DAILY RATES AVAILABLE**



A "Grand Slam" Year

By Michael J. Napoleone, President

At the risk of repeating what every soon-to-be-immediate past president says: I can't believe it is over! Like anyone with children will tell you, the days are long but the months fly by; before you know it, that little baby you brought home is finishing kindergarten (or high school, college, or law school). A year seemed like such a long time when I started this journey, now I can't believe I'm finished. It is strange to write a "goodbye" message, as I'm not really going anywhere - except back to work!

When looking back on the past year, it has truly been an amazing and historic year for the Bar. We started strong out of the gate in July by launching the Residential Foreclosure Mediation Program for the 15th Judicial Circuit. Board members **Jill Weiss** and **Grier Pressly** were instrumental in implenting and managing this program over the last year. We had to rent additional office space and hire seven additional Bar staff, including the phenomenal Meredith Trim as director of managed mediation and Hutch Floyd as Mr. Do-Everything. We processed over 5,000 residential foreclosure cases, with over 400 going to mediation. Our goal was to make the program a meaningful opportunity for lenders and borrowers to come together and discuss realistic options to avoid foreclosure. This program has not only benefitted the public through the mediation process, but has enabled the Bar to make a substantial contribution to Legal Aid to assist in its efforts to provide legal representation to those that cannot afford an attorney, and has allowed us to donate a number of 55" flat panel televisions to the court that will be available full time and at no charge to anyone with a hearing in the main courthouse. I could not be more proud of how well we have run this program and the benefits it has allowed us to provide to our community.

All of our board members stepped up this year. **John Whittles** chaired the best attended Bench Bar Conference in our history with over 1,200 attendees. **Theo Kypreos** oversaw the activities of our 12 continuing education committees which presented over 22 seminars this year. **Robin Bresky** ensured that our Bar Bulletin contained articles on new and interesting topics. **Wade Bowden** helped keep our financial house in order by overseeing the Bar's investment accounts; having our reserves properly invested ensures that we can keep dues among the lowest in the state for a Bar of our size. **Adam Rabin** - along with **Jessica Callow** - co-chaired the Bar's Committee on Diversity and Inclusion. The CDI has made tremendous strides over the last two years in implementing programs designed to improve the diversity of the Palm Beach County legal community, and, by extension, the PBCBA. What can I say about our immediate past-president **Michelle Suskauer** that she hasn't already said about herself? In addition to again serving as the emcee of the Bar's Variety Show, she was a source of support and guidance this year and was willing to pitch in and assist in any way asked. North County and Young Lawyer's Sections presidents **Ned Reagan** and **Allison Kapner** led their sections to new heights this year. I cannot thank you all enough for all the hard work you

devoted to the Bar this year; you were all fantastic.

Which brings me to our remaining Board members - as well as those that served on the Bar's Building Committee - president-elect **John Howe**, **Jason Guari**, **Theo Kypreos**, and past president **Richard Schuler**. Our Building Committee turned years of talk about owning a building into a reality. On March 14, 2011, the Bar closed on its purchase 1507 Belvedere Road. That's right: we own a Denny's! We spent countless hours in due diligence pre-acquisition, and have since been working tirelessly with our architects and general contractors to design the future home of the PBCBA. We hope to finish construction and be in a position to operate from our new home by January 2012. This is truly an historic accomplishment and I believe all of our members will be very proud of our new home.

As you would expect, our committees and their members continue to do the hard work that makes our Bar so successful. Even though I can't list them all, I would like to highlight a few of our committee's accomplishments: **Sarah Shullman** and the membership committee hosted the Bar's Inaugural Family Picnic in October. Attended by over 250 members, judges and their families, the picnic was a great opportunity for us to gather informally with our spouses and children for a day of fun. I look forward to continuing this new tradition for years to come. **Ron Ponzoli** chaired the Professionalism Committee and, along with sub-committee chair **Carolyn Bell**, successfully implemented the Bar's new program of bringing a professionalism component to nearly every CLE seminar presented this year. **Alicia Trinley** agreed to chair our newly created Corporate Counsel Committee which focuses on solutions to corporate law and practice issues through an exchange of ideas between in-house and outside counsel. **Larry Rochefort** served as chair of the Judicial Relations Committee, and in addition to continuing the tradition of excellent programing, for the first time "partnered up" with the Federal Bar Association to put on a joint CLE to benefit the membership of both bars. Our Law Week co-chairs **Tanique Lee** and **Maureen Martinez** are very much the "unsung heroes" of the Bar. They organize a weeklong series of programs and seminars that not only help educate the public about the legal system, but provide an opportunity for people to get some free legal advice. *Thank you to all our committee chairs and members; I enjoyed working with you this past year.*

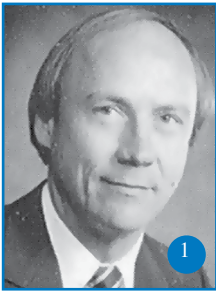
Is there really anything more I can say about our amazing Bar staff that hasn't been said by every president before me? Our Bar staff is the heart and soul of our Bar. Presidents and directors come and go, but Patience, Lynne, Shoshanah, Paula, Nancy, Eva - and our newest staff member Kathy - are there everyday working to turn our (sometimes outlandish and overly ambitious) ideas into reality. Their patience (pun intended), guidance and love for our Bar cannot be overstated. Without them, our Bar would never achieve the bold objectives and expectations we have for it each and every year. It was wonderful working with all of you this year - I literally don't think I could have made it twelve months without you and your constant support.

I have the privilege of working at a firm that not only believes passionately in bar and community service, but actively supports it as well. I want to thank my partners at Richman Greer for providing me the opportunity to give back to a profession that has given me so much. (P.S. - I promise to not only rediscover

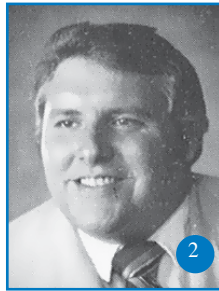
Continued on page 4

Who are they?

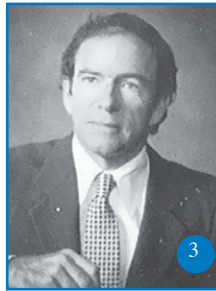
Can you guess who these members are? Answers can be found on page 5. If you have old pictures of yourself or other members that you'd like featured, please send them to Patience Burns at the Bar Office.



1



2



3



4



5

It's Time...

