

# BROWARD COUNTY BAR ASSOCIATION BARRISTER

APRIL 2012 WWW.BROWARDBAR.ORG • 954-764-8040 VOLUME 43, ISSUE 4

## Vote Now 2012 Election

for  
Officers & Directors

Electronic  
Ballot Only



Online Voting  
April 1st-16th

<https://www.browardbar.org/vote/index.php>

### MEMBERSHIP BENEFIT

Office Edge, a provider of Executive Suites, Virtual Office Solutions and Conference/Mediation Facilities for attorneys throughout South Florida and a 2012 Annual Sponsor of the BCBA, offers a 15% discount to current BCBA members. Call Alex Sabbagh at 954.848.2800.

## Raising the Bar Family Law Annual Seminar

April 27, 2012 • 8:30 a.m. – 4:30 p.m.

Read page 30 for more information.

## Renew Early and Win an i-Pad

Renew your *membership* now, and you will be entered in a drawing for a new i-Pad. You can renew your membership online at:

[www.browardbar.org/ppm/User-Logon.php?m=1039](http://www.browardbar.org/ppm/User-Logon.php?m=1039)

You will need a password. If you do not have your password, please e-mail Braulio Rosa at: [braulio@browardbar.org](mailto:braulio@browardbar.org).



Above: (l to r) BCBA Past-President Bruce Weihe and BCBA President Jordana Goldstein were recognized as Broward Child Advocate honorees by Florida's Children First, a statewide legal advocacy organization focused on protecting the legal rights of at-risk and foster care children.



Above: (l to r) BCBA Criminal Law Co-Chair Ken Hassett, Cheney Mason, and BCBA Criminal Law Co-Chair Jeff Harris at the BCBA Criminal Law Section event that featured Mr. Mason, at which, he discussed his many high profile cases, including the Casey Anthony case.

# President's Message

By Jordana Goldstein

## *Spring...a Time of Growth and Renewal*



For many, Spring represents a time of renewal and re-growth. It is a season of change and a time when many of us make plans for the months ahead. Not surprisingly, at this time of year the Bar begins to make plans for the next fiscal year, which will lead to various changes and ultimately our continued growth as an organization.

The first step in that process begins with our upcoming elections. By now you should have already received an email from the Bar advising you of the election process. In the event you have not received an email from us, please contact the Bar Center so they can send you the link to cast your vote. You may cast your vote for the 2012-2013 Board of Directors between Monday, April 2nd and Monday, April 16th. Any votes cast after 5:00p.m. on April 16th will not be considered. In our continued effort to "go green" and to reduce costs, there will not be any paper ballots mailed out this year and, therefore, you may only cast your vote electronically. We truly have an outstanding group of people running for the Board and I encourage you to review their bios to learn more about their backgrounds. There are several Board members who are not returning next year and I would like to recognize their accomplishments. Those Board members include: Winney Kessler, Todd McPharlin, Ed Holodak, Stuart House, Richard Sachs, and Bruce Weihe. These individuals are not only talented lawyers but they have dedicated hours of their time giving back to the Bar and they serve as an example of what it truly means to be an "active" Bar member. Their unwavering commitment and service to the Bar is truly commendable and I cannot thank them enough for their support during my term as President.

During the last few weeks we have also begun to develop the budget for next year and I can assure you that many programs and events are being planned for our members. Even our By-Laws are in the process of being revised. I want to thank Stuart House and the entire By-Laws Committee for all of their hard work. In the next few weeks, you will be afforded the opportunity to review the suggested revisions, and the By-Laws will then be voted on by the membership at the Annual Meeting and Installation Dinner scheduled for June 7th. The Publicity Committee is also busy working on developing a plan to change the format of the Barrister as

well as the manner in which it will be disseminated to members in the coming year. These are just a few of the changes being made which will help our organization continue to grow and prosper.

I also want to take this time to congratulate Board members, Jeff Harris and Ken Hassett, who on behalf of the criminal law section arranged a fantastic CLE seminar during which attorney J. Cheney Mason discussed handling high profile cases. It was truly fascinating to learn about the Casey Anthony trial and some of the things that were not reported on by the media. The fact that he was so candid about his personal experience during and after the trial was unexpected and proved to be quite interesting. More importantly, it was wonderful to see so many assistant state attorneys and public defenders in attendance at this event. I sincerely want to thank Judges Martin Bidwell, Peter Weinstein, and Michael Robinson as well as the other judges on the criminal bench who agreed to close the criminal courts that day, which enabled many people to attend this event.

