



Broward County Bar Association
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Broward County Bar Association BARRISTER

October 2009 • WWW.BROWARDBAR.ORG • 954-764-8040 • VOLUME 40, ISSUE 9

Countdown to Bench and Bar Convention Friday October 16, 2009 7 CLE Hours

10	11	12	13	14	15	16	17
		Columbus Day	Thanksgiving				Reformation Day

Register online at: www.browardbar.org/benchandbar/

Keynote Speakers:



Carlos M. Llorente, BCBA President

This month's President's message is short and to the point. We hope to see you all at the Bench and Bar Convention on October 16, 2009 at the Broward County Convention Center.

Our guest speakers are Jesse Diner, President of The Florida Bar and Adele Stone, President of the Florida bar Foundation.

There are 7 CLER credits available, more than 20 exhibitors, and a great opportunity to meet, mingle and catch up with friends, colleagues and judges.



Jesse Diner, Florida Bar President



Adele Stone, Florida Bar Foundation President

See inside for full registration information

2009 BCBA Bench and Bar Convention

Online Registration and Payment

www.Browardbar.org/BenchBar

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Hyping Hot Air

When Last Breath Brings Windfall

By Art Goldberg

On September 14, the first anniversary of the collapse of Lehman Brothers, President Obama spoke to Wall Street, taking the *bully pulpit* to issue a stern admonition to banks, to chide them for turning the *bull* market to *pulp*, to shambles, to chastise for letting our money ride in exotic, high risk gambles.

"Instead of learning the lessons of Lehman and the crises from which we are still recovering, they are choosing to ignore them. They do so not just at their own peril, but at our nation's," the president said. (*"Bringing a Bitter Pill to Wall Street"*, Andrew Sorkin, *New York Times*, September 15, 2009)

Do we need to heed another tale about a seedy, pending financial peril? *"What light through yonder window breaks?"* Oh, Romeo! Yes!

I hate to be a grouch, but when I first read about Wall Street's newest gambit – bundling and securitizing life insurance policies purchased at bargain rates from cash-strapped seniors and the terminally ill, then selling these 'viaticals' to well-heeled investors, well, I was frankly appalled by the hype. Do we need more unregulated risk that preys on the elderly, preys on the sick? (*"Wall Street Pursues Profit in Bundles of Life Insurance"*, Jenny Anderson, *New York Times*, September 6, 2009)

Personally, whereas I might one day have an immediate need to cash out early (my policy, that is) the idea that a bank has an interest in the date of my demise – the 'sooner being the better' to meet projections of a profitable return from a viaticized portfolio (to benefit investors who are strangers to me, not my beneficiaries) – it all makes me wonder if Wall Street has my best interest (for my long beating heart) at heart.

In reality, why should my vitality represent a poor investment risk? Why should turning grey turn me into tempting prey, attracting a bundle of badgering bond brokers whom, I suspect, will be calling incessantly to either assume my policy or pawn on me a share of somebody else's? Must I endure the telemarketers' 'get rich' pitch, likely festooned with false hopes for mushroom growth? My dogged onus – that no broker pocket a shameful bonus should I kick the proverbial bucket before my time.

All kidding aside, South Florida fraud-fighters have been combating viatical shenanigans for a decade. In 1990, The Office of Statewide Prosecutor reported that *"fraud in the viatical settlement industry is rampant"*

Viaticals were originally conceived to provide an early benefit for terminally ill Aids patients. 'Cleansheeting' was an opportunity for white collar criminals to cash in – the insurance applicant doesn't come clean about his terminal illness (professes clean bill of health) when applying for insurance. 'Wet-inking' was another scam – new policies were viaticated and resold to investors within the first two-years of the date the policy was written, a period in which carriers have the right to rescind. Honest investors bought viaticals that were rescinded.

Further- the perpetrators of fraudulent policies would try to hide from insurance companies that the recently purchased policies had been viaticated, would buy numerous policies from different

insurance companies and viaticize them all.

In the 2004 Mutual Benefits case, doctors were alleged to be falsifying life-expectancy reports, in essence accelerating the expected date the viatical policy would pay, a scam inducement for unsuspecting investors. But when medical advances began benefiting AIDS patients, there was no cash roll over, for what had been guaranteed as a sure-bet for a quick turn around had died on the vine, as more patients happily survived.

By 2005, Florida passed legislation that made a viatical a registered security rather than an insurance policy, required brokers to be licensed, required viatical companies to make corporate records public, required that the life expectancy of viators be filed with state regulators.

