

The BROWARD BARRISTER

DECEMBER 1981

Volume 10

Number 12

PUBLISHED BY THE BROWARD COUNTY BAR ASSOCIATION

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

DECEMBER GENERAL MEETING THURSDAY, DECEMBER 10, 1981

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

— 6:30 — 8:30 P.M. —

ANNUAL PARTY CO-HOSTED WITH UNITED FEDERAL SAVINGS AND LOAN ASSOCIATION. COCKTAILS AND HORS D'OEUVRES, MUSIC AND FUN. **SPOUSES INVITED.**

There will be no charge to members and their spouses of Broward County Bar Association for this function. Non-members — \$10.00/person.

Reservations should be made with the Broward County Bar Association Office. Telephone 764-8040.

Reservations are a **MUST**. If you have not made a reservation, you will **NOT** be admitted. Call before December 8, 1981 for reservations.

IN MEMORY OF JUDGE JOSEPH S. WHITE, SR.

Judge White passed away September 28, 1981. He was appointed to the bench in the Fifteenth Judicial Circuit in 1943 where he served until retirement in 1966. Contributions in his memory may be made to Holy Trinity Episcopal Church Memorial Fund, 622 South Olive Avenue, West Palm Beach, Florida 33401.



The Officers and Executive Committee
of Broward County Bar Association
Wish You "Happy Holidays".

ROBING CEREMONIES

Robing Ceremonies will be held on

December 10, 1981
4:00 P.M.

in
Room 520
Broward County Courthouse
for

John T. Luzzo
Constance R. Nutaro
Robert Owen Dale Ross.

All BCBA members are invited to attend. Mark your calendar.

GENERAL MEETING TUESDAY, JANUARY, 5, 1982

The Broward County Criminal Defense Lawyers Association and Broward County Bar Association are pleased to hold a joint meeting to present Senator Strom Thurmond on January 5, 1982.

GALT OCEAN MILE HOTEL
3200 Galt Ocean Drive — Fort Lauderdale, Florida

Cocktails: 6:30 P.M. (cash bar)
Dinner: 7:15 P.M.—Members—\$20.00,
Non-Members \$25.00

SPEAKER: Senator Strom Thurmond
Chairman of the Senate Judiciary Committee

For tickets contact: Sheldon Schapiro 525-6690
Norma Howard 764-8040

(Checks should be made payable to Broward County Defense Lawyers Association.)

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

OFFICERS

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

PRESIDENT'S MESSAGE

In the six months I have served as your President, the Bar has faced many problems — surely more than any of us anticipated. Dedication, hard work, attention to detail, insight and analysis will help solve a lot of the problems.

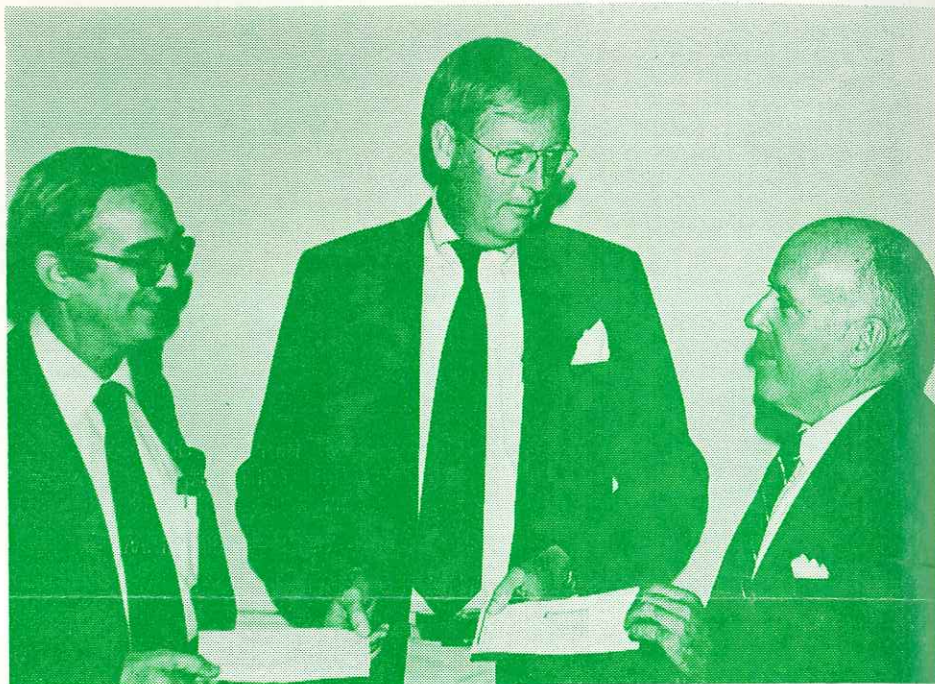
Notwithstanding, the presence of all these things, solutions almost always require another ingredient. . .