... to renew your **Palm Beach County Bar Association Membership Dues**. Statements were mailed in early April. **Only members** can take advantage of these

Discounts:

- CLE - live seminars plus a large library of CD's to help meet those last-minute CLER requirements (savings of \$40 per seminar)
- Movie Tickets (savings of \$2.50 per ticket)
- Theme Park Tickets
- Brooks Brothers (savings 15%)
- Daily Business Review
- Three free classified ads in Bulletin (value of \$150)
- Office Supplies
- Credit Card Processing
- Disability Insurance
- Free Happy Hours (\$25 per event)
- Paychex Payroll and HR Service (savings 15%)
- Members only events (such as luncheons with U.S. Supreme Court Justices)

Professional Benefits

- Mentor Program
- Public service opportunities
- Annual printed pictorial directory as well as an on-line membership directory
- Weekly eNewsletters
- Monthly Bar *Bulletin* newsletter
- Lawyer Referral Service
- North County Section
- Young Lawyers Section

Renew your Bar Association Dues Promptly.

It pays to be a member!

renew online at www.palmbeachbar.org

An Amazing Year

Continued from page 3

these things called "timesheets," but to actually start filling them out again. Soon.)

Finally, I must thank my wonderful wife, Cyndi, and son Christopher. They were incredibly understanding and supportive and allowed me to take an already hectic schedule and add to it the responsibilities of Bar president. I would never have undertaken this challenge without your love and support.

Teddy Roosevelt once said that, "Far and away the best prize that life has to offer is the chance to work hard at work worth doing." I thank you for giving me that opportunity this year. It has been my great privilege to serve as your Bar president.

Board of Directors Meeting Attendance

	Retreat	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr
Bowden	x	x	x	x	x	x	x	x	x	x
Bresky	x	x	x	x	phone	x	x	x	x	x
Guari	x	x	x	x	x	x	x	x	x	x
Howe	x	x	x	x	x	x	x	x	x	x
Kapner	x	x	x	x	x	x	x	x	x	x
Kypreos	x	x	x	x	x	x	x	x	x	x
Napoleone	x	x	x	x	x	x	x	x	x	x
Pressly	x	x	x	x	x	x	x	x	x	x
Rabin	x	phone	x	x	x	x	x	x	x	x
Reagan	x	Ponzoli	x	x	x	x	x	phone	x	x
Suskauer	x	x	phone	x	x	x	x	x	x	x
Weiss	x	x	x	x	x	x	x	x	x	x
Whittles	x	x	x	x	x	x	x	x	phone	x

In Memoriam



Dennis P. Koehler
1977 - 2011



John M. Koenig
1957 - 2011



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

"Mediating the Construction Dispute"
Keys to Success (or Failure)
Tuesday, June 7, 2011 8:20 a.m. – 12:00p.m.

Bar Association Offices 1601 Belvedere Road, #302E, West Palm Beach

Intended for those that practice construction litigation, *Mediating the Construction Dispute* is designed to explore the benefits and limitations of mediation in a technically intensive industry. Roles of the counsel, parties, experts and mediator will be discussed in an interactive format between the speaker and participants. Familiarity with construction law is assumed as various construction case studies will be discussed to illustrate how to prepare for and participate in mediation to provide

Sponsored by:
PAUL J. DEL VECCHIO CONSTRUCTION CONSULTANTS, INC.



Program Schedule

8:20 a.m. - 8:40 a.m.	Late Registration/Check In
8:40 a.m. - 8:50 a.m.	Introduction & Opening Remarks – <i>Adrian J. Alvarez, Esq., Committee Chair, Bruce E. Loren & Associates</i>
SPEAKER: Gregory S. Martin, Esq. Board Certified in Construction Law by The Florida Bar Gregory S. Martin & Associates, P.A., Maitland, FL	
8:50 a.m. - 9:00 a.m.	Opening Comments and Discussion – Why Mediation?
9:00 a.m. - 9:45 a.m.	What's the Dispute?
9:45 a.m. - 10:30 a.m.	Pre-mediation (Help me help you)
10:30 a.m. - 10:45 a.m.	BREAK
10:45 a.m. - 11:30 a.m.	The Joint Session
11:30 a.m. - 11:50 a.m.	Closing the Deal
11:50 a.m. - 12:00 p.m.	Closing Comments

This course has been granted **3.5 CLER Credits / 3.5 Construction Law; 3.5 Bus. Litigation Cert. Credits from The Florida Bar**. The cost of the seminar is **\$85 for PBCBA members/paralegals; \$125 for non-PBCBA members/paralegals** if registered by **5/31/11**; add \$25 to registration fee after that date.

"This course is eligible for up to 3.5 CME hours. Mediators are required to self report those hours applicable to their areas of certification at the time of their renewal. For more info on the CME requirement, visit, www.flcourts.org."

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.

HOW TO REGISTER



BY CHECK
Return this form



BY CREDIT CARD
For security purposes, you must register online at www.palmbeachbar.org



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

Name: _____ Telephone #: _____

Address: _____ Email Address: _____

____ I will not be able to attend the seminar but would like to order the CD (allow 4 weeks for delivery) (6/7/11 Constr.) Cost is the same as listed above, in addition to \$10 for shipping and handling.

Inns of Court Accepting Applications

The Craig S. Barnard American Inn of Court LIV ("Barnard Inn") in West Palm Beach, a local chapter of the national American Inns of Court, is currently accepting applications for membership for 2011-2012. Membership in the Barnard Inn is a privilege and is by invitation only. Applicants will be notified of the Barnard Inn's membership decisions in August.

The American Inns of Court are designed to improve the skills, professionalism, and ethics of the bench and bar. The Barnard Inn includes as members a combination of judges, attorneys, law professors, and law students. Monthly meetings include a networking reception, ethics/professionalism CLE and dinner. Members learn side-by-side with some of the most experienced judges and attorneys in our community.

If you are interested in becoming a member, please go to our chapter's website at www.innsocourt.org/inns/barnardinn for more information and for an application. Alternatively, you can email W Mason at w.mason@csklegal.com to request an application. **Applications must be completed and returned by Friday, June 17, 2011.**



Do You Need a Mentor?

The Palm Beach County Bar Association's Mentor Program is designed to provide members with a quick and simple way to obtain advice, ideas, suggestions, or general information from an attorney that is more experienced in a particular area of law. The mentors provide a ten-to-fifteen-minute telephone consultation with a fellow attorney, at no fee. Any member of the Palm Beach County Bar, whether newly admitted or an experienced practitioner, can use the program. Call the Bar office at 687-2800, if you need a Mentor.

PBCBA Buys a New Home!

The PBCBA recently closed on the purchase of a building to serve as the Association's headquarters. The building will be a state of the art facility for the Palm Beach County legal community and will serve as the first permanent home for the Association. Located right off I-95 on Belvedere Road in West Palm Beach, it will be easily accessible to all members throughout the County. The PBCBA is in the process of a capital campaign to assist in the renovation and furnishing of this new facility. Please consider contributing to this important legacy to our community and our profession.

Permanent naming rights are available for the various rooms within the building. For more information about these and other sponsorship opportunities, please contact the Bar's Communications Director, Lynne Poirier at lpoirier@palmbeachbar.org or by calling 687-2800 ext. 104. Your support today will help us to better serve our members tomorrow!