A federal grand jury in Miami is still investigating whether inducements were paid to local politicians at the time to help guarantee (unsuccessfully, as it turned out) that viaticals would continue to be categorized as insurance products rather than as securitized financial products.

In a September 10, 2009 Washington Post article, "Playing Investment Games With Life and Death", reporter Michelle Singletary spells out some of the current concerns: *"Although they can be marketed and sold legally, the products are so complex and opaque that they are prone to fraud, including Ponzi schemes, phony life-expectancy evaluations, inadequate premium reserves that increase investor costs and false promises of large profits with minimal risk, according to the North American Securities Administrators Association, which represents state securities regulators."*

In Washington, the Senate Banking Committee and the House Financial Services Committee are currently drafting legislation to regulate bank abuses. In his radio address on September 19, the president said the bank lobby was "hard at work trying to stop the reforms that would hold (banks) accountable." (*"Leading Senator Pushes New Plan to Oversee Banks"*, Steophen Labaton, *NYT*, September 20, 2009) Since the federal government now owns a large stake of Wall Street, perhaps new rules to guarantee the public's wellbeing are, well, *just over the horizon*.

Large scale Securities Fraud has a home in South Florida, according to David Buckner, Wilfredo Ferrer and Judge Daryl Trawick, candidates for US District Attorney for the Southern District of Florida, who were recent guests of the Broward County Hispanic Bar Association lunch on September 10. They described law enforcement's ongoing challenge in the Southern District to combat Securities Fraud – as well as Drug Smuggling, Human Trafficking, Mortgage Fraud and Medicare Fraud. They made it clear that federal oversight and the infusion of legal resources will be needed to prosecute these economic crimes that devastate so many innocent victims and diminish our quality of life.

Hamlet said *"To die: to sleep: To sleep: perchance to dream: ay, there's the rub: For in that sleep of death what dreams may come?..."* Is it beyond an honest South Florida dream to perchance reside in a 'clean' Paradise?

CALENDAR OF EVENTS

OCTOBER 2009

Friday, October 9th:

Solo/ Small Law Firm Networking Lunch. Olive Garden, 1555 N. University Drive, Coral Springs, (954) 344-5226. RSVP to: Evan Ostfeld (954) 227-7529 and or Evan@Attorney4life.com.

Friday, October 9th:

Howard C. Forman, Broward County Clerk of Courts and the Domestic Violence Division in honor of Domestic Violence Awareness Month invite you to BE AWARE and to learn more about: Domestic Violence and people with disabilities- Animal Cruelty-Use of Technology 11:30a.m.- 1:00p.m. Broward County Courthouse, 201 SE 6th Street, Fort Lauderdale. Jury Assembly Room- Room 380. Parking available in garage at SE 3rd Ave. and SE 6th Street- Bring your ticket for validation. Light lunch will be served. Seating is limited. Please RSVP to Jane Duff at (954) 831-5575 or jduff@browardclerk.net by September 25, 2009.

Saturday, October 10th:

4 Hour Minor Guardianship Class. 9:00a.m. to 1:00p.m. Norma B. Howard Bar Center, 1051 SE 3rd Ave, Ft. Lauderdale, 33316. Cost \$100.00. Attorneys welcome, approved by the Florida Bar for CLE credits. Guardian for anyone under the age of 18. To sign up contact Tish at (954) 764- 8040 ext. 200.

Tuesday, October 13th:

BCBA Board of Directors Meeting.

Wednesday, October 14:

Broward County Women Lawyers' Association luncheon. Topic: "Litigation Damages: A Panel Discussion." One CLE Credit is applied for. Noon, at the Tower Club in Fort Lauderdale. To RSVP please contact Tonja Haddad at (954) 467-1223.

Thursday, October 15:

Broward County Hispanic Bar Association Luncheon. Featuring: Jesse Diner, President of the Florida Bar. 11:45 a.m. Riverside Hotel, 620 East Las Olas Blvd. Ft. Lauderdale, FL 33301. Admission: \$25 per person/ \$20 BCHBA members and Judges. RSVP by October 13 to Carmen@Velasquez-law.com.

Friday, October 16th:

Broward County Bar Association's Bench and Bar Convention. Broward County Convention Center. 7 Hours of CLE, nearly 100 different seminars/ breakouts to choose from (incl. Ethics, Professionalism, Addictions). Only \$245 registration includes breakfast and lunch. Get \$25 early sign up discount. Broward County Bar Association members get an additional \$25 discount. Get more information and sign up online at www.browardbar.org or call BCBA at (954) 764-8040.