Finally, I want to remind you of several events that are taking place this month. On Thursday, April 5th, the 4th DCA has scheduled oral argument at the Broward County Courthouse in Courtroom 416 at 2:00p.m. A judicial reception will follow beginning at 4:30p.m. on the 7th Floor of the 110 Tower. Reservations are required to attend the reception. On Saturday, April 14th, the Bar is participating in the 2012 Autism Speaks Walk at Nova Southeastern University. To join our team, go to [walkknowforautismspeaks.org](http://walkknowforautismspeaks.org) and follow the registration instructions. On April 13th, the Professionalism Committee has scheduled a CLE seminar titled "Putting Civility Back Into the Practice of Law." Several Broward County Court Judges are scheduled to speak. For more information or to register for this event contact Traci Lewis at 954-832-3618 or [traci@browardbar.org](mailto:traci@browardbar.org). On April 19th, the Employment Law Section has scheduled a CLE seminar titled "Recent Developments at the EEOC" beginning at noon at the Bar Center. On April 27th, the Family Law Section has scheduled their annual "Raising the Bar" Seminar from 8:30a.m.-4:30p.m. at the Embassy Suites Hotel on 17th Street in Fort Lauderdale. You may contact Traci Lewis to register for these seminars as well. For a complete list of all of our upcoming events please visit our website at [browardbar.org](http://browardbar.org).

Wishing you and your families a Happy Easter and Passover.

# A Message from Bart Ostrzenski President, Young Lawyers Section

We had an action-packed March with our second Breakfast with Judges Event, a great luncheon featuring Alan Pascal and Juan Carlos Arias and their topic, "Inside the Lawyer Disciplinary Process: Do's and Don'ts", and our annual Bowl-a-Thon. I want to thank Alan Pascal and Juan Carlos Arias for presenting a great discussion on a topic no one wants to think about, unless they are forced, especially affidavits. I also want to thank Frank Wagner, from our annual sponsor, Sabadell Bank, for planting the seed, which eventually grew the idea for the luncheon. I am proud to announce that was our fourth CLE luncheon this year and we have a fifth CLE luncheon in the works, which tops our goal of four this year. With regard to the Bowl-a-Thon, we had a tremendous turnout and a great time raising money for Abi's Place, which is a family-oriented, non-profit school for children with moderate to severe developmental disabilities. Thank you to all who participated and managed, somehow, to tolerate my announcing skills.



Coming-up on April 19, 2012 at noon in the Tower Club, the YLS will hold its annual election meeting/luncheon. All active members of the Broward County Bar Association in good standing who either: (1) will not have attained the age of thirty-six (36) by July 1, 2012; or (2) have not begun their sixth year following the first date of admission to the highest court of any state, are eligible to run for a position on the Board of Directors and/or to vote in the election. You must be present at this luncheon to vote and/or take part in the election. If you are interested in running for a position on the Board, or if you have questions regarding how you can participate with or in the Young Lawyers Section, please feel free to email me at [Ostrzenski@oslawyers.com](mailto:Ostrzenski@oslawyers.com). Also, to register for this luncheon, please contact the BCBA office or visit [www.browardbar.org/ylys](http://www.browardbar.org/ylys).

Looking forward to May, On Thursday, May 10, 2012, the YLS will host its annual Judicial Reception from 5:30 to 7:30 p.m. at the New River Rotunda in downtown Fort Lauderdale. All Broward County Bar Association members should have already received a mailer for the event. This is a special event as every Judge and General Magistrate in Broward County, as well as the Judges sitting before the Fourth DCA, are hand-delivered a special invitation to this reception in their honor. The deadline to register or sponsor the event is May 3, 2012. There is a flyer printed in this issue of the Barrister with sponsorship opportunities. Please contact Tobi Lebowitz, at [tlebowitz@stearns-weaver.com](mailto:tlebowitz@stearns-weaver.com) for more details.

Finally, the YLS is looking for nominees for our annual Paul May Professionalism in Practice award. There is an application printed in this issue of the Barrister, which provides all the qualifications and details for the award.

We look forward to seeing you at these wonderful events and thank you for your support of the Young Lawyers Section. If you have any questions regarding the YLS, or wish to get involved, please feel free to contact me at [Ostrzenski@oslawyers.com](mailto:Ostrzenski@oslawyers.com)

# Growing Your Practice Through the BCBA Solo/Small Law Firm Networking Group

By John Rizvi



I recently was appointed chair of the BCBA Solo/Small Law Firm Networking Group of the Broward Bar but have been active in the group since its inception over ten years ago. I am a firm believer in the power of this group and can attest to the fact that this group works.

As the momentum and enthusiasm of our New Year's Resolutions start wearing thin, it is important that we look at our practices and see where we are headed in 2012. Attorneys who are serious about growing their practices and profitability through referral marketing should look into opportunities provided by the Broward County Bar Solo/Small Law Firm Networking Group.

**“Attorneys who are serious about growing their practices and profitability through referral marketing should look into opportunities provided by the Broward County Bar Solo/Small Law Firm Networking Group.”**

As a patent attorney, I have a very specialized practice and my client base consists primarily of referrals from other attorneys. My practice has grown steadily over the years and I attribute much of this growth to my participation in this group. It is wonderful to have potential clients that come to me not just because “they need a patent” but because another attorney told them they “need John Rizvi to get them a patent.”