PBCBA Online Courses & Services

- Florida Notary Public
- Florida Online Traffic School
- First Time Driver (D.A.T.A.) Course
- Mature Driver Course
- Parent Education and Family Stabilization Course

www.palmbeachbar.org/online_courses.php



Historical Committee Who Are They?

From Page 4

1. Paul Erickson
2. Judge Peter Evans
3. Ronald Fick
4. Willa Fearington
5. Joel Feldman

Café Joshua

A group of dedicated Young Lawyers recently volunteered their lunch hour to serve the homeless at Café Joshua in West Palm Beach. Taking orders, pouring coffee and cleaning tables has become an annual program for the section.



Lou Delgado managed all these dishes without breaking a thing!



Alana Zorrilla-Gaston was a table companion



Allison Kapner serves with a smile



Liz Herman makes sure her table guests were served hot coffee



James W. Beasley, Jr.



Robert J. Hauser



Raymond E. Kramer



Joseph G. Galardi

Business & Financial Litigation
Securities Litigation
Arbitration

Medical Industry Litigation
Intellectual Property Litigation
Appeals

Beasley Hauser Kramer & Galardi, PA **Attorneys at Law**

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West Palm Beach, FL 33401
Phone: (561)-835-0900
Fax: (561)-835-0939
Website: www.beasleylaw.net

**Additional photos can be seen on
the Bar's Facebook page.**



The Palm Beach County Bar Association's
Community Association Law Continuing Legal Education Committee presents:

**ARISING FROM THE ASHES: POST CRASH COMMUNITIES MOVE FORWARD
THE 22nd ANNUAL COMMUNITY ASSOCIATION LAW SEMINAR**

**Friday, June 10, 2011 8:55 a.m. – 12:00 p.m.
Bar Association Office – 1601 Belvedere Rd., WPB #302E**

Program Schedule






8:30am - 8:55am	Late Registration and Check In
8:55am - 9:00am	Welcome - Michael J. Gelfand, Esq., Gelfand & Arpe, P.A., Florida Bar Board Certified Real Estate Attorney, Committee Chairperson
9:00am - 9:25am	Taxes: What Goes Up May Go Down - Ethical Representation in Valuation Appeals for Association Clients, Individual Clients and Perhaps Even You - Heidi Juhl, Esq., Value Adjustment Board Legal Counsel
9:25am - 9:50am	Fair Housing Update: Annual Review of Decisions of Notes and Practical Pointers for Ethical Counsel - Pamela Guerrier, Esq., Palm Beach County Office of Equal Opportunity
9:50am - 10:20am	Fair Housing: The Association's Perspective - Ethical Counseling Associations Towards Good Practices to Avoid Claims, Spotting and Responding to Potential Claim Situations, and Reacting to Claims - Barry A. Postman, Esq., Cole, Scott & Kissane, P.A., Florida Bar Board Certified Civil Trial Attorney, and Marco D. Commisso, Esq., Cole, Scott & Kissane, P.A.
10:20am - 10:30am	BREAK
10:30am - 11:30am	Community Association Statutory and Case Law Update, and Related Ethical Issues - Michael J. Gelfand, Esq., Gelfand & Arpe, P.A., Florida Bar Board Certified Real Estate Attorney
11:30am - 12:00pm	View from the Bench and the Ethical Litigator - The Honorable Gregory M. Keyser, Palm Beach County Court

**This course has been granted 3.5 CLER including 3.5 Ethics / 3.5 Real Estate Certification credits
from The Florida Bar.**

The cost of the seminar is \$120 for PBCBA members/paralegals; \$160 for non-PBCBA members/paralegals
if registered by 6/3/11; add \$25.00 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 coordi-
nation.

HOW TO REGISTER	 BY CHECK Return this form	 BY CREDIT CARD For security purposes, your must register online at www.palmbeachbar.org	 Materials will now be emailed to all registrants prior to the seminar
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Credit card registration payment not accepted by Fax to comply with PCI regulations.

Name: _____

Telephone: _____

Address: _____

City/Zip: _____

Email Address: _____

____ I will not be able to attend the seminar but would like to order the CD. (cost same as listed above/allow four weeks for delivery)
(22nd Annual Comm. Assn Seminar 6/10/11)

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

The PBCBA's Committee for Diversity and Inclusion sincerely thanks the following law firms for agreeing to hire a diverse law student for the **Bar's Diversity Internship Program** this summer:



The Diversity Internship Program has been a tremendous asset in providing our firm with the opportunity to employ eager, intelligent and diverse law students who are not only anxious for the opportunity to work in a private law firm environment, but all gain an invaluable hands-on experience.

- David Prather, Esq. with Clark, Fountain, LaVista, Prather, Keen & Littky-Rubin, LLP

CLARK • FOUNTAIN • LA VISTA
PRATHER • KEEN & LITTKY-RUBIN
— TRIAL & APPELLATE ATTORNEYS —



**LESSER LESSER
LANDY & SMITH PLLC**
ATTORNEYS AT LAW
- Personal Injury since 1927 -

It is a pleasure to have our firm participate in the Diversity Internship Program. Our prior intern came with good skills and a great attitude. Her background added a fresh and alternative perspective to some of the legal issues my firm tackles. It was easy to benefit from her work with the firm and I know we and she are better because of it.



In addition, we would like to thank the following firms for making a financial contribution that will allow us to place law students with a government agency.

PLATINUM CONTRIBUTOR:
Greenberg Traurig

GOLD CONTRIBUTOR:
Beasley Hauser Kramer & Galardi, PA
Searcy Denney Scarola
Barnhart & Shipley

"We're participating in the Diversity Internship Program because it gives our firm a unique opportunity to contribute towards the Palm Beach County Bar's efforts to improve diversity in our legal community."

-Adam Rabin, Esq. with McCabe Rabin, P.A.



POWERS, McNALIS, TORRES & TEEBAGY
ATTORNEYS AT LAW



ROBERTS, REYNOLDS, BEDARD & TUZZIO, P.A.



Shutts & Bowen LLP 's clients receive the highest quality service when our legal teams are drawn from professionals mirroring the diversity of the local marketplace. Our participation in the Palm Beach County Bar's Diversity Internship Program has helped us further our diversity efforts by putting us in contact with minority law students of the highest caliber and allowing us to bring them on as part of our team on an internship basis.