Monday, October 19th:

FREE CLE Seminar. Topic- Taxation of Life Insurance and Annuities. 2 Hours of CLE. 4:00p.m. At the Broward County Bar Association, conference room, 1051 SE 3rd Ave, Fort Lauderdale FL 33316. Please RSVP to (561) 961-9311.

Tuesday, October 20th:

Grievance Committee 17H Meeting. 2:00p.m. Norma B. Howard Bar Center, 1051 SE 3rd Ave. Ft. Lauderdale, 33316.

Tuesday, October 20th:

Solo/ Small Law Firm Networking Lunch. The Ark Restaurant, 6255 Stirling Road, Hollywood, (954) 584-3075. RSVP to: David Silverstone (954) 367-0770 and or david@dsilverstone.com.

Friday, October 23rd:

Solo/ Small Law Firm Networking Lunch. East City Grill, 1800 Bell Tower Lane, Weston Town Center, (954) 659-3339. RSVP to: Rick Woolf (954) 252-0043 and or rwoolf@woolffinancial.com.

Saturday, October 24th:

8 Hour Adult Guardianship Class. 9:00a.m. to 5:00 p.m. Norma B. Howard Bar Center, 1051 SE 3rd Ave. Ft. Lauderdale, 33316. Cost: \$180.00. Attorneys welcome, approved by the Florida Bar for CLE Credits. Guardian for anyone over the age of 18. To sign up contact Tish at BCBA (954) 764- 8040 ext. 200.

Tuesday, October 27th:

Solo/ Small Law Firm Networking Lunch. Galuppi's Restaurant on the Pompano Beach Golf Course, 1103 North Federal Highway, Pompano Beach, (954) 785-0226, RSVP to: Jane Bolin (954) 316-1339 and or jane@peytonbolin.com.

Friday, October 30th:

Solo/ Small Law Firm Networking Lunch. Olive Garden, 807 S. University Drive, Plantation (954) 424-7201, RSVP to: John Rizvi (954) 452-0033 and or johnrizvi@ideaattorneys.com.

Friday, October 30th:

"MASK"ERADE Ball Benefiting Coast to Coast Legal Aid of South Florida. 6:00p.m.- 9:00p.m. Pier Top, Hyatt Pier Sixty-Six Resort and Spa. Tickets are \$75 (\$100 at the door). Purchase tickets now at www.crewftlpbch.org/calendar.html.

Monday, November 2nd:

Grievance Committee 17G Meeting. 2:00p.m. Norma B. Howard Bar Center, 1051 SE 3rd Ave. Fort Lauderdale.

Thursday, November 5th:

NEXT Kick-off event at YOLO's O-Lounge. \$10.00. Honorary guests are Jesse Diner and Adele Stone. RSVP by October 28, 2009 at http://www.legalaid.org

Friday, November 6th:

Broward County Bar Association Young Lawyers' Charity Golf Tournament Happy Hour. Join us for a drink, appetizers, and drink specials. At YOLO on 333 E. Las Olas Blvd. Fort Lauderdale. 5:30p.m. – 7:30p.m. For more information contact Meghan Clary at 954-525-6566 or Meghan@cmfamilylaw.com.

Monday, November 9th:

FREE CLE Seminar. Topic- The Motivator A Section 162 Plan. 2.5 Hours CLE. 4:00p.m. At the Broward County Bar Association, 1051 SE 3rd Ave. Fort Lauderdale, FL 33316. Please RSVP to: (561) 961-9311.

Friday, November 13th:

Joint meeting for the Broward County Bar Association and North Broward Bar Association. Noon. At Galuppi's, 1103 North Federal Highway, Pompano Beach (at the Pompano Municipal Golf Course). Speaker: Carlos M. Llorente, BCBA President. Cost: \$17.00. RSVP to Thomas Oates, Event Chairperson at (954) 942-6500 or E-mail toates@pompanolaw.com

Saturday, November 14th:

Broward County Bar Association Young Lawyers' Section Annual Charity Golf Tournament. Jacaranda Golf Club, 9200 West Broward Blvd. Plantation, FL. 6:30a.m. check in; 7:00a.m. Range opens; 8:00a.m. Shotgun Start. Entry Fee: \$100 per player. For additional information and sponsorship opportunities contact Meghan M. Clary, Esq. at 954-525-6566 or via email at Meghan@cmfamilylaw.com.

Saturday, November 14th:

6th Minority Mentoring Picnic, for all minority law school students from all law schools in Florida. 12-4p.m. Corporate Pavilion at Amelia Earhart Park, 401 East 65 Street Hialeah, FL 33013. RSVP at www.kttlaw.com/picnic.