— **MONEY** —

Improvement of the administration of Justice almost always requires this essential ingredient.

The Florida Supreme Court recently approved a program which provides a new source of funds to improve the administration of justice. This is the Interest on Trust Accounts Program.

The program allows funds in attorneys trust accounts to be placed at interest with the money to be used to fund programs for Legal aid, law student loans and scholarships and programs to improve the administration of justice. The rationale is that deposits of clients placed in such accounts are



Russell Carlisle, Fort Lauderdale, and Marshall Cassidy, Tallahassee, present Chief Justice Alan Sundberg with the first checks on the interest on trust accounts program.

generally small in amount or held for a relatively short period of time. Therefore, it is not practical to place the funds at interest and allocate it to the client.

Now, instead of allowing these funds to remain in a checking account earning no interest, such deposits can be placed in a NOW account with interest to be used for these public and charitable purposes.

The interest is paid to The Florida Bar Foundation, Inc. The Foundation has operated continuously since 1956 supporting just these types of programs. It will continue to do so under the supervision of The Florida Supreme Court. In addition, the Foundation's membership has been expanded to include all lawyers participating in the Interest on Trust Accounts Program.

The timing of the program is superb. It has become available just at the time when public funding sources of all kinds are being reduced for a variety of reasons. The needs are ever present and ever more costly. We can help meet the needs from this new funding source.

The program is simple and effective.

It involves no additional record keeping over and above what is now required. All you have to do is:

1. Tell the bank to make your trust account a NOW account.
2. Have the bank send the interest to The Florida Bar Foundation, Inc., Tallahassee, Florida 32304.
3. Have the bank send year end interest statements to the Florida Bar Foundation, whose tax identification number is 59-1004604.

I join the Chief Justice of Florida, the Attorney General of Florida, the President of the Florida Bar Foundation and a host of other Bar leaders, in urging your participation in the program.

(Continued on page 5)

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broward review 463-1432
and Business Record

official legal newspaper for
the Seventeenth Judicial Circuit

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and Daily Record

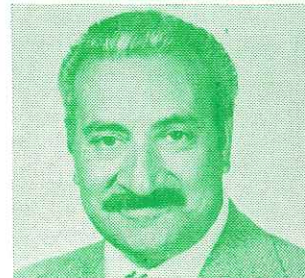
official legal newspaper for
the Eleventh Judicial Circuit

Palm Beach Review 832-0386
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"Lost my dime? Incredible!"

The poor man did decry,
"Sorry, Sir, funding's not my job —
T'was the budget cut, not I."
But there's a silver lining
to the clouds we see each day,
A call came to the Judge that said
the Commission could not pay
The rent upon a warehouse
where court records all we kept.
"The rent's too high, and we're too
poor,"
said the Clerk, and then he wept.
When the Judge heard this, his voice
stayed low,
BUT joy in his heart did climb!
"I'll puzzle and I'll puzzle,
and a place for them I'll find . . ."
Of, course! . . . the Commission room can
store them —
and their charge is just one DIME."