-Danet Figg, Esq. with Shutts & Bowen LLP



SILVER CONTRIBUTOR:
Akerman Senterfitt
Casey Ciklin Martens
McBane & O'Connell
Rutherford Mulhall



Member Benefit Program

Affiniscape Merchant Solutions

Credit/Debit Card Processing
(866) 376-0950

Association Members Only

Discounted Office Supplies
(6% rebate on all purchases)
(260) 467-2222

Brooks Brothers Clothing

15% discount

www.palmbeachbar.org/benefits.php

Daily Business Review

Discounted Subscriptions
(877) 347-6682

East Coast Dry Cleaners

10% Discount
719 N. Dixie Highway, WPB

Metlife Insurance

Discounted Policies
Bob Greenberg (772) 340-7741

Movie Theatre Tickets

Discounted tickets for
Muvico, Cobb & Regal
(561) 687-2800 Eva Gray

Online Courses

Classes for speeding tickets, first time drivers, notaries and many more
www.palmbeachbar.org/onlinecourses.php

Paychex

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“Confidential Relationship” Defined

By David M. Garten, Esq.

The prior article discussed generally the presumption of undue influence. There is a presumption of undue influence when the undue influencer: (1) occupies a confidential relationship with the decedent; (2) is a substantial beneficiary under the will; and (3) was active in procuring the will.

This article and the following two articles will discuss the aforementioned elements.

The term “confidential relationship” is very broad and extends to every possible case in which there is confidence reposed on one side and the resulting superiority and influence on the other. The relation and the duties involved in it need not be legal; they may be moral, social, domestic, or merely personal. The origin of the confidence and the source of the influence are immaterial. The rule embraces both technical fiduciary relations and those informal relations which exists whenever one man trusts in and relies upon another. See *Quinn v. Phipps*, 93 Fla. 805, 113 So. 419 (Fla. 1927); *In re Estate of Gay*, 201 So. 2d 807 (Fla. 4th DCA 1967). A party’s dependent condition is relevant to the issue of undue influence only after a confidential relationship exists; dependency alone does not establish a confidential relationship. See *Fogel v. Swann*, 523 So. 2d 1227 (Fla. 3rd DCA 1988).

EXAMPLES OF CONFIDENTIAL RELATIONSHIPS

In *In re Estate of Carpenter*, 253 So. 2d 697 (Fla. 1971), the court found that there was a confidential relationship between the deceased and her daughter, Mary Carpenter. Mary testified that her relationship with her mother was very close, and that her mother relied upon and depended on her very heavily. The deceased permitted Mary to make all the arrangements regarding her hospitalization and requested hospitalization in Daytona Beach (Mary’s home) rather than Orlando (the deceased’s home). Additionally, nearly all witnesses testifying at the hearing attested to Mary’s long-time close relationship with her mother. The court reasoned that this testimony was “sufficient to permit the conclusion of an inference of a confidential relationship between Mary and the deceased, especially in view of our statement in *Quinn* that the term “confidential relation” is a very broad one which may embrace informal relations which exist wherever one person trusts in and relies upon another.”

In *Blades v. Ward*, 475 So.2d 935 (Fla.3rd DCA 1985), the court found that there was a confidential relationship between the granddaughter and the decedent. The court reasoned:

Although the existence of a family relationship does not necessarily mean that a confidential relationship exists, such is the case where there is a “close” relationship between the relatives and trust or confidence of some kind is shown to exist. See *Carpenter*, 253 So.2d at 701. Ward can hardly take the position that she was not close to her grandmother where she is putting forth a will which leaves everything to her to the exclusion of the decedent’s

children and other grandchildren. Further, the decedent’s prior will, made a part of the record by the appellants, indicates that the decedent did have trust and confidence in Ward. In the prior will, Ward was given the responsibility of administering her mother’s (decedent’s daughter’s) share of the estate passing by said will. An additional and perhaps more important indication of the decedent’s trust and confidence in Ward was Ward’s control of the decedent’s money. Ward testified that her grandmother, the decedent, would endorse her social security checks and give them to Ward to cash. Ward would cash the checks for her grandmother and then pay her grandmother’s bills. This evidence put forth by the appellants was clearly sufficient to raise the inference that a confidential relationship existed between Ward and the decedent, especially in light of the supreme court’s broad definition of confidential relation set forth in *Quinn*. See *Carpenter*, 253 So.2d at 701-02.

In *Estate of Robertson*, 372 So. 2d 1138 (Fla. 3d DCA 1979), the court found that there was a confidential relationship between the granddaughter and the decedent. The record reflected a close bond between the granddaughter and the deceased; that the deceased spent most of her last years in Miami living with her granddaughter; and that the deceased had expressed a desire to others to grant power of attorney to the granddaughter.

THE CONFIDENTIAL RELATIONSHIP BETWEEN SPOUSES IS EXEMPTED FROM THE PRESUMPTION OF UNDEE INFLUENCE RULE

In contrast with the above, the confidential relationship between spouses is exempted from the presumption of undue influence rule. A husband and wife naturally have influence on each other, but it cannot be considered undue. If the confidential relationship between spouses was not exempted from the presumption of undue influence rule, the presumption would arise in nearly every case in which the spouse is a substantial beneficiary because the requirement of active procurement would almost always be present. See *Jacobs v. Vaillancourt*, 634 So. 2d 667 (Fla. 2nd DCA 1994); *Tarsagian v. Watt*, 402 So. 2d 471 (Fla. 3rd DCA 1981); *In re Estate of Knight*, 108 So. 2d 629 (Fla.1st DCA 1981); *Blits v. Blits*, 468 So. 2d 320 (Fla. 3rd DCA 1985).

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- 11:30 a.m. - 11:55 a.m. **Late Registration / Check In / Lunch**
- 11:55 a.m. - 12:00 p.m. **Welcome & Opening Remarks** - *Christopher B. Hopkins, Esq., Committee Chair, Akerman Senterfitt*
- 12:00 p.m. - 12:30 p.m. **Ethical issues for researching jurors/witnesses and marketing on Facebook** - *Christopher B. Hopkins, Esq., Akerman Senterfitt*
- 12:30 p.m. - 1:00 p.m. **Beyond Facebook: other social media sites to access during voir doir** - *Christopher B. Hopkins, Esq., Akerman Senterfitt*
- 1:00 p.m. - 1:30 p.m. **Security Settings for Individual Accounts/ Firm "Fan" Pages** - *Christopher B. Hopkins, Esq., Akerman Senterfitt*
- 1:30 p.m. - 2:00 p.m. **Setting up and Marketing Via a Law Firm Facebook Fan Page** - *Christopher B. Hopkins, Esq., Akerman Senterfitt*

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On March 26 over one hundred friends and supporters of Legal Aid enjoyed a special wine tasting event at the home of Michael and Jane Walsh. The evening benefited the agency's 23rd Annual Pro Bono Recognition Evening. The annual event honors those private attorneys and other professionals in our community who provide extraordinary pro bono services to the disadvantaged in our county. The Pro Bono celebration raises much needed funds for Legal Aid's seventeen (17) projects.



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What is Required for a Whistle Blower to Bring a Federal Qui Tam Action?

