

The BROWARD BARRISTER

NOVEMBER, 1975

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 Executive Offices, 733 Northeast Third Avenue, 305/764-8040, Fort Lauderdale, Florida 33304

GENERAL MEETING — THURSDAY, NOVEMBER 20, 1975 — 12:00 Noon

(JOINT MEETING WITH THE YOUNG LAWYERS SECTION)

THE GOVERNORS' CLUB HOTEL
 236 S.E. 1st Avenue
 Fort Lauderdale, Florida

— Buffet: \$3.75 —

PROGRAM: Collection of Accounts Receivable

(This program is presented by the Committee on Economics)

Please use the Enclosed Card for Reservations

BROWARD COUNTY TRIAL LAWYERS ASSOCIATION MEETING

WEDNESDAY, DECEMBER 3, 1975

5:00 P.M. WORKSHOP
 6:30 P.M. Cash Bar
 7:00 P.M. Dinner — \$10.00

THE SHERATON HOTEL
 303 N. Atlantic Blvd. (A1A)
 Fort Lauderdale, Fla.

Program: BERNARD J. MASTERTON,
 President, of Academy of Florida
 Trial Lawyers

RSVP Before November 26, 1975

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PLEASE MAKE CHECKS PAYABLE TO:
 BROWARD COUNTY TRIAL LAWYERS
 ASSOCIATION

OPERATION: UPDATE/TRANSITION

Sponsors: BCBA & BCTLA

November 19, 1975 — 4:30 P.M.

WORKMANS COMPENSATION

Speakers:

Anthony J. Beisler

Eugene N. Betts

Room 250, Broward County Courthouse

December 17, 1975 — 4:30 P.M.

Program to be announced



Gene Rimes and Drake Batchelder present golf trophies.

The winners of the Golf Tournament held on October 3, 1975 were:

LOW GROSS

First Place Jack Kersten
 Second Place Richard Tucker

LOW NET

First Place Tom Cazel
 Second Place Drake Batchelder

LOW GROSS TEAM

First Place Gene Rimes &
 Drake Batchelder

Second Place Richard Culver &
 Tom Cazel

LOW NET TEAM

First Place Tie:—
 Jack Kersten & George Williamson
 Fred Schmunk and Judge Hort Soper
 Al Peacock and Richard Tucker
 Barry Roderman & Glenn Roderman
 H. Taylor White & Rodger Bolling.

Longest Drive — Drake Batchelder

Legislation — Proposed House Resolution No. 2278

This is proposed federal legislation which, if passed, would allow, under certain conditions, the establishment of a separate board of bar examiners to certify minory applicants for admission to

the Bar. The Act may be cited as "The Legal Practice Equal Opportunity Act of 1975."

The Executive Committee has adopted a resolution opposing this legislation, and the matter will be discussed at the next general meeting.

Broward County Bar Association
733 N.E. Third Avenue
Fort Lauderdale, Florida 33304
764-8040

OFFICERS

George A. Patterson *President*
Ray Ferrero, Jr. *President-Elect*
Lawrence J. Meyer *Secretary*
Ronald P. Anselmo *Treasurer*
Norma Howard *Executive Secretary*

**SCHEDULE OF NON-COURTHOUSE HEARINGS—
CIRCUIT COURT**

Date	1 9 7 5	
	Pompano	Hollywood
Nov. 18	Judge Tedder	Judge Ferris
Nov. 25	Judge Hare	Judge Seay
Dec. 2	Judge Minnet	Judge Booher
Dec. 9	Judge Nance	Judge Farrington
Dec. 16	Judge Richardson	Judge Fischer
Dec. 23	Judge Gonzalez	Judge McCauley
Dec. 30	Judge Warren	Judge LaMotte


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PRESIDENT'S MESSAGE

The United States Supreme Court's unanimous decision in **Goldfarb vs. Virginia State Bar**, 43 U.S.L.W. 4723, June 16, 1975, holding it illegal for bar associations to establish minimum fee schedules for real estate transactions is apparently going to have far reaching effect on the matter of the delivery of legal services in general. In that case it was successfully contended that the fee schedules established by the Virginia State and Fairfax County bar associations constituted price fixing in violation of Section 1 of the Sherman Act. In reaching its decision the Supreme Court overturned the decision of the Court of Appeals for the Fourth District, which decision had held that the law is a "learned profession" and therefore not subject to interstate commerce under the Sherman Act. The Supreme Court found that interstate commerce had been affected and that lawyers engage in interstate commerce.