★ ★ ★ ★ ★

(Continued from page 2)

Each lawyer should participate no matter how small his trust account. For further information, call me at my office, 764-4000 or Paul Hill at The Florida Bar 1-800-342-8060.

With your help we can supply the essential money ingredient. Join us in the Interest on Trust Accounts Program.

Russell E. Carlisle

★ ★ ★ ★ ★

WANTED!!

Photographers and Humorists

As part of the new format for *The Barrister*, we are going to try to use more pictures of our activities and events. We are looking for one or more volunteers to take pictures at the Bar functions. If you're talented in this regard, please give us a hand.

We would also like to add some "lighter moments" in the *Barrister* through cartoons, jokes or humorous stories related to the legal profession. We know how funny the attorneys can

be in Court and we hope that some of you will contribute some of your humor so that we all can enjoy it.

All volunteers and contributors contact Norma Howard at the Bar office or Martha Snedaker at 942-8760.

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FEDERAL COURTS COMMITTEE REPORT

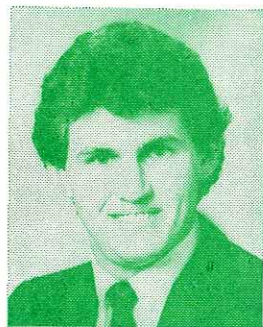
The Southern District of Florida is participating in a pilot program regarding the implementation of the Devitt Committee recommendations to set minimum standards for admission and practice in the United States District Courts. A proposed set of rules is circulating among the members of the court. These proposals, which have not been voted upon by the judges, could go into effect as early as January 1, 1982. It is believed that the proposed rules will be adopted without major modifications by the court.

Under the proposed rules, an attorney will be qualified for admission before the court if he or she is currently

admitted to practice in the state courts and has passed an examination covering knowledge of the Federal Rules of Criminal Procedure, Federal Rules of Civil Procedure, Federal Rules of Evidence, Federal Rules of Bankruptcy, federal jurisdiction and venue, and Local Rules. This examination will be administered six times a year by the clerk of the court.

Lawyers presently admitted to practice before the United States District Court will be "grandfathered" into the General bar of the court. Admission to the General bar does not confer the right to appear alone on behalf of a client during testimonial procedures. An attorney must be admitted to the Trial bar of the court or if a member of the General bar, be accompanied by a member of the Trial bar. Testimonial proceedings are defined as proceedings in which oral testimony of a witness is taken before the court of the magistrate (this does not include depositions).

Membership in the Trial bar is not automatic for lawyers presently admitted to practice before the court. In other words, there will be no "grandfather-



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7. I feel that a volunteer pro bono program should:

- A. Assist Broward County Legal Aid with overflow and backlog of its cases.
- B. Limit its services to specific types of cases, i.e., dissolution, public interest.
- C. Limit its services to specific groups of needy, i.e., elderly, juvenile.
- D. Provide legal services in all areas of practice where attorney volunteers are available.

8. I believe services should be provided:

- A. To those unable to pay anything toward attorneys' fees.
- B. To those able to pay a reduced fee.

9. I believe Legal Aid should be funded by:
(Check more than one if appropriate)

- A. Federal Government.
- B. Local Bar Association.
- C. State Bar Association.
- D. Attorney donations.
- E. Private donations.
- F. Court filing fees.

10. Would you prefer to contribute money toward the delivery of pro bono legal services in lieu of donating the services themselves?

Yes _____ No _____

11. If yes, how much would you be willing to contribute per year?

\$50.00 _____ \$100.00 _____ \$200.00 _____

DATED: _____

Please return to Broward County Bar Association, Attention: Pro Bono Coordinating Committee, 735 N. E. Third Avenue, Fort Lauderdale, Florida 33304.

THANK YOU!

YOUNG LAWYERS SECTION NEWS

PRESIDENT'S COLUMN YLS UNITED WAY RUN

As many of you know, the Young Lawyers Section of the Broward County Bar conducted its second annual United Way Run in the City of Sunrise on October 31, 1981. This year's race was a tremendous success financially and otherwise.