Initial consultations with potential clients are much more productive and efficient when you are already viewed as the right person for the matter. The group also positions you as a valuable resource to your existing clients by making it easier for you to refer another attorney in your trusted net-

work when they need help with an area of law that you are not familiar with.

As attorneys, it is impossible to build these types of referral networks from our offices or online (believe me, I have tried!). We need to get out there and develop referral relationships with other attorneys in non-competing practice groups. This is where the Broward Bar's Solo/Small Firm Group works its magic by facilitating dinner and lunch meetings with like-minded attorneys in our area in practices of four (4) or fewer attorneys.

## Next Dinner (Wednesday, May 16, 2012)

Please mark your calendar for the next Dinner Meeting on Wednesday, May 16, 2012, at Dave & Busters at 3000 Oakwood Boulevard, Hollywood. Details and a link to register can be found on the Broward County Bar Association Website Events Calendar.

## Become a Speaker

If you have not already spoken this year and have attended two prior dinner meetings, you are eligible to become one of the five speakers at the next dinner. The presentations should be short (five to six minutes) and are best received if they generally inform the attendees about you and your practice without overly detailed legal analysis. Remember that only a tiny subset of the group will be practicing within your area of law. Only the FIRST FIVE requests to speak can be honored and these are typically taken quickly so please sign up right away.

## Attend one of the Lunches

One of the benefits of the BCBA Solo/Small Law Firm Networking Group is that we have bi-monthly lunches scattered throughout Broward County. You have to eat anyway, right? Why not network, share practice tips, and enjoy the company of other solo/small firm attorneys at the same time?

During the past year, most of the lunches have been sponsored so there has been absolutely no cost to attend for attendees. Even when we don't have a sponsor, however, you pay only for your own order and there are no admin fees or bar costs on top of the tab.

Currently the lunches are held in the following locations:

### Coconut Creek: Bru's Room Sports Grill

5460 West Hillsboro Blvd, Suite B  
Coconut Creek, Florida 33073



**Plantation: Olive Garden**  
807 South University Drive  
Plantation, FL 33324

**Ft. Lauderdale: Bimini Boat Yard**  
1555 Southeast 17th St.  
Fort Lauderdale, Florida 33316

**Ft. Lauderdale: Champps America**  
6401 N. Andrews Avenue  
Ft. Lauderdale, FL 33309

**Weston: East City Grill**  
1800 Bell Tower Lane  
Weston, FL 33326

**Davie: The Ark**  
6255 Stirling Road  
Davie, FL 33314

**Boca Raton: Macaroni Grill**  
2004 N.W. Executive Center Dr.  
Boca Raton, FL 33432

**Official Launch of the Linked-In Group for the BCBA Solo/Small Firm Networking Group**

We are proud to announce that our group now has an on-line home on LinkedIn. More than 175 members have already joined the online LinkedIn page for our group. If you are not on LinkedIn, it only takes a minute to join and is free at [www.LinkedIn.com](http://www.LinkedIn.com)

By joining our LinkedIn group, you can choose how you receive updates from our group (daily/weekly/monthly digest) and can unsubscribe at any time. Rather than having members email the entire membership for a new job posting, or office space availability, practice tips, etc., members can post announcements or discussion topics to the group. It is another benefit that the group offers allowing members to reconnect and strengthen relationships with people they have met at one of our lunches or dinners.

Let me conclude by emphasizing the many opportunities that the BCBA Solo/Small Law Firm Networking Group provides to members. If you are not already taking advantage of these opportunities and are in a law firm of four or fewer attorneys, you should definitely look into participating.

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

1051 SE Third Avenue, Ft. Lauderdale, FL 33316

**BROWARD COUNTY BAR ASSOCIATION  
OFFICERS AND DIRECTORS JULY 1 2011- JUNE 30, 2012**

**Officers**

- Jordana Goldstein- President
- Deborah Poore FitzGerald- President- Elect
- Alan S. Fishman- Treasurer
- John G. Jordan- Secretary
- Bruce Weihe- Past-President
- Arthur Goldberg- Executive Director

**BOARD OF DIRECTORS**

<p><b>Southeast</b> Anita Paoli Edward F. Holodak Andrea R. Gundersen</p>	<p><b>Central</b> James A. Cobb, Jr. Denise Jensen Jay Kim Jeffrey Harris Edwina V. Kessler Steven Lubell Todd R. McPharlin</p>	<p><b>Northwest</b> Gary Landau <b>Northeast</b> Stuart N. House Thomas Oates Richard A. Sachs <b>Southwest</b> Kenneth P. Hassett</p>
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**JUDICIAL REPRESENTATIVE**

The Honorable Marina Garcia-Wood

**Executive Director**

Art Goldberg 764-8040 Fax: 764-8060

**Young Lawyers Section Officers**

- Bart Ostrzenski, President
- Meghan Clary, President-Elect
- Marissa Pullano, Treasurer
- Liza Smoker, Secretary
- David Hirschberg, Past-President