Save The Date...

Broward County Women Lawyers' Association
Holiday Event and Judicial Reception.
Thursday December 3, 2009 • 5:30p.m.
110 Tower, 7th Floor Fort Lauderdale
Please call Tonja Haddad to RSVP (954) 467-1223

HOLD THE DATE...

**THE BROWARD COUNTY BAR ASSOCIATION'S
ANNUAL HOLIDAY PARTY
HAS BEEN SCHEDULED FOR
FRIDAY • DECEMBER 18, 2009
5:30P.M.
1051 SE 3RD AVE, FT. LAUDERDALE**

NOVEMBER 2009

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A Message from Michael B. Gilden, President, Young Lawyers' Section

One of the proudest roles that I have as the President of Broward County's Young Lawyers Section is leading our Board in its' charitable endeavors. The YLS's ability to give back to the community is a cornerstone of our organization. There is no bigger charitable event for us each year than our annual golf tournament.

Since my involvement with YLS began, the annual golf tournament has been the signature event of our year, and this year is no exception. In fact, I am very excited by the prospect of this year being our biggest and most successful tournament to date.

The charity selected by this year's YLS Board is Forever Family. This organization's focus is the adoption of foster children from youth through teenage years. Forever Family recruits mentors for children, as well as potential foster and adoptive parents. The charity also focuses on raising money for medically needy foster children and helping young adults transition their lives out of the foster system.

Forever Family has been working tirelessly to change the public's perception that foster children are placed into the system due to juvenile delinquency, a myth that must be debunked. The charity also works to educate the public about how foster children can be adopted and the expenses related to the process.

As has been the tradition for many years, this year's golf tournament will be held at Jacaranda Country Club in Plantation. The golf tournament will take place on Saturday, November 14, 2009 with a shotgun start scheduled to begin at 8:00 a.m.

As with recent tradition, this year's Tee Off Happy Hour will take place the Friday of the week proceeding the golf tournament. The Tee Off Happy Hour will be held at YOLO on Las Olas Boulevard on Friday, November 6, 2009 from 5:30 p.m. to 7:30 p.m.

This year's golf tournament and happy hour are unique given the media coverage surrounding the events. NBC 6, as well as other local print media will be covering the events which will help to ensure success. Although space is filing up, there is still plenty of time

to sign up to play in the golf tournament. There are also multiple sponsorship opportunities available with all proceeds going directly to Forever Family. For all information on his year's golf tournament and happy hour, please contact Meghan M. Clary, the Tournament Chairperson at Meghan@cmfamilylaw.com.

If anyone has any questions about how they can participate with or in the Young Lawyers Section, please feel free to call me at Kopelowitz Ostrow Ferguson Weiselberg Keechl at (954) 525-4100 or gilden@kolawyers.com.

Young Lawyers' Calendar

Hold these dates:

March 20, 2010- YLS Bowling Tournament

May 6, 2010- YLS Judicial Reception

The Broward Barrister is published by the Broward County Bar Association a part of our commitment to provide membership with information relating to issues and concerns on the local level. Opinions and positions expressed in the signed materials are those of the author and may not necessarily reflect the views of this publication or the Broward County Bar Association.

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BROWARD COUNTY BAR ASSOCIATION
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**TWENTY-SECOND ANNUAL YOUNG LAWYERS
CHARITY GOLF TOURNAMENT**

Proceeds to Benefit:



SATURDAY, NOVEMBER 14, 2009
Jacaranda Golf Club
9200 West Broward Boulevard, Plantation, Florida

6:30 A.M. CHECK IN * 7:00 A.M. RANGE OPENS * 8:00 A.M. SHOTGUN START

- * Four Person Scramble Format
- *Prizes for 1st, 2nd, and 3rd Place Foursomes
- *Awards for Longest Drive, Closest-to-Pin, and Straightest Drive
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- *Goodie Bags and Raffles

Entry Fee: \$100.00 per player

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Send this entry form along with a check made payable to "Young Lawyers Section" for \$100 per person to: Meghan M. Clary, Esq., 600 S Andrews Ave. Ste. 503, Fort Lauderdale, FL 33301

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2. _____	_____	_____
3. _____	_____	_____
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Please also join us at our **Tee-Off Happy Hour**
Proudly sponsored by Coach Tony and Jeanette Sparano

Friday, November 6, 2009 at YOLO on Las Olas from 5:30 p.m. to 7:30 p.m.