By Adam T. Rabin

A federal qui tam action is a whistle blower lawsuit brought by an individual as a “relator” on behalf of the United States Government (the “Government”). The lawsuit arises under the False Claims Act (31 U.S.C. § 3729) and seeks redress against companies and individuals who have filed false or fraudulent claims for payment from a Government program. These claims are unique in that the relator brings the lawsuit “in the shoes” of the Government and is compensated with a sliding-scale percentage of the recovery. This article summarizes the requirements for bringing a *qui tam* action.

A. The Requirements for Filing and the Most Common Types of Qui Tam Actions

In basic form, the relator must establish the following elements to bring a qui tam action:

- A payment made by the Government to a company or individual;
- A false or fraudulent claim made to and paid by the Government;
- The relator was the “original source” for the Government’s investigation and the information was not public or already under Government investigation; and
- The relator is not personally responsible for any criminal fraud.

The most common types of *qui tam* claims arise in the healthcare industry. False or fraudulent claims filed against the Medicare program derive from various types of schemes, including but not limited to illegal kickbacks to referral sources, upcoding, unbundling, and lack of medical necessity for procedures. Another common type of *qui tam* claim arises in the defense-contractor industry. Defense contractors may use fraudulent tactics to submit false claims to the Government, including but not limited to product substitution, improper cost allocation, and cross-charging. Likewise, there are many additional types of fraud against the Government that may give rise to a *qui tam* claim.

B. The “Original Source” Requirement for a Relator

A relator may bring a lawsuit on behalf of the Government where the named defendant has knowingly filed a false claim with the Government. The relator does not need to have been individually damaged by the defendant’s conduct. An “original source” is defined under the False Claims Act (“FCA”) as “an individual who has direct and independent knowledge of the information on which the allegations are based” and has “voluntarily provided the information to the Government...” See 31 U.S.C. ‘ 3730.

C. The Action Remains Filed “Under Seal” While the Government Investigates and Decides Whether to Intervene

The relator’s *qui tam* complaint is initially filed “under seal” and remains secret while the U.S. Department of Justice (“DOJ”) complaint is served on the Office of the Attorney General and the U.S. Attorney’s Office in the district where the action is filed, but is not served upon the defendant while the case is under seal.

The complaint, and all other filings in the case, remain under seal for a period of at least sixty days. At the conclusion of the sixty days, DOJ typically will file a motion with the district court to seek an extension of the seal period while the Government continues to investigate. It is not uncommon for DOJ to ask the court for multiple extensions of this deadline.

The Government investigation usually involves one or more law enforcement agencies such as the Office of Inspector General, the Postal Inspection Service, or the FBI. At the conclusion of the Government’s investigation, DOJ elects whether it will intervene in (*i.e.*, take over) the case.

D. The Remedies and Relator Compensation Available to the Relator

- Some of the key remedies under the FCA are as follows:
- Triple damages and civil fines of \$5,000 to \$10,000 per false claim;
- Payment of the relator’s attorney’s fees; and
- Relator protections, including reinstatement with seniority status, special damages, and double back-pay.

The FCA further provides financial incentives to relators by awarding them between 15% and 30% of any judgment or settlement. If the Government intervenes in the action, the relator is entitled to between 15% and 25% of the recovery. If the Government does not intervene, the relator is entitled to between 25% and 30% of the recovery.

Notwithstanding the increased relator-fee range when the Government does not intervene, the relator generally wants the Government to intervene because its investigative resources, institutional expertise, access to claims information from other agencies, and leverage to encourage settlement are typically far greater than that of a relator alone.

E. Conclusion

The FCA presents substantial incentives for whistle blowers to bring claims for false claims filed with the Government. Claims under the FCA, however, are often complex and require knowledge of specialized statutes, federal procedure and federal regulations. Moreover, possibly the most critical component in bringing a *qui tam* action is the hiring of competent relator’s counsel who can present the claims to the Government in a credible manner that will help tip the scale towards Government intervention. Government intervention is unquestionably the major factor that impacts whether a *qui tam* action will result in a monetary recovery.

Adam T. Rabin is a partner with McCabe Rabin, P.A. (www.McCabeRabin.com) in West Palm Beach. He represents whistle blowers in federal qui tam actions and handles the cases on a contingency fee.



Digital Photos Have Metadata Too

*By Christopher Hopkins, Chair,
Law Practice Technology Committee*

Lawyers are increasingly protective of metadata in document files but, like the general public, are generally unaware that metadata also resides in digital photographs. Even the “Metadata Rule,” announced in

Florida Bar Ethics Opinion 06-2, falls short of raising aware that metadata exists outside of word processor, PDF, and other text-driven files. Did you know that the photos you take on your smartphone likely reveal your GPS location? From casual iPhone photos to office scanners to forensic photographs, lawyers need to know what digital pictures reveal. Finally, there are easy steps to prevent, edit, scrub or reveal photo metadata.

Metadata has been weakly described as “information about information” but a better description is that metadata is “information describing the history, tracking or management of an electronic document.” See Ethics Rule 06-2. In still image files, this often includes the time/date, technical camera information, copyright notice, and the GPS coordinates. This latter category (location) is important since most smartphones imbed that information (“geotagging”) as a default. We discuss below how to turn that off.

Why do digital pictures record this information? Professional photographers want to preserve their copyright and they also use the technical information to dissect what went wrong in a given photo. News agencies and libraries need a reliable means to track, store, and retrieve images both locally and globally.

Lawyers, of course, are carnivores of information created by regulation, industry standards, and common practices. All of us hope to find that one piece of evidence which cracks the case. Time, date, location, camera specifics, and even indicators of editing/fraud are potentially significant.

Meanwhile, in our personal lives, we may not want random people knowing the location of our home based upon a poolside photo which was uploaded to the Internet. Along these lines, a creative programmer created a free program called Creepy which, as its name suggests, will scan a Twitter or Flickr user’s photos and provide you with the person’s location from geotag data (he avers that Creepy was created for the benevolent reason of raising awareness of image metadata). For the moment, Facebook photos are safe since, during the upload process, Facebook apparently converts the image which strips metadata.

Technically speaking, we focus on JPEG and TIFF digital images which contain guide and descriptive metadata in four primary metadata container formats called EXIF, XMP, PSIR, and IPTX (for extensive technical data, read the industry-created Guidelines for Handling Image Metadata, <http://bit.ly/eJTmcL>). These containers are not visible to the naked eye or even microscopically – instead, this data is encoded into the digital file which can be viewed on a computer.

Even without specific software, you can view basic metadata by right-clicking the file and selecting Properties (on a Mac, select Get Info and look under More Info). Better still, download the free EXIF Pilot program to reveal a profound array of metadata. Other applications such as Photoshop, Irfanview, and Picasa reveal metadata (Mac users, try iPhoto or Small Image).

How do you scrub the metadata in image files? Again, most image viewing software (above) allows you to save a copy of the image without the metadata. In Windows, you can also right click the file, select Properties/Details/Remove Properties and Personal Information. Again, since metadata is located in four different “containers,” further steps may be required to ensure a thorough scrubbing. For a low-tech solution, consider PDF’ing the photograph.