It is now clearly the position of many persons both within and without our profession that **Goldfarb** has ramifications far beyond the area of minimum fee schedules. Many contend, for example, that the decision will have substantial influence over the prohibition within our profession against advertising. In fact, it has been reliably reported that United States Justice Department representatives have indicated that they view advertising restrictions as "phase II" after **Goldfarb**. Probably because he feels pressures being exerted against him for the profession to relax its historical stand against lawyer advertising, the new president of the ABA, Lawrence E. Walsh of New York, has undertaken to begin a bar mobilization effort to develop all information on lawyer advertising. The antitrust laws seem to establish a presumption in favor of price and service advertising and, as a result, those who object to the present advertising prohibition contend that the prohibition restricts prices and price competition and therefore should be struck down. The outcome of this contest remains to be seen; but it seems here that one objective of President Walsh's effort will be to attempt to determine whether or not the public (as opposed to the advertiser) has been served by advertising or has advertising actually been counterproductive in certain areas which could be related to the delivery of competent legal services. President Walsh would like to have our opinions concerning advertising by lawyers and if you wish to respond, you may direct your suggestions to our bar office and we will forward them to him.

GEORGE A. PATTERSON
President

COMMITTEE ACTIVITIES

ECONOMICS COMMITTEE —
Carl Schuster, Chairman

The Tabulation of the results of a survey taken by the Economics Committee in August, 1974, is nearing completion and will be printed and distributed to BCBA members in the near future. Another survey will be made to update this report, and information on this will be mailed soon.

**LAWYER REFERRAL
SERVICE COMMITTEE —**
Robert T. Clelland, Jr.

The Lawyer Referral Service Committee has been directed to present guidelines for a low cost divorce plan to the Executive Committee. In reacting to an apparent need which is reflected in the large number of dissolution of marriage cases handled by Legal Aid Service of Broward County, Inc., it has been determined that the program for low cost divorces should be studied. It is hoped that the plan will help release the Legal Aid

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Service for needed legal services. Barry Klein, the Legal Aid Service Director has advised the Bar that his office is overburdened and that no new legal case will be accepted until January, 1976.

LEGAL AID COMMITTEE —
Judge Bobby Gunther, Chairman

The Legal Aid Committee has recommended that the financial guidelines for legal aid under the Bar Association's program be the same as those adopted for Legal Aid Service. The committee recommended that there be no change in the guidelines regarding type cases handled by the Bar's program.

MEDICAL-LEGAL COMMITTEE —
Maurice Fixel, Chairman

The 1967 publication entitled, *A Guide For Physicians and Lawyers for Handling the Problems Arising Out of Personal Injury Litigation*, is presently being revised by the joint Medical Legal Committee of the Broward County Bar Association and the Broward County Medical Association. It is requested that any one having any suggestions concerning this publication or additions or deletions thereto contact the Co-Chairman of the Committee, Mr. William deF. Thompson, 707 S.E. Third Avenue, Suite 400, Fort Lauderdale, Florida, (phone 525-1372) at the earliest possible time. Hopefully the publication will be ready for the printers by the spring of 1976.

The new fee schedule approved by the joint committee of BCBA & BCMA is:—

Fees for depositions of doctors at the doctor's office:

- a. \$125 for the first hour or portion thereof;
- b. \$100 for the subsequent period, pro rated per quarter hour, i.e., \$25 per 15 minutes.

Fee for court-appearances of doctors:

- a. \$150 for the first hour, portal to portal;
- b. \$150 for the subsequent period, pro rated per quarter hour, i.e., \$37.50 per 15 minutes.