For additional information contact Meghan M. Clary, Esq. at 954-525-6566 or via email at meghan@cmfamilylaw.com

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6th Minority Mentoring Picnic

For all minority law school students
from all law schools in Florida

Saturday November 14, 2009
12-4 p.m.

Children's play center, volleyball Tournament, Music and lots and lots of great food

Corporate Pavilion at Amelia Earhart Park

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TWENTY-SECOND ANNUAL CHARITY GOLF TOURNAMENT Saturday, November 14, 2009 at Jacaranda Golf Club

PROCEEDS TO BENEFIT:



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<i>Luncheon Sponsor</i>	<u>\$2,500.00</u>	A banner may be displayed at the luncheon. A representative of the luncheon sponsor may briefly speak at the luncheon. Recognition in the tournament brochure - a full page. The Luncheon sponsor may place an item in the gift bag given to all tournament participants.
<i>Beverage Sponsor</i>	<u>\$1,000.00</u>	A banner may be displayed on all beverage carts. Recognition in the tournament brochure - a full page. The Beverage sponsor may place an item in the gift bag given to all tournament participants.
<i>Registration Table Sponsor</i>	<u>\$500.00</u>	A banner may be displayed at the registration table. Recognition in the tournament brochure - a half page. The Registration Table sponsor may place an item in the gift bag given to all tournament participants.
<i>Leaderboard Sponsor</i>	<u>\$500.00</u>	A banner may be displayed above the leaderboard. Recognition in the tournament brochure - a half page. The Leaderboard sponsor may place an item in the gift bag given to all tournament participants.
<i>Cart Sponsor</i>	<u>\$500.00</u>	A banner may be displayed on all golf carts. Recognition in the tournament brochure - a half page. The Cart sponsor may place an item in the gift bag given to all tournament participants.
<i>Trophy/Award Sponsor</i>	<u>\$500.00</u>	A banner may be displayed on the trophy table. Recognition in the tournament brochure - a half page. The Trophy/awards sponsor may place an item in the gift bag given to all tournament participants.
<i>Driving Range Sponsor</i>	<u>\$500.00</u>	A banner may be displayed on the driving range. A representative of the driving range sponsor may have a promotional table at the driving range. Recognition in the tournament brochure - a half page. The driving range sponsor may place an item in the gift bag given to all tournament participants.
<i>Putting Contest Sponsor</i>	<u>\$500.00</u>	A banner may be displayed by the putting contest area. Recognition in the tournament brochure - a quarter page. The Putting Contest sponsor may place an item in the gift bag given to all tournament participants.
<i>Breakfast Sponsor</i>	<u>\$300.00</u>	A banner may be displayed in the breakfast area. Recognition in the tournament brochure - a quarter page. The Breakfast Sponsor may place an item in the gift bag given to all tournament participants.
<i>Hole/Tee Sponsor</i>	<u>\$100.00</u>	A sign recognizing the sponsor will be on either the tee or green of the sponsor's choosing. Honorable mention in the tournament brochure. The Hole/tee sponsor may place an item in the gift bag given to all tournament participants. A business card ad in the tournament brochure is available for only an additional \$25.00.

There are additional sponsorship opportunities available for the Golf Tournament. For more information please contact Meghan M. Clary, Esquire at 954-525-6566 or via email at meghan@cmfamilylaw.com.

Please make all checks payable to: "Young Lawyers Section". Please return checks with this form, as well as your logo or business card, to: Meghan M. Clary, Esq., Chorowski & Moore, P.A., 600 South Andrews Avenue Suite 503, Fort Lauderdale, FL 33301.

Authorized Signature _____

Sponsor Name: _____ Contact Person: _____

Address: _____

Phone Number: _____

Nominating petitions sought for Bar Board of Governors vacancy

Executive Director John F. Harkness, Jr., has announced a vacancy on the Board of Governors of The Florida Bar due to the resignation of 17th Circuit board member Allison Bethel who has relocated out-of-state. Bethel was finishing out a two-year term on the board in Seat 1.

The office commences immediately upon the conclusion of the special election of The Florida Bar, and continues for a term ending June 25, 2010, or until a successor is elected and qualifies.

Pursuant to Rule 2-3.9, nominating petitions for the vacancy must be filed with the office of the Executive Director on or before 5 p.m., Wednesday, September 30. If there is a contested race, election ballots will be mailed on or before Wednesday, October 14, and voted ballots must be received prior to midnight, November 3.

Nominating petitions for the 17th Circuit, Seat 1, vacancy must be signed by no fewer than five members in good standing whose official Bar address is in the 17th Judicial Circuit. Nominating petition forms may be obtained by downloading from the Bar's Web site at www.floridabar.org, or by writing or calling the Executive Director's Office at The Florida Bar, 651 East Jefferson Street, Tallahassee 32399-2300, telephone (850) 561-5759.