**BCBA YOUNG LAWYERS DIVISION BOARD OF DIRECTORS**

- Lindsay Corcoran, Sue-Ann Robinson Caddy,
- Jennifer Hirschberg, Aaron "A.J." Horowitz, Tobi Lebowitz,
- Shayna Reitman, Sara Sandler, Jonathan Stief, Diana, Sulea,
- Jeff Wank, Laurie Weinstein, Stacy Weissman

**JUDICIAL REPRESENTATIVES**

The Honorable Cynthia Imperato • The Honorable Jeffrey Levenson

**Florida Bar Board of Governors-17th Judicial Circuit**

- Walter G. 'Skip' Campbell 763-8181
- Adele Stone 925-5501
- Lorna E. Brown-Burton 954-463-8322
- Jay Cohen 763-6939
- Timothy L. Bailey 941-4920

**To vote, use our online ballot at  
<https://www.browardbar.org/vote/>**

*for the*

## **Broward County Bar Association Board of Directors Election**

This electronic ballot will remain live on our website until 5:00 p.m., Monday, April 16th. Voting is time 'stamped,' so any votes received after 5:00 p.m. on April 16th shall not be counted. There is no paper ballot.

### **2012 Officers:**

The office of President will be filled by the current President-elect, Deborah FitzGerald.

The office of President-elect will be filled by Alan S. Fishman who is unopposed.

The office of Treasurer will be filled by John G. Jordan, who is unopposed.

The office of Secretary will be filled by Robin S. Moselle, who is unopposed.

### **2012 Candidates for Board of Directors**

#### **By Geographical Area:**

Directors shall be elected to the Board from each of the geographical areas and shall serve a two (2) year term, starting July 1, 2012

Please vote in each geographical area.

Incumbents are designated - \*I\*



**To vote, use our online ballot at  
<https://www.browardbar.org/vote/>**

Read the candidates platform statements on pages 7 through 11.

# 2012 Officers & Candidates by Geographic Area

## OFFICERS



**President**  
**Deborah Poore FitzGerald**  
**Law Firm:** Walton Lantaff  
**Area of Practice:**  
Professional Malpractice Defense  
**Law School:** University of Kentucky  
**Year Admitted to The Florida Bar:** 1979  
**Year Joining BCBA:** 1979



**President Elect - Unopposed**  
**Alan Fishman**  
**Law Firm:**  
Alan Fishman, Attorney at Law, P.A.  
**Area of Practice:**  
Family, Certified Family Law Mediator,  
Criminal  
**Year Admitted to The Florida Bar:** 1978  
**Joined BCBA:** 2000

- Broward County Bar Association Treasurer 2011-12
- Broward County Bar Association Secretary 2010-11
- Broward County Bar Association Board of Directors 2006-2010
- Broward County Bar Association Membership Chairman 2009-2010
- Broward County Bar Association Solo/Small Firm Liaison 2009-2010
- North Broward Bar Association President 2006-2008



**Office of the Treasurer - Unopposed**  
**John Jordan**  
**Law Firm:** John G. Jordan P.A.  
**Area of Practice:** Family Law, Mediation,  
Probate, and Real Property  
**Law School:** University of Miami  
**Year Admitted in Florida Bar:** 1973

I have had the pleasure of serving on the Board of Directors of the Broward County Bar Association for almost thirteen years. I have been a member of the Broward County Bar since 1984. In 2008, I was honored to receive the Lynn Futch Professionalism In Practice Award.

As a result of my involvement on the Board of Directors and in my role this past year as the Secretary, I am familiar with the operations of the Broward County Bar Association. I currently serve on the Budget Committee. I was a past chairman of the Broward County Bar Bench and Bar Committee. In 2004, I became the Chairman of Legal Aid Services of Broward County, Inc., after being on its Board of Directors for several years. In 1993, I received the Broward Lawyers Care pro Bono Award.

I have been practicing law for over 35 years in Broward County. I worked in the courthouse as a General Magistrate and as an assistant Public Defender.

In 1985, I started in private practice. I am certified as a Family Mediator and as a Civil Circuit Mediator. I enjoy a Martindale Hubble AV rating.

With the Florida Bar, I was a Chairman of a Grievance Committee. I served on several committees with the Family

Law Section. I was a local Kiwanis Club President. I sat as a Chairman on the Board of Adjustments for the City of Fort Lauderdale for several years. I have been an Attorneys Title Insurance Fund Member since 1973.

I received my JD from the University of Miami Law School and my BBA degree, with a marketing major, from the

University of Notre Dame, School of Business. I served in the U.S. Marine Corps Reserves (1969 – 1975), and I

am presently a Judge Advocate for a local U. S. Marine Corps League detachment.

As Treasurer, I will strive to keep the expenses down, increase the income and expand the membership. I would

encourage our members to take a more active role. We should seek to expand the benefits of the members. I feel we should continually upgrade our website with more features for our members.