Charges to be assessed against doctors:

The fee schedule requires the doctor to be available at the time of the scheduled deposition or shortly thereafter. If no effort is made by the doctor to notify the attorney that he will be late and he is late 15 minutes or more for a scheduled deposition in his office, each attorney representing a party at the deposition can charge the doctor pro rata at the same rate for the time he had to wait against the fee to be paid to the doctor for the doctor's deposition time.

PROGRAM COMMITTEE

The Program Committee has made tentative plans for programs through May, 1976. The programs will feature the president of The Florida Bar, Justice Joseph W. Hatchett and Judge David U. Strawn.

EXECUTIVE COMMITTEE MEETINGS

The Executive Committee met for a full afternoon of discussion and planning

in October. Leonard H. Gilbert, a past president of Hillsborough Bar Association and a member of the Board of Governors of The Florida Bar, was present at the meeting. Through this exchange of ideas it is hoped that several new programs will be developed.

A questionnaire regarding Bar Association activities is being mailed to all members. Your response to this will give your committees valuable information in planning future activities for the Association.

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RADIO — TALK PROGRAM

A radio talk program sponsored by the Broward County Bar Association will be broadcast over WAVS Radio Station on Saturday mornings from 10:05 a.m. to 10:40 a.m. beginning November 1, 1975 through and including April 17, 1976.

The format of the show will be interviews by co-moderators, S. Charles Adams and/or Gaylord Wood, of one or more attorneys on specific areas of the law. Listeners will be invited to participate in this show by calling in to an open telephone line in order to inquire of the attorneys present.

Areas to be covered are:

- Broward County Bar Association
- No-Fault Divorce
- No-Fault Insurance
- Bankruptcy
- Municipal Courts
- Landlord-Tenant
- Juvenile Court
- Workmans Compensation
- New Laws
- Debtor-Creditor

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Any attorneys who feel competent to field questions in the above areas of the law and, who would be willing to appear on the radio show scheduled to air on Saturday mornings at the above said time should contact the Broward County Bar Association, 764-8040. There is also a need for Moderators.

★ ★ ★ ★ ★

Nova Law School Needs YOU!

by Cheryl R. Eisen*

The Nova Law School faculty and stu-

dents are keenly aware of the support given the school by the Broward Legal Community in the past. To make sure you don't get out of the habit, we have devised two programs which can be successful only with the help of you Broward barristers.

NOVA'S LEGAL WRITING PROGRAM FOR THE SPRING SEMESTER

Next semester (February-April, 1976) our freshman class of approximately 180 students will be embarking on our Legal Writing course, the second course in the Legal Research program. Experience has taught us that the best way to impart legal writing skills to freshman law students is to give individual attention to each student's writing. Ideally, we should have one instructor for every ten students, or eighteen instructors. This is where you come in. If you have five hours per week to give a class of ten students to work with them on four written assignments devised by you (two office memoranda, two briefs) as well as one round of oral arguments, you're the lawyer we need. In return we will give you a special appointment as an adjunct faculty member, fond memories of eager students, and our sincere appreciation. If you are an attorney who is concerned about the communication skills of up-and-coming attorneys, this is your chance to do something about it. You need no teaching experience, just lawyering experience, to qualify.

NOVA'S LEGAL RESEARCH SERVICE BEGINNING MID-JANUARY, 1976

Here is an opportunity for us to do something for you while you are doing for our students. Our second year stu-

dents are setting up a research service to give you access to our research facilities while giving themselves the opportunity to "learn while they earn." The details are currently being worked out and you will see more about this program in the December issue of the *Bar-rister*. Watch for us!

INTERESTED

If you would like more information about either of these programs, please contact Cheryl Eisen at Nova Law School, 3301 College Avenue, Ft. Lauderdale, Florida 33314, or phone 587-6660, extension 283.

* Professor Eisen is an Assistant Professor of Law at Nova University. She comes from the University of Florida Law School where she was Co-ordinator of the Legal Writing Program. She currently teaches Contracts and Legal Research and Writing.



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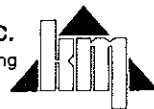
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