A few warnings: email scrubbers such as Metadata Assistant do not scrub image files. So any images which you email to someone or post to a social media service likely have all kinds of metadata. Some scanners create JPEG images which will have metadata. Keep that in mind when producing scanner-created files. Be aware that sometimes the metadata is wrong since (a) it can be edited, (b) time zones/day light savings may result in inaccuracies, and (c) geotag metadata is based on the location of the camera, not necessarily the subject.

Finally, some jurisdictions permit lawyers who wish to snoop metadata so be advised if your practice involves cases outside of Florida that your non-Florida opponent may be “mining” your data. The American Bar Association hosts a metadata chart providing a survey of metadata ethics opinions throughout the country at <http://bit.ly/gASmzm>. Even inside Florida, the Metadata Rule does not apply to discovery -- so you and your opponent may be free to inspect photo metadata as part of your investigation.

All three of the primary smartphone platforms allow you to turn off geotagging. On Android, the camera app menu has a “Store Location” setting. Blackberry users can disable location data under Menu/Options. Finally, for iPhone, go under Settings/General/Location Services and turn camera and other services which do not need GPS to “off.”

Christopher B. Hopkins is the chair of the Law Office Technology Committee and a shareholder at Akerman Senterfitt. You can snap your photo with him in person or email at christopher.hopkins@akerman.com.

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AD FRENCH	08-11	08-11	06-11	1813
AE MCCARTHY	01-12	01-12	05-11	1939
AF MAASS	08-11	08-11	06-11	1517
AG CROW	10-11	08-11	05-11	1969
AH BROWN	10-11	10-11	06-11	1724
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AJ ROSENBERG	10-11	10-11	06-11	1295
AN COX	10-11	10-11	08-11	1653
AO BARKDULL	11-11	08-11	06-11	1696



“Chapter 20” Lien Stripping

By Marc P. Barmat

In the recent case of In re Gerardin, 2011 WL 1118495 (Bankr. S.D. Fla. 2011), Bankruptcy Judge, Robert A. Mark ruled that debtors, who previously obtained a discharge of their debts in chapter 7, may not use chapter 13 plans to “strip off” junior mortgage liens that are wholly unsecured. The Gerardin opinion arose out of the consolidation of seven bankruptcy cases where the debtors filed chapter 13 bankruptcies soon after receiving their discharge in their prior chapter 7 cases. The seven cases were pending before three bankruptcy judges who conducted a joint hearing on the various motions relative to this issue.

In its analysis, the bankruptcy court pointed out that the Bankruptcy Code recognizes that an obligation secured by collateral may be bifurcated into a secured claim for the debt equal to the value of the collateral and an unsecured claim for any debt over that value. 11 U.S.C. §506(a)(1). Id. at 2. Thus, in bankruptcy cases, a debtor or trustee may seek to value a creditor’s collateral for the purpose of reducing that creditor’s secured claim to the value of its collateral, while the remaining allowed claim is treated as an unsecured claim. Id. When the secured claim is partially reduced this is known as a “strip down.” Id. When the lien is completely removed because the claim is not secured at all (usually a second or third mortgage on real estate), this is known as a “strip off.” Id. A chapter 7 debtor may not use section 506 to strip down or strip off a lien. Id. citing Dewsnup v. Timm, 502 U.S. 410 (1992); Talbert v. City Mortgage Servs., 344 F.3d 555, 562 (6th Cir. 2003); Ryan v. Homecomings Fin. Network, 253 F.3d 778, 783 (4th Cir. 2001). A chapter 13 debtor may not strip down a lien secured solely by debtor’s principal residence. Id. at 3. However, in the Eleventh Circuit, a chapter 13 debtor may strip off a lien, even if it is secured solely by a debtor’s principal residence, if the creditor’s claim is completely unsecured because the property is worth less than the senior liens. Id. citing Tanner v. FirstPlus Financial, Inc., 217 F.3d 1357 (11th Cir.2000). Notwithstanding the above, the bankruptcy court ruled that lien stripping may not be accomplished under 11 U.S.C. § 1325 when a debtor is ineligible to receive a discharge. Id.

In each of the seven consolidated cases, the bankruptcy court found that the creditors had an allowed secured claim against the debtors’ bankruptcy estates in the form of a mortgage lien encumbering the debtors’ properties. Id. In so ruling, the bankruptcy court relied upon the Supreme Court case of Johnson v. Home State Bank, which held that a creditor with an obligation secured by a lien on a debtor’s property, but which creditor has no in personam claim against a debtor due to a prior bankruptcy discharge, nonetheless has a claim against a debtor in a subsequent chapter 13 case. 501 U.S. 78 (1991). Id. As a result

of the ruling that the creditors have allowed secured claims, the bankruptcy court held that the liens cannot be modified under 11 U.S.C. §506(d)¹. Id. at 4.

The bankruptcy court further found that for debtors to strip off a lien in a chapter 13 case, their proposed treatment of the secured claim in their chapter 13 plan must comply with 11 U.S.C. § 1325(a)(5)². Id. citing Am. Gen. Fin., Inc. v. Paschen, 296 F.3d 1203, 1205–06 (11th Cir. 2002). In the consolidated seven cases, the Chapter 13 Trustee, and the mortgage holders opposing the debtors’ position, argued that the debtors cannot satisfy the § 1325(a)(5) requirements because they are not paying the underlying debt in full and they are not eligible to receive a discharge under section 1328³. Id. at 6. The bankruptcy court agreed and held that a debtor’s inability to receive a discharge in a “Chapter 20” case prevents a debtor from stripping wholly unsecured liens in a chapter 13 plan as the actual strip off or lien avoidance only occurs at discharge. See, e.g., In re Fenn, 428 B.R. 494 (Bankr. N.D.Ill.2010); In re Mendoza, 2010 WL 736834 (Bankr. D.Colo. Jan. 21, 2010).

In sum, the bankruptcy court concluded that a debtor who is not eligible for a chapter 13 discharge because the debtor’s unsecured debts were discharged in a prior chapter 7, may not strip down or strip off a lien. This ruling effectively takes away a debtor’s option to file a “chapter 20” bankruptcy.

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

¹ 11 U.S.C. § 506(d) states that, with some exceptions, to the extent that a lien secures a claim against the debtor that is not an allowed secured claim, such lien is void.