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Changing the tone of tragedy

By: Brenda Di Ioia

As we enter the middle of the peak of hurricane season, we count our blessings. No major storms yet. There is a mariner's poem that in part reads:

*June- too soon.
July-- stand by!
August-- look out you must.
September-- remember.
October, all over.*

Wilma was an October storm. Even though they have not been called upon yet, many organizations spend each year preparing to help if they are needed. One such organization works on national and international levels and is based in our community. The Foundation for Coloring Away Pain is a not-for-profit organization committed to helping children cope with life changing and traumatic events through art. Four years ago, a single mom in Miramar started a family project in response to the devastation caused by Hurricane Katrina. Kimberly Pressley-Herrick taught her children that we are placed on this earth for what we can do for others; she found the hurricane a perfect opportunity to put this into practice.

Kimberly chose to collect coloring books and crayons after seeing the positive effects coloring and drawing had on her own children following her divorce, two years prior. Coloring and drawing did wonders to help her children through their darkest moments.

Within weeks of Hurricane Katrina, strangers from across the country had heard of the coloring book and crayon drive, which ultimately resulted in 6,000 coloring books and just as many box of crayons being donated. DHL donated shipping to the Gulf Coast area and within weeks Kimberly started receiving cards and letters from the children who had received the donations. Some children drew pictures of their ordeal, others journaled and all

said thank you. Having a passion for children and a love of writing, Kimberly decided to write coloring books directed at the difficult and traumatic events that children may face. The Foundation for Coloring Away Pain was born.

It has been four years since FCAP was founded and thousands of children across the globe have received topic specific coloring books, translated into their home language and boxes of crayons. For many children, particularly those in the aftermath of natural disasters, the coloring books and crayons serve a dual purpose. They give children an outlet to express thoughts and emotions, that might go unspoken due to immature language skills or limited life experiences, and they also give them something to touch, feel and call their own, re-establishing hope and security.

HOLD THE DATE...
Saturday October 17, 2009

Credit Restoration Consultants Present:
The Foundation for Coloring Away Pain 2nd
Annual fundraising event.

On Saturday, October 17, 2009, Credit Restoration Consultants will present The Foundation for Coloring Away Pain 2nd annual fundraising event, LIGHTS! CAMERA! ACTION! This exciting event will take place at the Hyatt Regency Bonaventure in Weston located at 250 Racquet Club Road from 6:00pm-11:00pm. All proceeds from the event will benefit The Foundation for Coloring Away Pain.

For more information about The Foundation for Coloring Away Pain and to learn how you can join us for this exciting red carpet event, please visit www.coloringawaypainfoundation.org click on "events." A picture is truly worth a thousand words.

The Palm Beach County, South Palm Beach County and Broward County Bar Associations presents:

Inside the Appellate Court: An Afternoon with the Judges of the Fourth DCA



Friday, December 4, 2009

11:30 a.m.—5:30 p.m.

Boca Raton Marriott at Boca Center, 5150 Town Center Circle

Program Schedule

- 11:30 am - 12:00 pm **Buffet Lunch / Registration / Check-In**
- 12:00 pm - 1:00 pm **Luncheon - Keynote Speaker: Honorable Philip J. Padovano, First District Court of Appeal**
- 1:00 pm - 1:15 pm **BREAK**
- 1:15 pm - 2:00 pm **Things You Probably Didn't Know About the Fourth DCA - Honorable Robert M. Gross, Chief Judge, Fourth District Court of Appeal**
- 2:00 pm - 2:30 pm **Writing the Effective Appellate Brief - Former Fourth District Court of Appeal Judge Larry A. Klein, Holland & Knight LLP**
- 2:30 pm - 2:45 pm **BREAK**
- 2:45 pm - 3:15 pm **Panel Discussion - Observations as New Judges on the Fourth District - Honorable Judges Cory J. Ciklin, Jonathan D. Gerber, and Spencer D. Levine, Fourth District Court of Appeal, Moderated by Honorable Robert M. Gross, Chief Judge**
- 3:15 pm - 3:45 pm **Recent Developments in Preservation of Error—Honorable Melanie G. May, Fourth District Court of Appeal**
- 3:45 pm - 4:00 pm **BREAK**
- 4:00 pm - 5:00 pm **Moderated Panel Discussion - with the Judges of the Fourth DCA, Moderated by Jack J. Aiello, Esq., Gunster**
- 5:00 pm - 5:30 pm **Cocktail Reception Honoring the New Fourth District Court of Appeal Judges Jonathan D. Gerber, Spencer D. Levine, and Cory J. Ciklin**

This course has been granted **5.0 CLE** /

2.5 Appellate Practice Certification Credits from The Florida Bar;

The cost of the seminar, lunch and reception is **\$150** if registered by **11/25/09**; **\$175** after that date; **Govt. attorneys & law clerks \$100.00** if registered by **11/25/09**; **\$125.00** after that date.