In fact, over 1,000 runners participated in the event which produced a record contribution to the United Way campaign. However, the success of this year's run requires some further thought.

Since this year's race was almost four times larger than the inaugural event, the work involved in organizing and conducting the race increased geometrically. Although there were a core of volunteers who worked on the first race who assisted with this year's event, it is obvious that additional volunteers are going to be necessary in order to assure a quality race for next year. According to estimates, at least 40 volunteers are going to be necessary in order to put on a run in 1982.

I certainly hope that this year's co-chairmen of the race, Rich Wagenheim and Jim Morgan, will again serve as the anchor for the YLS organization. Anyone who participated in the race itself, assisted in conducting the race or read the accounts in the newspapers is aware of the tremendous effort and achievement effected by Rich and Jim. In that regard, they have each requested that I solicit members of the Young Lawyers Section to determine if there is interest in the section at large to sustain the continuing needs of the YLS United Way Run. I would appreciate it if you are interested in working on next year's race, that you contact me in writing so the plans can begin for next year's race.

In light of the tremendous benefit to the local Broward County United Way campaign and its beneficiary agencies, I think that the event deserves your time and support.

Jesse S. Faerber, President
Young Lawyers Section

* * * * *

YOUNG LAWYERS SECTION BOARD OF GOVERNORS REPORT

The Young Lawyers Section of The Florida Bar met in Gainesville for its November meeting, held on November 13 and 14, 1981. Key topics for discus-

sion at this meeting were a report on the current status of proposed rules for the Northern and Southern Districts of Florida, report and discussion relating to the model rules of professional conduct (Kutak Report), a report from the judicial relations committee concerning the Young Lawyers Sections Clerks for Judges Program, review and discussion of The Florida Bar's lawyer referral system and its statewide pro bono referral system, a review and up-date of the "Bridge the Gap" seminars and basic practice seminars of the Young Lawyers Section, review and discussion of the Section's Job Fair Program, review of the status of the Section's Lawyer's Handbook, and a review of the Local Section Liaison Committee's Local Section Handbook and plans for this Committee's Outreach Meeting at the Young Lawyers Section Convention to be held in April of 1982.

The next Young Lawyers Section Board of Governors Meeting is scheduled for February 5 and 6, 1982, and this meeting is to be held locally at the Marina Bay Resort in Fort Lauderdale. The Broward County Young Lawyers Section will be hosting this Board Meeting, and persons desiring information regarding the topics for discussion and the timing of the various reports and functions should contact any of the three local members of the Board of Governors, Bill Davell, Jesse Faerber or Jim Davis.

* * * * *

OVER 900 RUN FOR UNITED WAY

The second annual Young Lawyer's/United Way 10 Kilometer Run was held on Saturday morning, October 31, 1981. The race was a great success with approximately one thousand entrants. Over nine hundred runners actually finished the race which was held in Sunrise, Florida. The overall winner in the male division was Jimmie Butler with a time of 33:02 and the overall female winner was Cynthia Raes with a time of 39:08.

There was a separate lawyer's division with approximately thirty or forty lawyers and judges participating. The first, second and third place finishers in the Lawyer's Division were, respectively, Clinton Tarkoe, with the time of 37:20; Roger Howard with a time of 40:46 and Robert Fine with a time of 41:45. Rob Carney, of the Broward County State Attorney's office, finished

close behind these gentlemen with the time of 42:04.

The Run Steering Committee extends its thanks to all the lawyers and assistants who helped organize and put on the run and a special thanks to Judge Lawrence Korda who was the official race starter and assisted in award presentations. Although the final figure has not yet been determined, all proceeds from the run go to United Way.

* * * * *

WELCOME NEW MEMBERS

GORDON C. BRYDGER, a native of Miami, Florida, received his undergraduate degree from the University of Florida and his law degree from Emory University. He is associated with Brydger and Levitt in Sunrise.

