

The **BROWARD** **BARRISTER**

PUBLISHED BY THE BROWARD COUNTY BAR ASSOCIATION

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

AUGUST 1981

Volume 10

Number 8

NEXT GENERAL MEETING THURSDAY, SEPTEMBER 17, 1981

Pier 66, Suite 66 — 2301 S.E. 17th Street Causeway, Fort Lauderdale, Florida

Speaker: Dean Frank T. Read
University of Florida Law School

General Meetings have been scheduled for:

October 15, 1981 — November 19, 1981 — December 10, 1981

Programs and locations have not been determined.

PRESIDENT'S MESSAGE

The Pilot Program in the Civil Division of the Circuit Court will start on August 31, 1982. Judges Moriarty, Lee, Fischer and Tedder have agreed to serve as the Judges for the Program. The Administrative Order implementing the Program, approved by these Judges and Chief Judge Weissing, is reproduced in this issue of the *Barrister*. Other Judges in the Civil Division, including Judge Bridge and Judge King have indicated they will follow this Order.

The Pilot Program grows out of the work of the Special Committee on Civil Jury Trial Delay. The Civil Litigation Coordinating Council chaired by Jim Walden will coordinate and deal with the problems of the Pilot Program.

I urge all members of the Broward County Bar Association, and indeed all Florida lawyers practicing in Broward County, to join and cooperate in the implementation of the Program. All of us must do all we can to reduce our unbearably logged civil calendar. This is the first step.

The form Interrogatories developed by the Special Committee are now under review by the Civil Division Courts Committee chaired by Arch Thomas. This Committee will also review the form Interrogatories proposed by the Civil Rules Committee of The Florida Bar.

Now that the County Commission had leased the Burdines Building in downtown Fort Lauderdale for an Administrative Courthouse, I have asked the Court Facilities Committee chaired by

Bob Curtis to work with the responsible government officials to expedite the move of County Administrative Offices to the Burdines location and the allocation of facilities in the Courthouse to court functions.

If you have any suggestions with regard to these matters, please contact the respective chairmen or myself.

With your cooperation and support, we can improve the situation facing us in our courts for the benefit of the Bench, the Bar and the public.

RUSSELL E. CARLISLE
PRESIDENT

★ ★ ★ ★ ★

Federal Court Requests Attorneys To Represent Indigent Criminal Defendants

Chief Judge C. Clyde Atkins of the United States District Court for the Southern District of Florida, has requested the assistance of the Broward County Bar Association in augmenting the panel of lawyers willing to accept appointments to represent indigent criminal defendants. These appointments are made by U.S. Magistrates. Attorneys willing to accept these appointments will not receive more than two appointments per year.

Attorneys accepting such appointments are entitled to compensation under the Criminal Justice Act at the rate of \$30.00 per hour for court time and \$20.00 per hour for office time.

Judge Atkins urges attorneys engaged in Civil Practice, as well as those in

Criminal Practice, to accept these appointments as a part of the attorneys' ethical obligation to provide legal services to the poor.

If you are willing to accept appointments under the Criminal Justice Act, please call or write the Broward County Bar Association. Your name will be forwarded to Judge Atkins for inclusion on the panel.

★ ★ ★ ★ ★

ROBING CEREMONIES

Robing Ceremonies for Judge Bobby Gunther, Circuit Court, Judge Brian Kay and Judge Steven Shutter, County Court, and the three judges to be appointed to fill the judgeships created by the legislature are planned for September 10, 1981 at 4:00 p.m. at —

Bailey Concert Hall
Broward Community College
3501 Southwest Davie Road
Fort Lauderdale, Florida 33314

★ ★ ★ ★ ★

ABA Commission Publishes Final Draft Of Proposed Lawyer Ethics Rules

A final draft proposal of new rules of ethical conduct for lawyers was distributed in June by the American Bar Association. The draft represents four years of work by the ABA Commission on Evaluation of Professional Standards, chaired by Robert J. Kutak of Omaha, Nebraska.

The Special Committee on Hearings of the House of Delegates will hold a

Broward County Bar Association
733 N.E. Third Avenue
Fort Lauderdale, Florida 33304
7 6 4 - 8 0 4 0

OFFICERS

Russell E. Carlisle *President*
Hugh T. Maloney *Pres.-Elect*
Angeline G. Weir *Sec.-Treas.*
Norma Howard .. *Executive Director*

hearing August 8 during the ABA 1981 Annual Meeting in New Orleans. The final drafts will be presented to the full House of Delegates for action in January, 1982, in Chicago. If adopted by the House of Delegates the commission's report would become a model for state lawyer ethics and discipline agencies all over the country.