² Section 1325(a)(5) sets forth the following alternative required treatments of a secured claim in a chapter 13 plan

(5) with respect to each allowed secured claim provided for by the plan

(A) the holder of such claim has accepted the plan;

(B)(i) the plan provides that

(I) the holder of such claim retain the lien secured by such claim until the earlier of

(aa) the payment of the underlying debt determined under nonbankruptcy law; or

(bb) discharge under section 1328; and

(II) if the case under this chapter is dismissed or converted without completion of the plan, such lien shall also be retained by such holder to the extent recognized by applicable nonbankruptcy law;

(ii) the value, as of the effective date of the plan, of property to be distributed under the plan on account of such claim is not less than the allowed amount of such claim; and

(iii) if –

(I) property to be distributed pursuant to this subsection is in the form of periodic payments, such payments shall be in equal monthly amounts; and

(II) the holder of the claim is secured by personal property, the amount of such payments shall not be less than an amount sufficient to provide to the holder of such claim adequate protection during the period of the plan; or

(C) the debtor surrenders the property securing such claim to such holder;

³ 11 U.S.C. §1328(f) precludes discharge under chapter 13 if the debtor received a discharge in a chapter 7 case filed during the 4 year period preceding the filing of the chapter 13 case.



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Stephen G. Fischer of MATRIX Mediation in West Palm Beach has been certified as an Appellate Mediator by the Supreme Court of Florida.



Michael J. Napoleone, of Richman Greer, PA, has been elected to serve as the private sector representative on the board of directors of the Early Learning Coalition of Palm Beach County.

Fox Rothschild LLP is pleased to announce that **L.A. Perkins** has joined the firm as a partner in the Litigation Department resident in the firm's West Palm Beach office.



Lesser, Lesser, Landy & Smith, PLLC (LLL&S) announces that **John M. Howe**, President-Elect of the Palm Beach County Bar Association, has joined the firm on an "Of Counsel" basis.



Christopher P. Benvenuto, a shareholder in the West Palm Beach office of Gunster, has been appointed to the Board of Directors of the Chamber of Commerce of the Palm Beaches.

Chris Searcy of Searcy Denney Scarola Barnhart & Shipley, P.A., has become a Fellow of the American College of Trial Lawyers. The College is composed of the best of the trial bar from the United States and Canada.



Rutherford Mulhall, P.A. announces that **Charles E. Rutherford**, founding Shareholder, Chairman and Managing Director, has been appointed to serve

an additional 3 year term as a Board Member on the Florida Atlantic University Foundation. The firm also announces



that **Kenneth N. Johnson**, Board Certified Business Litigation attorney, was elected President-Elect of the North County Section of the Palm Beach County Bar

Association for 2011-12.



Adam Rabin was recently appointed by Chief Judge Frederico Moreno as the Chair of the 2012 S.D. Fla. Bench & Bar Conference set for April 27, 2012 in

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CALENDAR June 2011

Thursday, June 2,
5:30pm – 6:30pm
**PBC FAWL Membership
Reception**

Saturday, June 4, 7:00pm
PBCBA Banquet
The Breakers, Palm Beach

Monday, June 6, Noon – 1:00pm
**Hispanic Bar
Association Meeting**
JCR @ Main Courthouse

Tuesday, June 7, 8:20am – Noon
**“Mediating the Construction
Dispute” Seminar**
Bar Association Office

Wednesday, June 8,
11:45am – 1:00pm
YLS 4th DCA Lunch
4th DCA

Wednesday, June 8,
Noon – 1:00pm
**Lawyers for Literacy
Committee Meeting**
Bar Association Office

Thursday, June 9 – 12
**FL Assn. Criminal Defense
Lawyers Annual Meeting**
Four Seasons Resort,
Palm Beach

Thursday, June 9,
11:45am – 1:00pm
**Judicial Relations
Committee meeting**
Judicial Conference Room,
Main Courthouse

Thursday, June 9, 6:30pm
**Christian Legal Society
Women’s Gathering**
Panera Bread, Village Blvd.,
WPB

Friday, June 10, 8:55am – Noon
**“22nd Annual Community
Assn. Law Seminar”**
Bar Association Office

Tuesday, June 14,
Noon – 1:00pm
YLS Board Meeting

Wednesday, June 15 - 17
**FL Justice Assn.
Annual Meeting**
The Breakers, Palm Beach

Wednesday, June 15
RPPTL Conference
The Breakers, Palm Beach

Thursday, June 16,
11:45am – 1:15pm
**PBC FAWL Membership and
Awards Luncheon**

Thursday, June 16,
5:30pm – 7:00pm
YLS Happy Hour

Friday, June 17, Noon – 1:00pm
**Cunningham Bar Assn.
Monthly Meeting**
Library, Main Courthouse, WPB

Tuesday, June 21,
Noon – 1:00pm
Diversity Committee Meeting
Bar Association Office

Tuesday, June 21,
5:30pm – 6:30pm
Legal Aid Board Meeting
Bar Association Office

Wednesday, June 22 – 25
TFB Annual Meeting
Gaylord Palms Resort, Orlando

Wednesday, June 22,
3:30pm – 4:30pm
**Corporate Counsel
Committee Meeting**
Bar Association Office

Friday, June 24,
11:30am – 2:00pm
**Law Practice Technology
Lunch Seminar
“Intermediate Facebook”**
Bar Association Office

Thursday, June 30,
5:30pm – 7:00pm
**Committee for Diversity &
Inclusion Happy Hour**
McCormick’s at City Place