This is our community and our Bar Association. We strive to make it the best. I appreciate the chance to use my experience to continue to serve the Broward County Bar Association as its Treasurer



**Office of the Secretary - Unopposed**  
**Robin Moselle**  
**Law Firm:**  
Jacobson, Sobo & Moselle  
**Law School:**  
Nova Southeastern University  
**Year Admitted in Florida Bar:** 1991  
**BCBA Member Since:** 1991

Attorney with the law firm of Jacobson, Sobo & Moselle in Plantation specializing in commercial litigation and collections. 2010 chair Legal Aid Service of Broward County and Collier County and Coast to Coast Legal Aid.

It has been my privilege and pleasure to serve as a director of the Broward County Bar Association. My involvement with the BCBA has been longstanding. In addition to serving on various committees over the years, I am past president of the Young Lawyers Section and Sponsorship & Exhibitor Chair of the 2009 Bench & Bar Convention. Currently, I serve as Co-Chair of the Membership Committee and Co-Chair of the 2013 Bench & Bar Convention. I look forward to continuing my service to the BCBA as Secretary.

## NORTHWEST



**Thomas D. Oates (incumbent)**  
is re-elected

**Law Firm:** Law

**Offices of Oates & Oates, P.A.**

**Area of Practice:** Commercial litigation

**Law School:**

**Stetson University College of Law**

**Year Admitted to The Florida Bar: 2004**

**BCBA Member Since: 2007**

It has been an honor to serve on the Board of Directors for the past two years. This coming term will be my second. This year I was selected as the liaison to the Intellectual Property Section and chair of the Technology Committee. Outside of the Board, I will continue my service with the Broward County Teen Court Program. Thank you for allowing me to continue in service of our local bar association.



**Michael I. Kean (is elected)**

**Firm Name:**

Berman, Kean & Riguera, P.A.

**Area of Practice:**

Complex Commercial Litigation

**Law School:** Temple University

**Year Admitted to the Florida Bar: 1993**

**Year Joining BCBA: 2001**

I am excited about the opportunity to serve on the BCBA's Board of Directors as a representative of the Northeast Region. I have been practicing Complex Commercial Litigation in Broward County for 20 years, and have worked at a large firm, a medium size firm, and now a small boutique firm. That background will give me insight into the varying needs and desires of members from all types of practices, and allow me to serve all members well. As a member of the BCBA for many years, I am proud of the work that the BCBA does, and its service to both its members and the community at large. I look forward to being a part of the Board, and helping to continue the good work of the BCBA.

## CENTRAL



**Michael A. Fischler**

**Law Firm:** Fischler & Friedman, P.A.

**Area of Practice:**

Corporate, Commercial Litigation,  
Mediation, Probate

**Law School:**

Nova Southeastern University

**Year Admitted to Florida Bar: 1978**

**Year Joining BCBA: 1987**

The Broward County Bar Association ("BCBA") is at the forefront in representing its members and the legal profession in our community. It fosters professionalism, provides educational, committee and networking opportunities in the various areas we practice. I believe I would bring leadership and a unique background to the Board of Directors having practiced in different environments: as an Assistant State Attorney in the Economic Crime Unit of the Broward County State Attorney's Office

between 1979 and 1984; as a litigator with a medium sized civil firm from 1984 to 1989; and in a solo and small firm environment for more than twenty (20) years. My commitment to organizations and leadership is evidenced by my being a member of and past chair of the Bench & Bar Committee, past member of the Professionalism Committee; 25+ year member and past Chairman of both the Board of Junior Achievement of South Florida and the Board of Boys & Girls Clubs of Broward County, founding member and past President of both the B'nai Brith Justice Unit 5207 and the Association of Broward County Mediators. I would appreciate your support so I can represent you as a Director of BCBA.



**Jose Izquierdo**

**Law Firm:** Izquierdo & Marin, P.A.

**Area of Practice:**

Criminal Defense, Immigration

**Law School:** University of Florida

**Year Admitted to Florida Bar: 2002**

**Year Joining BCBA: 2011**

I am seeking the opportunity to serve on the Board of Directors of the Broward County Bar Association. I am a strong believer that we must give back to the organizations that strengthen and preserve the integrity of our profession. I have previously had the honor of serving as president of the Broward County Hispanic Bar Association, the Florida Bar Grievance Committee 17E, and as a member of the Broward County Courthouse Task Force Committee. I would appreciate the opportunity to work with other directors of the Broward County Bar Association in an effort to continue to improve and enhance our local, legal community.