The draft contains 50 proposed rules, each accompanied by comment, comparisons with relevant provisions of the Code of Professional Responsibility and explanations of the legal basis for the rule.

Among changes in the rules governing lawyer conduct, the commission proposes the following:

- A competence standard based on reasonable legal knowledge, skill, thoroughness, preparation and efficiency.

- A requirement that lawyers defer to decisions of clients on the goals of legal representation, within legal limits, and on such issues as whether to accept a settlement, what plea to enter, whether to waive jury trial and whether the client will testify.

- A mandate for reasonably prompt and diligent representation.

- A requirement that the lawyer periodically report to the client on the status of representation and explain legal and practical alternative courses of action and consequences of them.

- A requirement that fees be reasonable and their basis or rate put into writing in many cases, and a provision permitting fee-splitting with client consent and share responsibility for the legal problem by all participating lawyers.

- A general prohibition against revealing confidential client information, qualified by discretion either to reveal it or maintain secrecy to: serve the client's interest; prevent the client from criminal or fraudulent conduct that may cause death, substantial bodily harm or substantial financial injury; rectify consequences of crimes committed by clients using the services of an innocent lawyer; or defend the lawyer in controversies with the client or against charges against the lawyer that are based on the client's misconduct.

- A listing of transactions expressly prohibited as conflicts of interest, including preparation of documents transferring gifts from the client to the lawyer or members of the lawyers' family, unless the client and the recipient are related. Lawyers would be allowed to pay court costs and medical and living expenses of clients on a contingency basis. The list also bars lawyers who are related as parents, siblings, children or spouses from representing parties with opposing interests unless the clients consent.

- A prohibition against lawyers representing parties with interests adverse to those of former clients in the same or substantially related matters.

- A statement that a law firm is disqualified from representing a client if any member or former member of the firm would be disqualified because of a conflict of interest.

- Explicit standards governing conflict of interest problems for lawyers moving from private practice to government employment or from government to private practice; for lawyers who have been judges, adjudicative officers or ar-

bitrators, and for their firms.

- A sequence of steps to be taken by lawyers representing such organizations as corporations or labor unions where an employee is, or organization officers are, engaged in illegal conduct. The steps include seeking reconsideration of the conduct, encouraging the organization to get a second legal opinion, referring the matter to a higher internal authority, and revealing the information to outsiders only if the lawyer believes the highest internal authority is acting to further its own personal or financial interests.

- Standards governing the lawyer's conduct in conducting an evaluation of matters affecting a client when the evaluation is for use by persons other than the client.

- A higher test for whether a lawyer is frivolously bringing or defending lawsuits, requiring a "reasonable basis" for doing so rather than simply saying they cannot do so "merely to harass or maliciously injure another." But in criminal cases defense lawyers can require prosecutors to prove every element of a case.

- A requirement that lawyer make

(Continued on Page 5)

**For professionalism
In legal advertising**

broward review 463-1432
and Business Record
official legal newspaper for
the Seventeenth Judicial Circuit

377-3721 **miami review**
and Daily Record
official legal newspaper for
the Eleventh Judicial Circuit

Palm Beach Review 832-0386
and Business Record
leading legal newspaper for
the Fifteenth Judicial Circuit

ROSS, LOMBARD & BALLARD INSURANCE, INC	101 N.E. THIRD STREET P.O. BOX 14156 FORT LAUDERDALE, FLORIDA 33302 TELEPHONE 763-7800
--	---

The **ONLY DAILY** Legal and Business **NEWSPAPER**
In Palm Beach County

The **COMMERCIAL RECORD**

- Serving the Legal and Business Community for Over 26 Years •
- Let Us Publish Your Legal Advertising Same Day Publication

416 Clematis — P.O. Box 3725
655-1080 - West Palm Beach - 33402

Lawyers Professional Liability Coverage Underwritten By

AMERICAN HOME ASSURANCE COMPANY

Some of Our Special Features:

- A Claims-Made and Reported Form.
- Limits of Liability Not Reduced by Defense Costs.
- Full SEC Coverage.
- Personal Injury.
- Innocent Partner Coverage.
- Deductible Applying Only Once to all Claims During the Policy Year.
- Full Prior Acts Coverage.
- Automatic Coverage for New Partners and Employees.
- Extended Reporting Period Option.