DAN CYTRYN, a native of Neptune, New Jersey, received his undergraduate degree from the University of Miami and his law degree from Nova Law Center. He is a sole practitioner in Lauderhill.

RICHARD DAVID EADE, a native of Olean, New York, received his undergraduate degree from State University of N.Y. at Buffalo and his law degree from Columbia University. He is associated with Abrams, Anton, Robbins, Resnick, Schneider & Marger in Hollywood.

ROBERT M. GAYNOR, a native of New York City, received his undergraduate degree from University of Southern California and his law degree from Southwestern University. He is associated with Britton, Cohen, Kaufman, Benson & Schantz in Fort Lauderdale.

MATT HELLMAN, a native of New Jersey, received his undergraduate degree from Kean College and his law degree from Drake University. He is associated with Shaffner, Shaffner and Dyer in Fort Lauderdale.

WILLIAM T. LASWELL, an atvie of Evansville, Indiana, received his undergraduate and law degrees from Indiana University. He is associated with Sean Moore in Fort Lauderdale.

PRESTON C. LEVITT, a native of Queens Village, N.Y., received his undergraduate degree from American University, his law degree from Brooklyn Law School and his LL.M. from NYU Law. He is associated with Brydger and Levitt in Sunrise.

JOHN M. McDIVITT, a native of De-
port, Texas, received his undergrad-
uate degree from the University of
Florida and his law degree from the
University of Iowa. He is Trust Tax
Administrator for Landmark First
National Bank in Fort Lauderdale.

CHARLES M. PASCO, a native of New
York City, received his undergrad-
uate degree from University of South
Florida and his law degree from the
University of Miami. He is associ-
ated with Donald E. Krentsa in Hal-
landale.

MATTHEW J. SCHAEFER, a native
of Manhattan, N.Y., received his un-
dergraduate degree from Hamilton
College and his law degree from Nova
University Law Center. He is associ-
ated with Bruce Hollander in Holly-
wood.

ROBERT WILLIAM WEISS, a native
of Pottstown Pa., received his under-
graduate degree from Pennsylvania
State University and his law degree
from Nova University Law School.

MICHAEL B. UDELL, a native of New
York City, received his undergrad-
uate degree from the University of
Florida and his law degree from South
Texas College of Law. He is a sole
practitioner in North Miami Beach.

APPOINTMENT OF NEW U. S. MAGISTRATE

The U.S. District Court, Southern
District of Florida, is taking applications
for appointment of a member of The
Florida Bar as a new U.S. Magistrate
(subject to funding) for service at Mi-
ami. The duties of the position involve
a wide range of judicial responsibility.

Application forms and further infor-
mation may be obtained from:

Joseph I. Bogart
Clerk, U. S. District Court
Southern District of Florida
P.O. Box 010669, Room 112
300 N.E. First Avenue
Miami, Florida 33101
Telephone: (305) 350-5212

APPLICATIONS MUST BE RE-
CEIVED BY NOVEMBER 30, 1981.

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"MY 'JUGGEDOM' FOR A DIME"

Chief Judge Louis Weissing was the
guest speaker at the Broward County
Legal Secretaries' Association monthly
meeting in October. In his own inimi-
table style, he conveyed to the mem-

bers in a highly entertaining manner,
the workings of his particular office, as
well as its relationship to local law
firms. Of particular interest to the sec-
retaries, and, apparently, to the Judge,
was the area of budget cuts which ap-
pear to have affected not only the court-
house as a system, but the Judge, per-
sonally. His plight inspired one legal
secretary from a N.E. Ft. Lauderdale
law firm to write the following ballad in
"His Honor":

THE BALLAD OF THE DIME

Judges "A" and "W" a-riding went
one grim and fateful day.
On official business they were sent,
for which they'd get no pay!
"For the 'flag,'" they both allowed . . .
they'd not begrudge their time,
But then the "hopper" came along . . .
and it took the Judge "W"'s dime.
So he went to the Commission
and told the Clerk there, at the
time,
"A dime — that's all I'm asking
for an evening of my time."
Said the Clerk of the Commission,
Sir, there's no more fat,
Lean's the budget at this time,
I'm afraid you've lost your dime."
(Continued)