**Michael Leader**

**Law Firm:** Leader & Leader, P.A.

**Area of Practice:** Criminal

**Law School:** University of Florida

**Year Admitted to Florida Bar: 2000**

**Year Joining BCBA: 2000**

I am seeking election to the Broward County Bar Association's Board of Directors as a representative of the Central Broward Area. We should all endeavor to give more than we take from our organizations and communities. I have had the honor and privilege of serving as President of the B'nai Brith Justice Unit # 5207 (a/k/a Broward County's Voluntary Jewish Bar Association) and have taken on various positions with many other organizations in our community. Greater involvement in the BCBA is something I have wanted to do for some time in order to give back to our legal community, this organization and all of its members. I understand the needs of both small, medium and large firms as well as solo practitioners as I have worked in all settings. I would like to serve in this position in any way, but specifically I hope to increase our membership and awareness of what the BCBA is and how most attorneys in our community can benefit from membership as well as hands-on involvement.

If elected to this important post, I am confident I will serve the members well and make a positive impact on the BCBA and Broward's legal community.



**Steve Lubell (incumbent)**  
**Law Firm:** Lubell & Rosen  
**Area of Practice:** Medical Malpractice Defense  
**Law School:** University of Florida  
**Year Admitted to the Bar:** 1994  
**Year joining BCBA:** 1995

I am seeking re-election to the Board of Directors for the Central Area. As a first year member of the Board, I was privileged to serve as the trial section liaison. I participated at several bar functions throughout the year. Most importantly, I gained a great appreciation for the challenges faced by the legal community in Broward County.

In this next term, I hope to increase my level of dedication to the Bar and our community. As a founding partner in a 15 attorney firm in Ft. Lauderdale, I know full well many of the issues facing attorneys. The BCBA is already a strong bar association but we can grow; both in size and stature. As one of the largest voluntary Bars in the state we have an opportunity to expand our influence throughout Florida. I look forward to contributing in any way that I can.



**Jason Rosner**  
**Law Firm:** Law Office of Jason Rosner  
**Area of Practice:** Criminal Law and Family Law  
**Law School:** University of Florida  
**Year Admitted to the Bar:** 2004  
**Year joining BCBA:** 2008

It would be my honor to be your representative on the BCBA's Board of Directors. The BCBA serves not only the paralegals, attorneys, and judiciary that are members, but all members of the legal community – including the general public. My experience and involvement in our community of legal professionals will allow me to bring the requisite skills and knowledge to effectively carry out the duties of the position on your behalf.

I'm AV Rated Criminal Defense and have extensive experience as a Family Law litigator, providing me with both criminal and civil litigation perspective on how best to help the BCBA continue to grow and reach new levels of service, benefitting all of its members.

I was raised in Broward County and continue to reside here with my family. I'm a University of Florida graduate and earned my J.D. from the University of Miami School of Law. My practice is located in Fort Lauderdale.

It would be my privilege to serve on the Board of Directors for the Central District of the Broward County Bar Association and participate in the leadership of this great organization. I am grateful for your support.



**Carol Lynn Kendall**  
**Law Firm:** Kendall & Associates P.C.  
**Areas of Practice:** Family Law, Land Use, Trust and Probate Litigation  
**Law School:** University of Richmond  
**Year Admitted to the Florida Bar:** 2002  
**BCBA Member since 2011**

I am seeking a seat on the Board of Directors of the Broward County Bar Association to represent Hollywood and other areas of Southeastern Broward County.

As a member of the Board of Directors, my goals would include outreach to non-member attorneys in Broward County to increase membership in the BCBA, working with Section Chairmen to expand section educational and networking opportunities, and coordinating with the local judiciary and family practice attorneys to create a "Teen Court" similar to the one in Collier County for which I was a volunteer.

I have been an active member in the Broward County Bar Association since moving to Hollywood in January, 2011. (I had previously been a member of the Collier County (Florida) Bar Association) Since then I have volunteered for and serve on various committees of the Broward Bar, including the Mentoring Program (two mentees) and the Low Cost Panel for the BCBA's Lawyer Referral Service.

In addition to the BCBA, I am a participating member of the West Broward Bar Section, the Solo & Small Firm Section, the South Broward Bar Association, and the Broward County Women Lawyer Association. As part of my BCBA participation, I am a member of the Family Law, Trust & Probate, Trial, Real Property, and ADR sections of the BCBA.



**Jeffrey Solomon**  
**Law Firm:** Law Office of Jeffrey Solomon  
**Area of Practice:** Bankruptcy  
**Law School:** University of Virginia  
**Year Admitted to the Florida Bar:** 1980  
**Year Admitted to the BCBA:** 1991

I have had my own practice in Hollywood since 1988. During the past 10 years I have been an active participant of the Solo/Small Law Firm Section. In 2006 I was asked to develop a new Bankruptcy Section. The Bankruptcy Section has provided numerous well attended lunch and learn seminars and email updates of case law. Last year I was honored to receive an award as one of two section chairs of the year. I look forward to the continued growth of CLE programs by the Bar including joint sponsorship of seminars between sections, such as the March, 2012 Bankruptcy and Probate Seminar. CLE programs will be particularly important with the upcoming Broward County Bar Convention.

I am also a member of the South Broward Bar Association and will continue to encourage coordination with voluntary bar organizations. I am a participant in the mentor/mentee program. I look forward to the opportunity to provide a broader range of service as a member of the Board of Directors.