MYNATT & ASSOCIATES, INC.
P.O. Box 7655 Tampa, Florida 33673
(813) 238-8621

YOUNG LAWYERS SECTION NEWS

PRESIDENT'S COLUMN

On July 16, 1981, Harry Chapin died. This at first may appear to be unrelated to anything involving the Broward County Young Lawyers Section. However, I think the loss which I feel by Harry's death is much more significant.

Anyone who ever had the opportunity to see Harry in concert, knows that he was more than a premier story teller. His music, by his own description, told stories of ordinary people in cosmic situations. The delivery and style was pure Chapin. The added dimension was an involvement and commitment to social change.

A few years ago, Representative Loewenstein was called the "conscience of congress". Over the past several years, Harry Chapin had become the voice and soul of America's conscience. He initiated a world hunger project whose goal was to end world wide starvation. Subsequently, he convinced President Carter to impanel a committee to study this issue and Harry was promptly appointed its chairman.

Ironically, the final report culminating Chapin's work was only recently completed and published. As a consequence of his involvement and commitment, a foundation is in the process of being formed to continue the work on this project in Harry's memory.

This year the Broward County Young Lawyers Section is, again, sponsoring the Young Lawyers United Way run for the benefit of the United Way and its beneficiary organization. This is only one of several community wide projects which the YLS is undertaking this year. I would like to see the local Section take a more active part in similar projects, in that I feel a personal commitment that, as lawyers, we each owe a responsibility to the public to work toward making our environment a better place to live.

The commitment which Harry Chapin fulfilled during his brief lifetime, expressed a dedication to help those who are less fortunate by those who had the talent, means and opportunity. Last year alone, Chapin performed over 200 benefit concerts. Simple mathematics reveals the tremendous time and energy contribution.

I didn't intend to write this article to initiate any particular movement or organization. Nevertheless, I would be interested in learning of your reaction.

Jesse S. Faerber
President

★ ★ ★ ★ ★

FLAG FOOTBALL LEAGUE

The Young Lawyers Section of the Broward County Bar Association is once again sponsoring a Flag Football League which will begin this fall. The first

game will be Saturday, September 21 and the Season will continue through till Saturday, November 21. Games will be played at Holiday Park located on East Sunrise Boulevard, on Field #2 which is located just east of King Motor Center.

The teams will consist of 15 man rosters with 7 players from each team on the field at any one time. Teams may be organized and a roster submitted by a team captain, or in the alternative, individuals may contact one of the individuals mentioned below, to be placed on a roster. It will be necessary for rosters to be completed by August 31 in order to have enough time to finalize the schedule.

The entry fee this year will be \$100 per team. It will be the responsibility of the team captain to collect and submit the entry fee for his team by September 10, 1981. In the past there have been problems with collecting this fee from each individual player, therefore a set fee has been designated for each team and the money must be submitted before the Season begins. Due to cost overruns in previous years, this provision will be strictly enforced. **NO PAY—NO PLAY!**

The league has been operating for a number of years now and each successive year results in a better turnout and "higher quality performance". It gives players an excellent opportunity to meet one another on a different "field of battle" and is a good time for all, ex-

AUGUST YOUNG LAWYERS SECTION LUNCHEON

The August Meeting of the Young Lawyers Section of Broward County Bar Association will be held Thursday, August 27, 1981, at 12:00 noon at:

Patricia Murphy's Candlelight
Restaurant
Bahia Mar (Ft. Lauderdale Beach)
Fort Lauderdale, Florida

The restaurant is located in back of the Bahia Mar Hotel. Parking tickets will be validated by the restaurant.

The guest speaker will be Ted Hainline who will speak on the topic "View From the Other Side of Defense".

Please phone in your reservations to Charlotte, Secretary to Steve Lauer, at 565-0501 prior to August 25, 1981.

No. Reservations — \$6.00 Members, \$7.00 Non-Members

Name

Please make check or reservation(s) payable to YOUNG LAWYERS SECTION. You may mail your check to E. Steven Lauer, Post Office Box 9027, Fort Lauderdale, Florida 33310 or bring it to the luncheon. **RESERVATIONS ARE A MUST!!**

cept the referees, and they get paid to be there.

Please send your rosters of names or direct any questions to either Philip G. Morgan, P.O. Box 11022, 2881 E. Oakland Park Boulevard, Fort Lauderdale, Florida 33339 (566-0600) or Romney C. Rogers, 700 Cumberland Building, 800 East Broward Boulevard, Fort Lauderdale, Florida 33301 (462-1431).

