

# The BROWARD BARRISTER

PUBLISHED BY THE BROWARD COUNTY BAR ASSOCIATION

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

AUGUST, 1978

Volume 7

Number 8

## PRESIDENT'S MESSAGE

AUGUST!

THE DOG DAYS OF SUMMER!

THE LAZY, HAZY, DO NOTHING  
TIMES OF SUMMER.

But not so this August. For this August we are going to be bound up in the throes of primary elections, with important races to decide. The Governor's race, the Attorney General's race, the Secretary of State's race, the Insurance Commissioner's race. For the practicing lawyer, for the house counsel, for the members of the Bar who have gone to the Bench to serve, it is a very important time, particularly for the latter.

Why the latter? Because, it is election time for the Judiciary. It will be the last time for election time for the judiciary if the proposed constitutional revision is approved.

We, the practicing lawyers, are mandated by the code of professional responsibility to participate in these elections. We are obligated to make our choices known. We are required to make sure that only the most outstanding candidates are elected so that we can continue to maintain here in Broward County our high standards and quality of justice.

Let us not be fence sitters. We cannot and we must not stay on the sidelines. We must get off our duffs and get in there and participate and make ourselves be heard. We may not always agree and we probably will not agree. Even though the voices may not be unison, they must be heard. We owe it to the Bench, we owe it to the Bar, and we owe it to the people of Broward County.

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## Court Appointed Attorneys

Judge Barbara Bridge has occasion to appoint attorneys to handle cases related to Juvenile Delinquency and Dependency. Any attorney who is willing to serve as Court Appointed Special At-

## No General Meeting in August

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**The next meeting will be September 21, 1978**

**Pier 66, Venetian Room, Fort Lauderdale, Florida**

You have received the 1978 Judicial Poll by this date. Please complete and return it to the accountant. It is important that everyone participate in this poll.

torneys should write a letter to: —

Judge Barbara Bridge  
Broward County Courthouse  
Fort Lauderdale, Florida 33301

indicating a willingness to accept appointments.

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## Stetson University College of Law Third Annual Seminar on Bankruptcy Law & Practice

November 9-10, 1978

Host Airport Hotel  
Tampa, Florida

Stetson University College of Law will present its Third Annual Seminar on Bankruptcy Law and Practice at the Host Airport Hotel in Tampa, Florida, on November 9-10, 1978. The seminar will be chaired and moderated by Alexander L. Paskay, U. S. Bankruptcy Judge for the Middle District of Florida. Programs and applications will be mailed to members of The Florida Bar. Due to an expected large turnout and limited space, the registration will be limited and early registration is suggested.

## YOUNG LAWYERS SECTION MEETING

Thursday, August 24, 1978

— 12:00 Noon —

Valle's Steak House  
1605 West Oakland Park Blvd.  
Fort Lauderdale, Florida

Lunch: \$5.00 YLS Members  
\$6.00 Non-Members

Program:—

"Collection After Judgment"

Speaker: Theodore Sobo

Reservations:—

James B. Davis, P.O. Box 9027,  
Fort Lauderdale, Fla. 33310

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## "Eleventh Medical Institute for Attorneys"

March 15-17, 1979

Americana Hotel  
Bal Harbour, Florida

Topic Orthopedics

For further information contact: —

Eleventh Medical Institute of  
Attorneys

University of Miami Law Center  
Post Office Box 248087  
Coral Gables, Florida 33124

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

**OFFICERS**

Paul B. Anton ..... *President*  
 Maurice O. Rhinehardt ... *Pres.-Elect*  
 Harry G. Carratt ..... *Secretary*  
 Russell E. Carlisle ..... *Treasurer*  
 Norma Howard ... *Executive Director*

**Report of the Members of  
 The Board of Governors**

In accordance with the procedure established in the June issue of the **Broward Barrister**, the following will be the report of the three members of the Board of Governors from Broward County of the business conducted during the meeting of the Board of Governors of the Florida Bar at Homosassa Springs, Florida, July 6 through July 8, 1978.

(The entire morning on Thursday, July 6, 1978, was spent in executive session during which the Board of Governors considered disciplinary actions and client security fund matters and the administration of necessary private reprimands.)

(The president of the Florida Bar, Robert Floyd, announced the appointment of the members of the various standing committees and special committees and his appointments were approved by the Board of Governors.)

(Recommendations were made for appointment on the Board of Bar Examiners for the seats held presently by Alexander L. Hinson of Quincy and Earle M. Johnson of Jacksonville.)

Former Board of Governors member from Broward County, John Neely, was nominated and approved as The Florida Bar representative on the Board of Governors of the Florida Medical Malpractice Joint Underwriting Association. This will, however, be subject to acceptance by Mr. Neely.