**Laura Varela**

**Law Firm:**

Phillips, Cantor & Shalek, P.A.

**Areas of Practice:**

Commercial litigation, including construction, real estate, probate and creditor's rights in bankruptcy.

**Law School:** University of Florida

**Year Admitted to the Florida Bar:** 1994

**Year Joining BCBA:** 2007

I am seeking election as a Director in the Broward Bar Association, Southeast Area. During the early part of my career practicing in Gainesville, I was actively involved in all of the local legal groups, including Young Lawyers, Federal Bar Association, Eighth Judicial Circuit Bar Association, and Inns of Court. For several of those organizations I took on the role of officer and/or director as well. I have been back in the South Florida legal community long enough to realize how much I enjoyed and miss that level of involvement in and commitment to, the local bar association. I am excited to give back to my peers in the legal community and build upon the outstanding efforts the Board has put forth in the last few years. I would greatly appreciate the opportunity to serve on the Board and use my prior experience to represent you in this capacity.

**WEST**



**Donal E. Fucik**

**Law Firm:** Donald E. Fucik, LLC

**Areas of Practice:**

Probate, Family Law and Litigation

**Law School:**

Michigan State College of Law

**Year Admitted to the Florida Bar:** 1986

**Year Joined BCBA:** 1987

I have served the residents, attorneys, and judges of Broward County while practicing law here for over twenty-five years. I have extensive leadership experience gained through the following positions to assist the Broward County Bar Association:

- 1987 – became a member of the Broward County Bar Association.
- 1992 – 1994 – coached Little League – Western Area Little League.
- 1992 – 1997 – Bd. of Directors – Residences SFHA Homeowner's Association.
- 2003 – present – Board of Directors – House of Hope – Broward County.
- 2008 – present - member - Bench and Bar Committee of the BCBA.

- 2008 - 2009 - Marketing Director - 2009 BCBA Bench-Bar Convention, the most successful one ever.
- 2010 - founding member of the West Broward Section of the BCBA.
- 2011 - present - 2013 BCBA Bench-Bar Convention Committee.
- 2011 - present - Convention Liaison for Nova Southeastern University.
- 2011 - present - Program and Publicity Director, West Broward Section, BCBA.

In order to help the attorneys practicing in the West Broward area, I became involved in the founding of the West Broward Section of the BCBA in 2010 and have served for the last two years. With the West Broward Section, I have worked with several Judges of the Circuit and County Courts, Chief Judge Weinstein, Mayor Seiler, Clerk Hamilton Forman, Sheriff Al Lambertini, and others.

This extensive involvement with the Broward County and judicial system leaders will assist us in reaching our goals of helping to promote the best interests of the members of the BCBA, expand member benefits, improve the image of our legal community, and improve the Bar Association in any way we can.

I would appreciate the opportunity to use my leadership experience to be of further service while striving to make the BCBA the best bar association in the country. I appreciate your vote and want to thank you for your time.



**Gary M. Singer**

**Law Firm:**

Law Firm of Gary M. Singer, P.A.

**Area of Practice:**

Board Certified in Real Estate Law

**Law School:**

Nova Southeastern University

**Year Admitted to the Florida Bar:** 2002

**Year Joining BCBA:** 2005

Over the past several years I have learned that membership in the BCBA is an investment that can pay great dividends. The more that I have put in to it, the more that I have gotten out of it: camaraderie, education, recognition, and yes, referrals. My participation with the BCBA has been a very rewarding experience for me and I want to continue to give back by serving as a Director.

I have been the Real Property Section Chair for the last two years. I have worked with the Section to publish weekly newsletters featuring cases and news stories that affect our practices and lives. I have been privileged to teach about 25 hours a year of CLE to our membership and have hosted several sub-committees to present our judiciary with our thoughts on how we, as Broward attorneys, can help mitigate the foreclosure crunch at the Courthouse. Last year I was honored to be presented with the Chair of the Year Award.

I am also currently serving on the Membership Committee working on getting the BCBA to continue to add value to our members and grow our numbers. Toward that end I have ap-

proached dozens of local businesses to offer discounts to our membership, a program that I intend to continue to grow.

My goal as Director is to continue the trend of the Bar adding more services and value. I will encourage you to get more and more involved and work to make sure that you enjoy the same benefits that I have. In short, I intend to become a missionary for the BCBA.

In the next several weeks, you will have the opportunity to vote for your new Directors and I ask that you vote for Gary Singer.

## **SOUTHWEST**



**Andrea R. Gundersen:**

*Incumbent board member from the SE Area who relocated office to SW Area*

**Firm:**

Law Offices of Andrea R. Gundersen, P.A.