★ ★ ★ ★ ★

YOUNG LAWYERS SECTION BOARD OF GOVERNORS REPORT

The Young Lawyers Section Board of Governors met at the Florida Bar Convention on June 25, 1981. Michael J. McNerney of Fort Lauderdale, was sworn in as the new President of the Young Lawyers Section of the Florida Bar. As many will recall, Mike is the Past President of the Broward County Bar Young Lawyers Section and a member of the Board of Governors from this Circuit. Bill Davell, Jim Davis, and Jesse Faerber were sworn in as the Young Lawyers Section Board members from this Circuit.

The 1981/82 Section year is in full swing with the continuation and expansion of current, successful, ongoing projects, and an emphasis on encouraging more local support and participation of local bar associations throughout the State. The Young Lawyers Sections' C.L.E. Committee not only has presented its biannual bridge-the-gap seminars, but has expanded its presentations to basic, day-long seminars in commercial litigation, real property, and personal injury practice. Clerks for Circuit Court Judges are now being provided by a scholarship program organized and carried-out by this Section, and a new Lawyer Handbook is on the horizon for use as an aid in integration of new attorneys into the profession of law. The Section is moving forward with programs in the legal services area and has expanded its communication through a revised and expanded newsletter, and a local section liaison committee which has organized a communication network to coordinate the effort of the Young Lawyers Sections throughout the State and is aiding in organizing new Young Lawyers Sections.

The Sherilles entertained members of the entire Bar at the Young Lawyers Section Scholarship Dance held at Innesbrook, subsequent to a western-style barbecue and Blue Grass band. Plans for the Young Lawyers Annual Convention are already on the move. The Conven-

tion will be held beginning April 16 at Grenelefe Tennis and Golf Complex in Haines City, Florida — mark your calendars now. Meetings of the Board of Governors of the Young Lawyers Section are open to all attorneys, and you are encouraged to attend and participate, both locally and at the State level. If you are interested in becoming a member of any committee, please contact Mike, Bill, Jim, or Jesse.

WILLIAM C. DAVELL
JAMES DAVIS
JESSE FAERBER

★ ★ ★ ★ ★

WEIHE FORCED INTO RETIREMENT

By Bruce Weihe

Claude Pepper goes on forever. Earl Morrall played for years after they said he'd had it. And Ronald Reagan — by golly, there's a guy who didn't let age get in his way.

But for me, last month I was officially notified that I could never be a young lawyer again.

Seven years ago, at a luncheon meeting at the Governors' Club, Wilt Strickland was kind enough to nominate me for a position on the local Young Lawyers' executive committee. As I recall, I was one of only five nominees for six elective spots, and I barely won.

This bold preoccupation with the elective mandate came to a crushing halt in June, 1981, when my last term as a member of the State YLS Board of Governors expired. The finale to my YLS bar career was as pulsating as my initial election . . . at a banquet honoring the retiring YLS board members, the person who was supposed to roast me forgot to show up.

In between, both the State and Broward County Young Lawyers' Sections have made great strides in their efforts to better serve the interests of young lawyers, the goals of the general bar, and the needs of the public. During seven years on the Broward YLS executive committee and four years on the State Board, efforts to increase the educational opportunities available to young lawyers were my primary concern, and I feel that those efforts have proven fruitful.

President Faerber did not, however, want me to wax philosophic in my parting shot at the young lawyers, but instead he wanted me to pass on some advice and reflections as a soon-to-be-not-young lawyer. Three or four genuine nuggets will have to suffice, generally

intended to address common misconceptions involving bar activism.

1. *Fable No. 1: You will get lots of referrals.*

In seven years, I was referred one case as a result of my state contacts, which involved the wrong end of a patent infringement suit involving a hair restorative elixir. Basically, in order to build up a practice, do not rely heavily on referrals from other lawyers — if you want to solicit referrals, join Kiwanis.

2. *Fable No. 2: You will get lots of recognition.*

As evidenced by the above, the State board forgot to even give me a roast. The local board didn't mention my seven-year stint at any of the last several meetings preceding my retirement, despite my numerous requests for such an accolade (or put it another way — I had to write my own story about my retirement). Finally, in an informal poll which I conducted, the percentage of lawyers who could spell my name correctly had not appreciably increased, and the number of judges who could correctly pronounce my name actually decreased (to zero) with the retirement of Judge Warren.