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5/20/11

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	PBCBA	Special Needs Trusts(CD) +++1.0 Civil Trial; 4.5 Wills; 4.5 Elder Law; .50 Tax Cert.	6.0	1.0	\$165	\$205	06/15/11
	CBA	The New Florida Bar Rule	1.0	1.0	\$40	\$80	07/14/11
	PBCBA	Charging Liens, Retaining Liens...(Fam. Law) (CD) +++1.0 Marital/Family Law Cert.	1.0		\$25	\$65	7/15/11
	DCBA	Legal Malpractice Ethics and Risk Management	4.0	4.0	\$145	\$185	07/20/11
	OCBA	Mediating the Construction Dispute +++ 3.5 Bus. Law; 3.5 Construction Law Cert.	3.5		\$85	\$125	07/22/11
	PBCBA	Blogging for Lawyers: Internet Marketing for Non-Geeks(CD)	1.0		\$25	\$65	07/22/11
	PBCBA	Winter R/E – Hot Topics in a Cold Market (CD)+++4.0 R/E	4.0	4.0	\$145	\$185	07/27/11
	PBCBA	The View From the Bench (Bankruptcy Seminar) (CD)	2.0		\$50	\$90	07/29/11
	PBCBA	ADR in 2010(CD) +++**6.0 Civil Trial; 8.0 R/E	8.0	2.0	\$225	\$265	08/8/11
	HCBA	Continuing Mediator Education Credit(CD) *** ELIGIBLE FOR UP TO 8.5 CME CREDITS***	9.0 ***	2.0	\$245	\$285	08/18/11
	PBCBA	Real Estate Issues in Bankruptcy Cases (Bankruptcy Seminar)(CD)	2.0		\$50	\$90	08/26/11
	PBCBA	Practical & Ethical Considerations in eDiscovery (Com'l Lit seminar)(CD) +++ 3.0 Bus. Lit./3.0 Civil Trial Cert	4.0	4.0	\$145	\$185	09/5/11
	PBCBA	Trial Superstars "Trying the Catastrophic Injury Case" (CD) +++5.5 Civil Trial Cert. (Original recording March 27, 2008)	7.0		\$175	\$215	09/07/11
	CBA	Planning for Disability & Public Benefits (CD)+++ 1.0 Elder/ 1.0 Wills, Trusts & Estates Cert.	1.0		\$25	\$65	10/15/11
	PBCBA	Impact of the Current Economy on PI Cases(CD)+++3.5 Civil	4.5	.5	\$120	\$160	10/16/11
	PBCBA	View from the Panel – Local Trustees(CD) (Bankruptcy Sem.)	2.0		\$50	\$90	10/20/11
	PBCBA	What's New in Construction Law(CD)+++3.0Bus.Lit; 4.0 Constr.	4.0	.5	\$110	\$150	10/22/11
	PBCBA	Securities Litigation 2010(CD) +++ 2.5 Bus Lit; 2.5 Crim Trial; 2.5 Civil Trial Cert.	3.0	1.0	\$90	\$130	10/28/11
	PBCBA	Practical, Legal and Ethical Considerations in the Use of Experts (CD) (Com'l Lit. Seminar) +++3.0 Bus. Lit. Cert. credits	4.0	4.0	\$145	\$185	11/10/11
	PBCBA	27 th Estate Probate Seminar(CD)+++6.0 Elder Law/6.0 Wills, Trusts & Estates Cert.	8.0	2.0	\$225	\$265	11/19/11
	PBCBA	Client Intake and Consultation(CD)+++1.0 Marital Fam. Law Cert.	1.0		\$25	\$65	11/21/11
	PBCBA	21 st Annual Community Assn. Law Seminar(CD)+++3.5 R/E	3.5	3.5	\$125	\$165	12/4/11
	OCBA	Certified Divorce Financial Analyst (CD) +++1.0 Marital/Fam Law	1.0		\$25	\$65	12/18/11
	OCBA	Social Networking Seminar (CD)+++1.0 Labor/Employ Cert.	1.0		\$25	\$65	12/30/11
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	OCBA	Attorneys as Agents of Social Change (Substance Dependence) (1.0 Substance Abuse)	1.0		\$25	\$65	01/29/12
	OCBA	Quickbooks Basics Including Trust Accts.	1.0		\$25	\$65	02/28/12

	OCBA	Update on Residential Foreclosure Mediation Process +++ 1.0 Real Estate Cert.	1.0		\$25	\$65	03/03/12
	OCBA	BP Oil Spill Damage Claim +++ 1.0 Civil Trial Cert.	1.0		\$25	\$65	03/15/12
	OCBA	Agreements Not to Compete +++ 1.0 Intellectual Prop. Cert.	1.0		\$25	\$65	03/28/12
	PBCBA	2 nd Martinis and Migraines (Employment Law) (CD) +++3.0 Labor & Employment Cert.	4.0	1.0	\$115	\$155	03/30/12
	OCBA	Legislative Update – Estate, Guardianship & Trusts +++ 1.0 Elder Law Cert; 1.0 Wills, Trusts & Estates Cert. credits	1.0		\$25	\$65	04/13/12
	PBCBA	Breaking News You Can Use (R/E) (CD)+++4.5 R/E Cert.	4.5	4.5	\$165	\$205	04/15/12
	OCBA	Professionalism & Ethics (Abstaining from offensive personality & the oath of admission)	2.0	2.0	\$75	\$115	05/18/12
	DCBA	(19 th Annual Nuts & Bolts Divorce) Fundamentals of Family Law in a Changed World +++ 3.5 Marital & Fam Law; .50 R/E Cert.	4.5	.50	\$120	\$160	05/19/12
	PBCBA	Leadership Academy(CD)	3.5		\$85	\$125	06/03/12
	PBCBA	Impact of Social Media (PI) (CD)	1.5	.5	\$45	\$85	06/07/12
	PBCBA	Practical Aspects of Conducting Family Law Trials(CD) +++4.5 Marital & Fam Law Cert.	6.0	.5	\$160	\$200	06/10/12
	PBCBA	13 th Annual Elder Law Update	6.0	2.5	\$165	\$205	06/16/12
	PBCBA	28 th Estate & Probate Seminar – Part I +++ 3.0 Elder Law; 3.0 Wills, Trusts & Estates Cert. credits	4.0	1.5	\$125	\$165	07/26/12
	PBCBA	Back to Basics – Nuts & Bolts Litigating Auto Negligence(PI) +++ 2.5 Civil Trial Cert. credits	4.0	.50	\$110	\$150	08/11/12
	PBCBA	Maintaining ADR Relevance in 2011 +++ **CM 6.0 Civil Trial; 1.0 Real Estate Cert. credits	8.0	3.0	\$225	\$265	08/14/12
	PBCBA	View From High Places (Bankruptcy)	3.0		\$75	\$115	09/09/12
	PBCBA	Best Legal Apps for iPhone, Android & Blackberry	2.5		\$60	\$100	09/11/12
	PBCBA	Funding a New Business Venture+++ 2.0 Business Lit Cert.	2.5	.50	\$70	\$110	09/29/12
	PBCBA	The Ethics of Closing Argument+++2.0 Criminal Appellate; 2.0 Criminal Trial Cert. credits	2.5	2.5	\$95	\$135	10/15/12
	PBCBA	Hot Topics in Employment+++ 2.5 Labor/Employ Cert. credits	3.5	.50	\$95	\$135	11/13/12
	PBCBA	28 th Estate & Probate Seminar-Part 2+++ 3.5 Elder Law; 3.5 Wills, Trusts Cert. credits	4.5		\$110	\$150	11/17/12
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+++Indicates Certification credits available; **CM credits.

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Telephone: _____ Email Address: _____

☐ Add \$25 for rush fee (order processed w/in 3 business days) ☐ Please call when order is ready to be picked up

☐ Please mail (add \$10.00 for shipping and handling) (**payment must be received before items will be mailed or picked up**)

PAYMENT INFORMATION:

Order Subtotal: \$ _____

Shipping/Handling: + \$10.00

Rush Fee: + \$25.00

Total Due: \$ _____

Payment Enclosed: Check # _____ Amount: \$ _____

Please bill my credit card: ☐ MC ☐ VISA ☐ AMEX Amount: \$ _____

Signature _____

Credit Card #: _____

Expiration Date: _____

**NOTE: THE PURCHASE OF EACH CD IS VALID FOR INDIVIDUAL USE ONLY.
DEFECTIVE RECORDINGS WILL BE REPLACED ONLY IF RETURNED WITHIN 30 CALENDAR DAYS FROM INVOICE DATE.**