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ing" into the Trial bar. Each attorney desiring to be admitted to the Trial bar must satisfy the trial experience requirements of the court. These requirements may be met, in part, by observation of a qualified trial or qualified jury trial, or by simulation units obtained in law school clinical programs approved by the court, or by participating in a certification program such as that operated by the National Institute of Trial Advocacy. In general, the four required units of trial experience must include at least one participation unit (in a testimonial proceeding on behalf of a client), one participation or observation unit in the United States District Court for the Southern District of Florida, and one for participation or observation unit in a qualifying jury trial.

Thus, under these rules, state Circuit Court trial experience as well as non-jury trial experience, will count towards the meeting of the necessary four units.

The plan anticipates that each lawyer desiring to become a member of the Trial bar will certify to the Clerk the requisite number of trial units together with the name of the party involved, the court, and the dates. Forms will be provided by the Clerk's office for this purpose.

The Trial bar rules will not be in effect for the first six months of the pilot program. During this period of time, it is presumed that the Clerk will be certifying and enrolling members into the Trial bar. This administrative process, particularly in the initial stages, will involve some delay.

The final feature of the pilot program is peer review. A peer review committee, composed of one lawyer appointed by each judge, will be created. A district judge may refer any lawyer to the committee whom the judge has observed practicing law "in a manner which raises a significant question" as to the adequacy of the attorney's ability to represent clients in a competent manner. The judge shall also give a statement of his reasons for referral.

The committee has broad power to implement remedial measures, including mandatory CLE programs. However, only the court may act to restrict any lawyer's appearance before it.

The Committee on Federal Courts of the Broward County Bar Association is presently reviewing the proposed rules and will report to the Executive Committee at the December meeting. Copies of the proposed rules are available at the Broward County Bar Association for review by individual attorneys. Anyone wishing to submit comments on the proposed rules should address them to G. Ware Cornell, Jr., Chairman, Com-

mittee on Federal Courts, P.O. Box 14636, Fort Lauderdale, Florida 33302 or Judge Edward Davis, P.O. Box 013189, Miami, Florida 33101.

* * * * *

FORMAT AND POLICIES ANNOUNCED FOR THE BARRISTER

The Broward Bar Publication Committee has reviewed the format of *The Barrister* to establish new policies and format. The Committee agreed that the general style of *The Barrister* will remain the same. However, we wish to increase the use of our *Barrister* as a valuable vehicle for communication and a publication of interest and service to all members of the Broward County Bar Association. Future issues will contain the following sections:

Committee and Section News, Personality Profile Spotlights on Attorneys Active in The Community and on The Judiciary Members, Substantive Articles, Association Members in The News, Calendar of Events, Lawyers' Marketplace, Standard Advertising.

The Lawyers' Marketplace is a new column for paid advertisements advising needs and wants of our members. This column will include such information as office space to share, equipment and books for sale, etc. If it is successful and of service, it may become a permanent column. If you would like to place an advertisement of up to four lines in the Lawyers' Marketplace, send the copy of the advertisement and a check for \$20 payable to the Broward County Bar Association, 735 N.E. Third Avenue, Fort Lauderdale, Florida 33304. Advertisements and fees must be received by the 15th of the month prior to publication. The Publications Committee reserves the right to refuse any advertisement submitted.

The Broward County Bar Association tries to have *The Barrister* out to members during the first week of every month. Unless specifically announced otherwise, the absolute deadline for submitting articles, reports, news or any other information for publication for the next month must be received in the office of the Broward County Bar Association no later than 5:00 P.M. of the 19th of the day of the preceding month. Anything received after that time may be held over and used in the next month if it is still timely.