3. *Fable No. 3: You will develop lifelong friendships.*

This fable is actually not a fable, for many active bar members develop lifelong friendships, and those bar members spend a lifetime discussing dues increases and upcoming menus at Williamson's. My concern dealt primarily with the fact that I wouldn't want to cultivate those friendships.

4. *Fable No. 4: You will be influenced by persons of impeccable character.*

This belief was quickly challenged when I realized that John Hume was President of the local YLS Section when I arrived in Broward County. My God! I thought that John Hume was never young, and indeed I thought he had been born at age thirty-six. From then on, I learned to be suspicious of all bar leaders.

All in all, my activity with the Young Lawyers' Section has been enjoyable and, I must admit, beneficial. What gripes me, however, leaving me with a sense of bitterness that may linger for many, many years, is the fact that, without giving me any voice or option in the matter, someone decided that when I turn thirty-six years of age next January, I will never, ever, officially or otherwise, be able to call myself a "young" lawyer again.

reasonable efforts to expedite litigation.

- A new requirement that lawyers be reasonable in pretrial discovery matters.

- A standard for statements outside of court by lawyers in pending criminal matters, stating they may not have a "substantial likelihood of materially prejudicing" the proceeding, and using illustrations of statements that could do so, rather than flatly prohibiting specific types of statements.

- A new duty on criminal prosecutors to make reasonable efforts to assure that defendants are advised of the right to counsel and given reasonable opportunity to obtain counsel.

- A new duty on lawyers who represent clients in dealings with unrepresented persons to make a reasonable effort to explain that the lawyer is not neutral.

- An affirmative duty on partners in law firms to make reasonable efforts to ensure that all other lawyers in the firm conform to ethics rules.

- Permission for lawyers to work for organizations headed by non-lawyers, as long as written terms provide for no interference with the lawyer's independent judgment or the client-lawyer relationship, and protect client confidentiality.

- A statement that lawyers should perform public interest legal service, including free or reduced-fee representation.

- A prohibition against false or misleading advertising or other communications about a lawyer or legal services. The standard includes as false or misleading a communication that is likely to create an unjustified expectation about results a lawyer can achieve, and comparisons with other lawyers unless they can be factually substantiated. The rules would permit mailings, either generally or specifically aimed at a prospective client within limits, but would not permit either telephone or in-person solicitation, except in narrowly defined circumstances.

- A statement that if a lawyer is licensed to practice in a jurisdiction that has adopted the rules the lawyer can be disciplined for violations committed while practicing elsewhere.

The American Bar Association will make fifty copies of the draft available to Broward County Bar Association. If any individual member wishes a copy, please write or call the bar association office. Copies will be distributed on the basis of when the request is received.

All comments should be sent to your Florida Delegate
 Talbot D'Alemberte
 14th Floor
 Southeast First National Bank Bldg.
 Miami, Florida 33131.

Supreme Court Rules On Trust Account Petition

In an opinion handed down June 16, 1981, the Florida Supreme Court ruled favorably on the Petition of The Florida Bar and The Florida Bar Foundation for modification of the Interest on Trust Accounts Provisions of the Integration Rule.

In a 5-2 opinion authored by retiring Justice Arthur England, the Court continued the voluntary nature of the original program. Lawyers and law firms maintaining Trust Accounts will have the right to elect to participate in the program or not participate in the program. In either case, lawyers and clients may make arrangements for client funds to be invested for the benefit of the client.

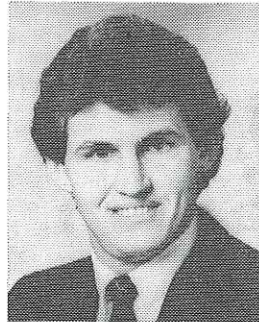
Participating lawyers or firms will deposit client funds, which are nominal in amount or to be held for a short period of time in an interest bearing demand account, with interest to be paid to The Florida Bar Foundation.

Non-participating lawyers or firms will deposit client funds, which are nominal in amount or to be held for a short period of time in a non-interest bearing demand account, just as they do at the present time.

The determination of what is nominal in amount or to be held for a short period of time is within the discretion of the attorney or firm. The Court decision exonerates the attorney or firm from complaints of ethical impropriety in exercising this discretion. Requirement of formal notice to the client is eliminated.

The effective date of the new rule is September 1, 1981. Time for rehearing expired on July 27, 1981.