President-elect David Shear gave his report which included the announcement that the meeting place for the 1980 Florida Bar convention was designated as the Boca Raton Hotel in Boca Raton, Florida.

After a thorough discussion, including the consideration of several counter-proposals, the report of the Designation Coordinating Committee was accepted and the following changes to the 23 approved areas of practice under the Florida designation plan were adopted:

**DELETIONS**

Estate Planning & Administration  
 Trial Practice  
 Personal Injury and Wrongful Death  
 Consumer Law

**ADDITIONS**

Wills, Estates and Estate Planning  
 Trial Practice — General  
 Trial Practice — Personal Injury and Wrongful Death  
 Collections

The Board then considered a resolution proposed by the Judicial Administration, Selection and Tenure Committee requesting the Judicial Qualifications Commission to adopt specific criteria for consideration in determining the removal of a judge or justice for "professional incompetence." It was decided to defer action on this resolution until the September meeting with a direction to President Bob Floyd to meet with the chairman of the Judicial Qualifications Commission to discuss this and to report back to the Board the results of such meeting.

(The Board then voted to authorize the filing of several lawsuits to enjoin several alleged instances of unauthorized practice of law. Most of these would be filed in an effort to obtain judicial determination of the boundaries of conduct permitted by those not members of the Bar without infringing into the field of the practice of law.)

(President Floyd announced a meeting of all section chairmen at the Tampa Airport Host Hotel on Friday, September 22, 1978.)

A general discussion was held concerning various proposals to reduce the costs of the annual Florida Bar Convention for registration fees, luncheon and banquet costs and other expenses incurred by those in attendance. Several helpful suggestions were passed on to the Convention Committee, although it was recognized that this is a continuing problem brought on by the rapidly spiraling inflationary trend. There was also a thorough general discussion of means which could be used to cut down the time expended in the general assembly sessions so that they could be adjourned in a timely fashion.

After a long discussion, most of which concerned the appropriateness of the subject to be considered by the Board of Governors, a resolution was adopted condemning the treatment of Anatoly Shcharansky and other Soviet Jews by the Soviet Union in denying them their right to emigrate as being an infringement upon their basic human rights.

A very comprehensive report was given by Bar counsel, Richard McFarlain and Bill Wiley, regarding the legislation emanating from the Florida Legislature during its last session. They stated that although some legislation to which the majority of the members of the Florida Bar were opposed did become law, they felt that they were able to obtain the best results possible in view of the present make-up of the legislature. They pointed out that prospects for future sessions were grim, and all members of the legal profession should take individual action to assure more favorable representation in both houses of the legislature.

(The establishment of The Florida Bar Group Legal Services Plan was considered and the Board gave general approval of the concept of the plan

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proposed. Several individual plans were considered and approved.)

A report was given by Woodie A. Liles, chairman of The Florida Bar Committee on Constitutional Revision, concerning the proposed constitutional changes to go on the ballot this year. It was decided to give consideration at the next meeting to a position of The Florida Bar on propositions 1 and 6 of the proposed constitutional changes which are the only proposed revisions with which The Florida Bar is directly concerned.

A discussion was had of a proposal of The Florida Bar Reapportionment Committee to petition the Supreme Court to provide for a new member of the Board of Governors as a representative of all non-resident members of The Florida Bar. It was decided to defer action on the proposal until the September meeting, and the undersigned will welcome any comments the members of the Bar in Broward County may have upon this issue.

(The last item was a general discussion of the new budget for the Florida Bar which went into effect upon the adoption of the dues increase at the last convention. Since approximately 94% of the dues increase will be devoted to improving the structure of disciplinary procedures and the client security fund, it was decided that the staff would be required to report to the Disciplinary Review Committee of the Board of Governors and that they would monitor the expenses incurred for these purposes.)

The next meeting of the board of Governors of The Florida Bar will be September 14th through 16, 1978, in Palm Beach, Florida. We would like to hear from you on any matters which will be then considered as mentioned herein.

O. Edgar Williams, Jr.  
William F. Leonard  
Hugh S. Glickstein

## ATTORNEYS ALERT

It has come to the attention of the undersigned member of the Executive Committee that in certain areas in Western Broward there may be problems in closing vacant land transactions by mail. Specifically, a situation has come to my attention where it appears that an individual posing himself to be an attorney and/or agent for a record titleholder or the owner himself, contacted a well-known real estate broker company and requested a listing agreement to be sent by mail to him for his clients. The listing agreement was sent by mail, allegedly signed by the owner, and pursuant to the listing agreement the property was sold. The transaction closed by mail and the checks were disbursed by mail. The checks in this instance were made to the record titleholders and presented for payment and deposited to a local bank. It was subsequently learned that in fact the record titleholders had no knowledge of the transaction and that the person who claimed to be the attorney and/or agent for the record titleholder or the owner, was an imposter and apparently negotiated the checks to his own account. It is suggested that when handling vacant land transactions by mail, that adequate precautions be taken to insure yourselves that you are dealing with the actual owners.