We encourage all of our members to assist us in making *The Barrister* an informative and entertaining publication. The Section and Committee Chairmen have already been requested to submit

reports for publication. We would also request that all our members keep their eyes and ears open regarding announcements or news of our members and call or mail that information into the Bar Association office so that we may compile it and publish it in the Members In The News column. We would also appreciate members submitting substantive articles for review and possible publication.

The Broward *Barrister* has always placed well among the Bar Association publications in the State of Florida. However, in order to really be top ranked, we will need the help of all members in contributing information and articles for publication. Anyone with information or questions, please contact Norma Howard, 764-8040, or Martha Snedaker, 942-8760.

* * * * *

Correction: We misspelled Martha Snedaker's name last month. We are sorry.

* * * * *

WELCOME NEW MEMBERS

WAYNE WILLIAM POMEROY, a native of College Point, N.Y., received his undergraduate degree from the University of Florida and his law degree from Memphis State Law School. He is a sole practitioner in Fort Lauderdale.

GAIL LEVIN RICHMOND, a native of Gary, Indiana, received her undergraduate degree from the University of Michigan, her M.M.A. from the University of Michigan and her law degree from Duke University School of Law. She is an Associate Dean and an Associate Professor at Nova Law Center.

RICHARD JOSEPH ROSELLI, a native of Chicago, Ill., received his undergraduate degree from Tulane University and his law degree from Tulane School of Law. He is associated with Krupnick and Campbell in Fort Lauderdale.

TIMOTHY McMANUS RYAN, a native of Dania, Florida, received his undergraduate degree from the University of Florida and his law degree from the University of Florida College of Law. He is associated with A. J. Ryan, Jr. in Dania.

PHILIP GLEN SCHLISSEL, a native of Brooklyn, N.Y., received his undergraduate degree from Brooklyn College and his law degree from Nova Law Center. He is associated with Legal Aid Service of Broward County.

CALENDER OF EVENTS

Date	Group	Event	Time & Place	Reservations
12/3/81	YLS	November/December Luncheon	Cafe de Paris—715 E. Las Olas Blvd. Ft. Lauderdale — 12:00 Noon —	Charlotte — 565-0501
12/5/81	YLS	Third Annual Tennis Tournament	George English Park 1101 Bayview Drive Ft. Lauderdale — 9:00 A.M. —	Romney C. Rogers 462-1431
12/9/81	Broward County Trial Lawyers Association	Annual Dinner in honor of Judiciary	Stouffer's Anacapri Inn 1901 N. Federal Highway Ft. Lauderdale Case Evaluation 5:30 P.M. Dinner 7:00 P.M.	E. Hugh Chappell, Jr. 565-2767
12/10/81	BCBA	Robing Ceremonies	Broward County Courthouse Room 520 Ft. Lauderdale — 4:00 P.M. —	
12/10/81	BCBA	Annual Christmas Party Co-Hosted with United Federal Savings and Loan Association	Pier 66, Suite 66 2301 S.E. 17th St. Causeway Ft. Lauderdale Cocktails and Hors d'Oeuvres 6:30 P.M. — 8:30 P.M.	BCBA 764-8040
12/11/81	Broward County Christian Lawyers Association	Monthly Luncheon	Williamson Restaurant 1401 S. Federal Highway Ft. Lauderdale — 12:00 Noon —	W. Lawrence Larche 764-7777
12/15/81	BCBA — CLE	Seminar on the Economic Recovery Tax Act of 1981	Gibby's Steaks & Seafood Restaurant 2900 N.E. 12th Terrace Ft. Lauderdale 12:00 Noon — 4:00 P.M.	BCBA 764-8040
12/16/81	Broward County Legal Secretaries Association	Annual Christmas Dinner	Williamson Restaurant 1401 S. Federal Highway Ft. Lauderdale — 6:30 P.M. —	Therese Rogowski 523-0527
1/12/82	North Broward Bar Association	Monthly Meeting	Flaming Pit Restaurant 1150 N. Federal Highway Pompano Beach — 12:00 Noon —	Donald A. Wich, Jr. 941-4920

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