E. Albert Pallot, President of The Florida Bar Foundation stated that issuance of the necessary Internal Revenue ruling is being sought pursuant to the decision of the Court. Upon issuance of the Revenue Ruling, the implementation of the Program on a voluntary basis will proceed pursuant to the decision of the Supreme Court.



MATTHEW D. WEISSING
 BROKER - SALESMAN

- RESIDENTIAL • COMMERCIAL - INVESTMENT
- APPRAISAL AND FEASIBILITY STUDIES
- PROPERTY MANAGEMENT
- RECEIVER SERVICES

VORDERMEIER COMPANY, REALTORS

2200 E. OAKLAND PARK BLVD.
 FT. LAUDERDALE, FL 33339
 564-6301

Growing with South Florida since 1945.

*"We're all you need to know
 in Real Estate."*



HAROLD MARCUS
 your local representative for
MATTHEW BENDER & CO.
 11800 N.W. 14th Street
 Pembroke Lakes, Fla. 33026
432 - 2200



Merrill Lynch

Merrill Lynch
 Pierce Fenner & Smith Inc.

C. Todd Weissing
 Account Executive

14 N.E. 22nd Avenue
 Pompano Beach, FL 33062
 305 941-1400

PROCEDURES FOR CIVIL MATTERS UNDER PILOT PROGRAM

In accordance with the request and recommendation of the Civil Litigation Coordinating Council, the undersigned Judges will institute the following procedures, for practice in their respective civil divisions, beginning August 31, 1981.

Uniform Motion Calendar and Ex Parte Hearings

A uniform motion calendar is established for each division, from 8:45 a.m. until 9:30 a.m., four (4) days per week, Monday through Thursday, unless holidays, illness, or similar circumstances prevent. The following provisions apply:

1. Cases are limited to ten (10) minutes; if two parties, each side is allowed five (5) minutes; if more than two parties, time is allocated by Judge.

2. Counsel shall not make appointments with Judge's secretary but shall notice opposing counsel in accordance with the applicable rules of procedure. A copy of the notice of hearing and a copy of any motion to be heard shall be in the hands of the Judge's secretary at least four (4) days in advance of the hearing.

3. Uncontested Proceedings for Adoption, uncontested proceedings for Dissolution of Marriage final hearings, and "ex parte" matters will be heard. DOMESTIC CONTEMPT AND TEMPORARY RELIEF MATTERS WILL NOT BE HEARD.

4. Any party requesting affirmative relief shall furnish the Court with prepared form of order, with sufficient service copies and addressed, stamped envelopes.

5. Motions to Compel Discovery and Motions for Protective Orders shall not be heard unless counsel for the moving party certifies in the Motion that counsel has conferred with the opposing party in a good faith effort to resolve by agreement the issues raised and has been unable to do so.

6. At the hearing, the Court will entertain or consider any request for a further hearing if the matter appears too complex to handle on the Uniform Motion Calendar.

Setting Cases for Trial

All contested cases for trial shall be set in accordance with the Florida Rules of Civil Procedure.

When conflicts occur in Jury Trials so that counsel is expected to be present in more than one division at the

same time, the case with the earliest filing date would take precedence. Counsel shall advise all judges of the divisions concerned and the opposing counsel, well in advance of the trial date.

Companion Cases

When two or more cases concerning the same subject matter have been filed in this Court but which have been assigned to different judges, the judge to whom the lower numbered case has been assigned, upon determining that such case or cases pertain to the same subject matter, shall have such companion cases reassigned to the judge who has been assigned the one bearing the lowest docket number, and thereafter the issues shall be heard, tried, and determined by the judge having said lowest docket number. When companion cases are assigned to different judges, it shall be the duty of counsel in any such case to notify forthwith the judge having said lowest docket number of any companion cases or cases pertaining to the same subject matter, for any re-assignment action.

Petitions for Rehearings

No Petition for Rehearing, Motion for Reconsideration, or like pleading, shall be set for oral argument before the Court except upon Special Order and all such requests shall be accompanied by Memorandums of Law. Upon consideration of such matter, the Judge shall either deny the petition or motion, or set the same for oral argument. This order shall not apply to Motions for New Trial in jury verdict cases.

Emergency Matters & inability of Judge to Act

(a) Emergency applications for extraordinary relief, such as ne exeat, injunction, receivership, etc., or for the dissolution or modification of any injunction, receivership, or other order granting extraordinary relief, shall be made to the judge before whom the cause is pending.