No refunds after 11/25/09

If a phone reservation is made and we do not receive payment and you do not attend, you will be charged \$25.

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PRO BONO SERVICE AWARDS NOMINATIONS DUE BY NOV. 6

Each year, the Florida Supreme Court and The Florida Bar give special recognition to lawyers, groups and a member of the judiciary who have freely given their time and expertise in making legal services available to the poor. The awards ceremony will be held at the Florida Supreme Court at 3:30 p.m., Thursday, Jan. 28, 2010. **Nominations must be received by Nov. 6, 2009.** Late received nominations will not be considered.

Nominations currently are being accepted in the following award categories:

1. The Florida Bar President's Pro Bono Service Award

This award is given to an outstanding attorney in each of the state's 20 judicial circuits and in the "Out of State" circuit. One winner will be selected from each of the 21 circuits and these winners will be considered to receive **The Tobias Simon Pro Bono Service Award**, presented annually by the Chief Justice to the attorney who best exemplifies the highest ideals of the profession in assuring the availability of legal services to the poor. The award is named for the late Miami civil rights lawyer Tobias Simon.

NO OFFICIAL APPLICATION FORM IS REQUIRED. A letter nominating a Broward candidate for the award should be sent to:

Timothy Bailey Chair,
17th Circuit Pro Bono Award Committee
c/o Broward County Bar Association
1951 SE Third Ave,
Fort Lauderdale, FL 33316

OTHER AWARDS:

2. The Chief Justice's Law Firm Commendation

This statewide award recognizes a law firm which has demonstrated a significant contribution in the provision of pro bono legal services to individuals or groups that cannot otherwise afford the services. This award is not presented every year and recognizes extraordinary commitment on the part of a firm to provide access to the courts for all Floridians.

3. The Voluntary Bar Association Pro Bono Service Award

Also presented by the Chief Justice, this award recognizes a voluntary bar association that has demonstrated a significant contribution in the delivery of legal services on a pro bono basis to individuals or groups that cannot otherwise afford the services. Like the Law Firm Commendation, this award is presented only when an association demonstrates extraordinary commitment to provide access to the courts for all Floridians.

4. The Florida Bar's Young Lawyers Division Pro Bono Service Award

With more than 21,000 members, the Young Lawyers Division includes all lawyers in good standing under age 36 and all new Florida Bar members of any age for their first five years in practice. The award will be given to the division member who best exemplifies the highest ideals of public service.

5. The Distinguished Judicial Service Award

Presented by the Chief Justice, this award is presented for outstanding and sustained service to the public, especially as it relates to support of pro bono legal services.

Nominees' pro bono service contribution may be cumulative. Consideration is not limited to the events of the immediate past year.

For additional information, contact public information coordinator Dorohn A. Frazier at The Florida Bar, 850/561-5764 or dfrazier@flabar.org.

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Kick-off Event at YOLO's O-Lounge

Thursday, November 5th- 5:30-7:30
Cost: \$10.00 (Judiciary- complimentary)
1 Complimentary beverage and light appetizers

Honorary Guests

**Jesse Diner, President of The Florida Bar and
Adele Stone, President of The Florida Bar Foundation**

- WHAT IS NEXT?** - NEXT will work jointly with Legal Aid Service of Broward County (LAS) and Coast to Coast Legal Aid of South Florida's (CCLA) Executive Council to better inform and educate legal and business professionals who have strong, diverse relationships in the community about LAS and CCLA and their importance as the legal "arm" for many other Broward County non profits.
- WHO WILL BE PART OF NEXT?** - Young (ages 25 - 45- XY gen) and energetic legal and business professionals in Broward with an interest to contribute in the progress of LAS and CCLA's missions and shaping the organization's future.

If you enjoy networking with professionals, making new business contacts and friends, and helping out a great cause, this group is for you! **NEXT** will be holding quarterly social networking events to raise awareness for Legal Aid Service of Broward County and Coast to Coast Legal Aid of South Florida.