William S. Spencer

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## ATTORNEYS ALERT OUT OF TOWN CHECKS

It has been brought to the attention of the Broward County Bar Association that certain Savings and Loan Associations in this community are issuing checks drawn on out of town checking accounts. For example, First Federal Savings & Loan Association of Broward County writes its checks on its account with Wachovia Bank & Trust Company

N.A. in Winston-Salem, North Carolina. It is estimated that it would take such a check at least 10 days to clear.

Of particular concern to attorneys is the problem of accepting these out of town checks and then being expected to immediately disperse trust accounts checks on these same funds. If trust account checks are issued on such uncleared funds, it could result in the disbursement of other clients funds and therefore a violation of The Florida Bar Trust Account rules.

It is suggested that clients be notified that such checks are not acceptable in situations where immediate disbursement is required.

John Hume  
Executive Committee Member

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## WELCOME, NEW MEMBERS

JEROME A. BAUMAN, a native of New York City, received his undergraduate degree from Queens College and his law degree from Harvard Law School. He is associated with Gulfstream Land & Development Corp.

ANTHONY NEIL BRIMO, JR., a native of New Jersey, received his undergraduate degree from Bucknell University and his law degree from the University of Miami. He is associated with the law firm of Henry, Hess & Hoines, Fort Lauderdale.

ALFRED F. CIFFO, a native of Long Island, New York, received his undergraduate degree from University of Miami and his law degree from Sanford Univ.; Cumberland School of Law. He is associated with the firm of Kravitz, Dudley, Duckworth and Ciffo, Hollywood.

LIBO B. FINE, a native of Pittsburgh, Pa., received his undergraduate degree from the University of Pennsylvania and his law degree from the University of Pittsburgh. He practices alone in Fort Lauderdale.

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JOEL T. LAZARUS, a native of Massachusetts, received his undergraduate degree from Columbia University and his law degree from Nova University. He is associated with the State Attorney's Office in Miami.

GEORGE I. PLATT III, a native of New Haven, Conn., received his undergraduate degree from the University of Notre Dame and his law degree from Northeastern University. He is associated with the law firm of Mavrides, Latimer, Shamres, Koningsburg & Platt, Fort Lauderdale.

WILLIAM J. RIDINGS, JR., a native of Brooklyn, N.Y., received his undergraduate degree from St. John's University and his law degree from the University of Miami. He is associated with the law firm of Frederic D. Kaufman, Hollywood.

DAVID R. ROMANIK, a native of Miami Beach, Florida, received his undergraduate degree from the University of Pennsylvania and his law degree from the University of Florida. He is associated with the law firm of Landefeld & Romanik, Hollywood.

LOUIS N. SCHOLNIK, a native of Plainfield, New Jersey, received his undergraduate degree from Rutgers University and his law degree from the University of Miami. He is associated with the law firm of Graham, Hodge, Swan & Larson, Fort Lauderdale.

CHARLES LEE SIMON, a native of Miami Beach, Florida, received his undergraduate degree from the University of Florida and his law degree from Nova University. He is associated with the law firm of Graham, Hodge, Swan & Larson, Fort Lauderdale.

LAWRENCE J. SMITH, a native of New York, received his undergraduate degree from New York University and his law degree from Brooklyn Law School. He practices alone in Hollywood.

## NOTICE OF BAR GROUPS MEETINGS

Date	Organization	Location	Time
Aug. 23, 1978	Broward County Legal Secretaries Association	Oakland West Dinner Theater	6:30 P.M.

sity and his law degree from Brooklyn Law School. He practices alone in Hollywood.

MICHAEL BRUCE SOLMON, a native of Chicago, Illinois, received his undergraduate degree and his law degree from the University of Miami. He is associated with the law firm of Klein, Oshinsky & Solomon, Hallandale.

WILLIAM EINO TAYLOR, a native of Boston, Mass., received his undergraduate degree from Babson College and his law degree from Nova University. He practices alone in Fort Lauderdale.

JAMES LOUIS WALKDEN, a native of Llandudo, Wales, received his undergraduate degree and his law degree from the University of Toledo. He practices alone in Fort Lauderdale.

### YACHT & SMALL BOAT SEMINAR

Thursday, August 24, 1978

9 A.M. - 5 P.M.

Marina Bay Motel  
1-95 & SR 84  
Fort Lauderdale, Florida

→ Limited Registration ←

Registration Fee — \$25

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Director, Continuing Education  
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