(b) The Chief Judge shall designate by order the alternatives for the respective judges. If by absence, a judge shall be unable to perform any duty pertaining to his office, it shall be the duty of his alternate to hear all uncontested and emergency matters of such judge. If the judge to whom the case has been assigned is in the courthouse, litigants may not apply to his alternate for hearing.

(c) When both the assigned judge and his alternate are away from the courthouse, litigants must then present emergency matters to the "duty" or "ex

parte" judge for that week. In the absence of the judge assigned, his alternate and the "duty" judge, litigants may then apply to any Circuit Court judge.

Orders for Signature

In addition to the requirements of Rule 1.080(h)(1), Florida Rules of Civil Procedure, a party preparing an Order or Judgment shall also furnish the Court with sufficient copies and stamped, addressed envelopes to be given to all parties entitled to receive them, after entry of the Order of the Court. Copies will be conformed and mailed by the Court after signing. Therefore, counsel are advised not to make telephone requests to the Court for information regarding the signing of Orders.

All Orders and Final Judgments submitted to the Court shall be on blank stationery. *The attorney's name shall not appear on such papers.*

All attorneys appearing in uncontested final hearings shall have with them a proposed Final Judgment for signature of the Judge at the conclusion of said hearing.

Judges: W. HERBERT MORIARTY
J. CAIL LEE
GEORGE J. TEDDER, JR.
GENE FISCHER
Approved: LOUIS WEISSING,
Chief Judge, Designate

Note: Judge J. Cail Lee will be unavailable for hearings until Thursday, September 3, 1981, at 8:45 a.m. because of vacation schedule.

Note: Judge W. Herbert Moriarty will be on vacation until September 9, 1981.

Other Judges who will participate in the Program are:

Judge Barbara Bridge
Judge John J. King

Judge Bridge will be on vacation September 21 — October 13 and her alternate will not be bound by the procedure.

★ ★ ★ ★ ★

Correction in PRESIDENT'S MESSAGE:

Pilot Program Starts August 31, 1981.

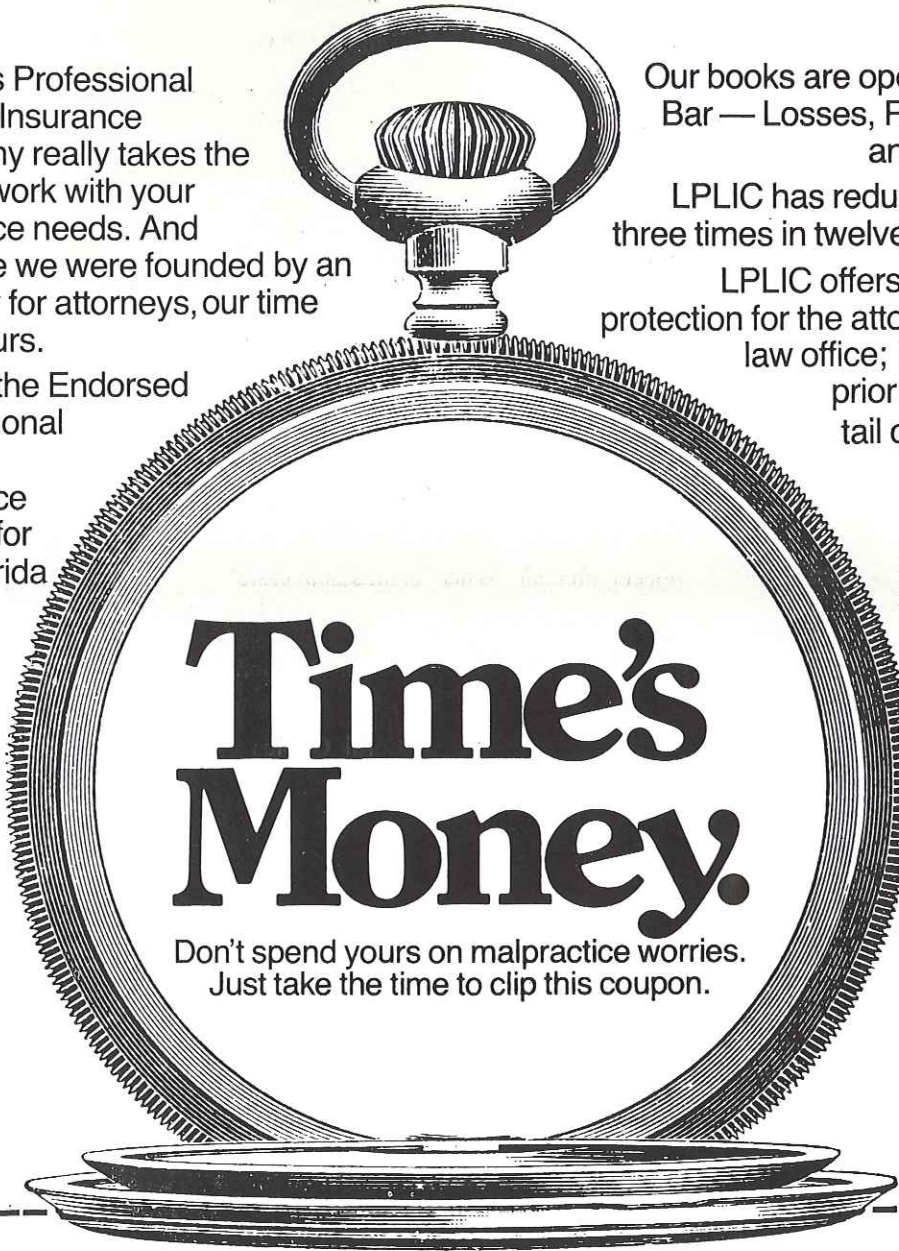
Lawyers Professional Liability Insurance Company really takes the time to work with your insurance needs. And because we were founded by an attorney for attorneys, our time is all yours.