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Panel Member Profile



William T. Laswell Certified Circuit Mediator and Qualified Arbitrator, has over 40 years of intense litigation experience. He is a graduate of Indiana University School of Business and Law School and has litigated both civil and criminal cases since 1972. From 1990 until 2005 he specialized in death penalty defense as Senior Attorney in the Public Defender's Capital Crimes Division. Since retirement from government service he has served as a Special Magistrate and Umpire in addition to mediation and arbitration of civil cases.

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2009 Bench-Bar Convention

Friday, October 16th

The Broward County Bar Association proudly announces the **2009 Bench-Bar Convention**, BIGGER AND BETTER than ever before.

BCBA's Bench-Bar Convention Committee has been planning and working for more than a year to make this convention even better than the very successful 1997 conference, and the standing-room-only 2001 conference, and the truly incredible 2005 convention. We expect to get **7 hrs of Continuing Legal and some Judicial Education credits**, including credits that count toward **certification** in a variety of fields, plus **ethics, professionalism, and addictions**.

The **Bench-Bar Convention** is intended to give judges and lawyers an opportunity to discuss 21st century technology, the problems facing the legal system, and explore solutions. So, the **theme** for 2009 is "Practicing Law in the 21st Century"

For **barristers** (trial attorneys), this will give an opportunity to discuss new technologies, and how lawyers and judges are adapting. And we have not lost sight of our continuing goal to give judges a chance to let lawyers know what judges expect (and do not get), and for lawyers to let judges know what lawyers expect (and do not get).

For **barristers and solicitors**, we will have a plethora of subjects which include substantive seminars and procedural breakouts. This convention is designed for **ALL attorneys, regardless of their field of practice**. That includes office practice (solicitors).

tors). **Check out the seminar list on the back cover of this flyer.**

We will present **nineteen different choices** of seminars for **each** of three hours in the morning, and again for **each** of three hours in the afternoon.

We will have dozens of highly qualified judges and lawyers and some other experts to plan and moderate **114 different seminars and breakout sessions**, designed to cover a wide variety of legal subjects.

Lunch will feature a **gourmet double entree and dessert**. Bar President **Jesse Diner** and Bar Foundation President **Adele Stone** will be our featured speakers.

You'd pay over \$300 for any other all-day seminar, and you'd have to buy your own breakfast and lunch. But the BCBA has held the cost to attorneys to **\$220** for BCBA members, **\$245** for non-members. That includes all the **CLE credits, lunch, and even breakfast**. In honor of 100% 17th Circuit judicial membership in BCBA, **ALL Judges are welcome without charge**.

Others can take a **\$25 discount** for registering **on or before September 30th**.

up to 7 hrs of CLE/CJE credit

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DINER



STONE

[Sorry, but late registrations caused long lines and delays at the 2001 Conference and 2005 Convention.]

We're going to close this convention with a **reception**. Imagine that – breakfast, lunch AND a reception all for one low price! And **door prizes !!**

You can register ten and get a **lunch table with-a-view** for ten for **\$2,200** (while they last), or a half-table for five for **\$1,150**. Reserved lunch tables will be in a **central location** near the head table.

About forty judges will be a part of our seminars and breakout sessions as the BCBA's guests.

A limited number of sponsorships are still available – call Robin Moselle at (954) 587-1968 if you are interested, and she'll see that you get a Sponsor Prospectus. Attorney sponsors will have preferred lunch seating.

Two dozen exhibitors will also be displaying their products and services, and will be available in the conference area from 7:30 AM until the Convention ends at 6:30 PM.

Sponsorships & Reserved Tables available

There are a **limited number of lunch tables "up front"**, so reserve a table as soon as you can block your calendar.

[For a reserved table or half table, send your check and a list of attendees on your letterhead.]

Clip the reservation form below, and mail it to BCBA with your check.

Want more information? Check out the Website, get answers to **Frequently Asked Questions**, (and register on-line) at **BrowardBar.org**

Attorneys from other counties who are members of their countywide bar association (Dade County Bar Assoc.; Palm Beach County Bar Assoc.) can pay the member price - just send proof of membership with your reservation.

RESERVATION 2009 Bench-Bar Convention

Please reserve space for the following attorneys, and send us Seminar and Breakout preference forms:

Address:

Enclose your check (payable to B.C.B.A.) for \$220* per BCBA member, \$245* per non-member. Mail to:

B.C.B.A.
1051 SE 3 Avenue
Ft. Lauderdale, FL 33316

*Take a \$25 discount if your reservations are made on or before September 30, 2009.

Most subjects will have ethics or professionalism credits; Most subjects in certified fields carry some certification credit.