We are the Endorsed Professional Liability Insurance Carrier for The Florida Bar.

Our books are open to The Bar — Losses, Reserves, and Profits.

LPLIC has reduced rates three times in twelve months.

LPLIC offers you total protection for the attorney and law office; including, prior acts and tail coverage.



Time's Money.

Don't spend yours on malpractice worries. Just take the time to clip this coupon.



Clip this coupon and mail to: P.O. Box 10400, St. Petersburg, 33733

 **Lawyers Professional Liability Insurance Company**
The Endorsed Carrier for The Florida Bar.

Firm Name: _____ Person to Contact: _____

Address: _____ Zip: _____

Number of attorneys in firm _____ Our Policy Renews _____ Date _____

Area Code _____ Number _____

I am interested in the following limits:

___ 100,000/300,000 ___ 300,000/600,000 ___ 1,000,000 ___ 2,000,000 ___ 3,000,000
___ 4,000,000 ___ 5,000,000 If you need limits in excess of 5,000,000 write in amount desired. _____

I am interested in the following deductibles:

___ \$500 ___ \$1,000 ___ \$2,500 ___ \$5,000 ___ \$10,000 ___ \$25,000 ___ \$50,000 ___ \$100,000

I am interested in SEC COVERAGE

Call Toll free 1-800-282-8949 or collect 813/894-7111

CALENDAR OF EVENTS

Date	Group	Event	Time & Place	Reservations
8/26/81	Broward County Legal Secretaries Association	Monthly Meeting	Oakland Park West Dinner Theatre, 4850 W. Oakland Park Blvd., Fort Lauderdale 6:30 P.M.	Therese Rogowski 523-0527 before 8/11/81
8/27/81	Young Lawyers Section	Monthly Luncheon Meeting	Patricia Murphy's Candlelight Restaurant Bahia Mar (Ft. Lauderdale Beach), Ft. Lauderdale 12:00 Noon	E. Steven Lauer's Secretary, Charlotte 565-0501
9/2/81	Broward County Trial Lawyers Association	Monthly Meeting	Stouffer's Anacapri Inn & Restaurant 1901 N. Federal Highway Fort Lauderdale Case Evaluation 5:30 P.M. Dinner 7:00 P.M.	E. Hugh Chappell, Jr. 565-2767
9/8/81	North Broward Bar Association	Monthly Meeting	Flaming Pit Restaurant 1150 N. Federal Highway Pompano Beach 12:00 Noon	Donald A. Wich, Jr. 941-4920
1/11-15, 1982	Institute on Estate Planning	Seminar	University of Miami Law Center Coral Gables	Inquiries should be addressed to: Professor Philip E. Heckerling, Dir. Institute on Estate Planning University of Miami Law Center P.O. Box 248087 Coral Gables 33124

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

<p>BULK RATE U. S. POSTAGE PAID FT. LAUDERDALE, FL PERMIT NO. 2998</p>