**Area of Practice:**

Family Law- Litigation & Mediation

**Law School:**

Nova University School of Law

**Year Admitted to Florida Bar:** 1992

**BCBA Member since:** 1995

I am pleased to have the opportunity to continue to serve as a director of the Broward County Bar Association. For the past 15 years I have enjoyed serving the Broward County Bar Association as a long-time member of the Professionalism Committee and Chair of the committee. Since 2011, I have also served on the Bench & Bar Committee, the Bench & Bar Convention Committee, the Bench & Bar Local Rules Committee and Chairing the Professionalism Committee and Speaker's Bureau.

As Chairperson of the Professionalism Committee, I have been actively involved in developing the BCBA Mentorship Program which has paired new attorneys and law students with experienced attorneys to mentor them in the area of law they have an interest in. This year the Committee has also developed and is presenting a CLE seminar on Professionalism in April, to address the issue of the deterioration of professionalism in the practice of law. As Chair of the Speaker's Bureau of the Professionalism Committee I have had the opportunity to guest lecture to law students on the importance of professionalism in the legal field and to enhance the spirit of cooperation as professionals.

In addition, as liaison for the West Broward Bar Association and Seminole Middle School, for the past two years I have assisted in coordinating a class day tour of the Courthouse, for the students in the law class, which highlights the hard work and dedication of our local bench and also the members of the Broward County Bar Association.

If elected for another term, I will strive to continue to improve our legal community with the same level of commitment and dedication to benefit our members, the legal community and the community at large.



**Kenneth P. Hassett:**

*Incumbent board member from SW Area*

**Area of Practice:** Criminal Defense

**Law School:**

St. Thomas University School of Law

**Year Admitted to the Florida Bar:** 1991

**Year Joining BCBA:** 1999

As a practicing attorney since 1991, first with the Miami-Dade Public Defender's Office, then in private practice with two partners and finally as a solo practitioner I recognize the importance of being involved in local bar associations. I have dedicated many years of service including serving as president of various voluntary bars such as the Florida Association of Criminal Defense Lawyers-Miami Chapter 2003-2004, the Coral Gables Bar Association 2004-2005, and the South Broward Bar Association 2008-2010. I am also currently serving as President of the Broward Association of Criminal Defense Lawyers and as the Southwest representative of the Broward County Bar Association. It has been my honor to serve as a director of the Broward County Bar Association, and it would be an honor to continue serving in this capacity.



**David Israel**

**Law Firm:**

The Law Offices of David Ben Israel, P.A.

**Area of Practice:**

Construction, Commercial and Business Litigation

**Law School:**

Nova Southeastern University

**Year Admitted to The Florida Bar:** 1993

**BCBA Member Since:** 2009

It is my profound hope to have an opportunity to serve the Broward County Bar Association and its members through election to its Board of Directors. I come to this position in my life after numerous years of practice and legal experience. I believe that service to one's profession and community is the highest level of service that one can provide. It is my hope to help the Broward County Bar Association grow and provide new and expanded services to its members. My candidacy for the Broward County Bar Association's Board of Directors is based on my deep knowledge that through hard work a single person can make a difference. Although my experience serving in the Broward County Bar Association is limited, I intend to devote my time and efforts to make the Broward County Bar Association better for all its members. I hope that I can count on your support, and together help the Broward County Bar Association advance the cause of the law in our community.

# Recent Events & Presentations



**Above:** (l to r): Don Fucik, Judge Cynthia Imperato, and West Area Section President Michael Rajtar at the West Area Luncheon that featured Judge Imperato on March 22.



**Above:** (l to r) BCBA Board Member and Bench and Bar Committee Chairperson Charles Morehead along with Congressman Ted Deutch at the Bench and Bar Committee that took place on March 15. The congressman discussed issues that impact the legal community.



**Above:** (l to r):WPLG Channel 10's Kristi Krueger, Todd Templin, and BCBA President Jordana Goldstein at the 10th Annual Florida's Children First Broward Awards reception.



Jennifer Harley, center, served on a panel of BCBA attorneys who provided insight on legal careers to members of the St. Thomas Law School BCBA Club. Also pictured are Alexandria Nguyen, left, and Ashley Moussa, right.



## Sabadell United Bank

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**Sabadell** United Bank's unparalleled commitment to the legal profession goes beyond providing superior banking services.

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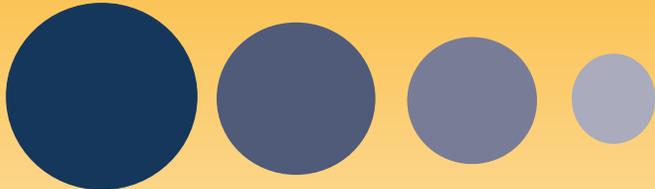
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# SEMINOLE MIDDLE SCHOOL DECAL PROGRAM VISIT TO COURTHOUSE

On January 28, 2012, for the second year in a row, the Seminole Middle School DECAL Program from Plantation, Florida had the opportunity to spend the day at the Broward County Courthouse to see how the judicial system works. The Seminole Middle School DECAL program is the only active non-magnet middle school government and law program in Broward County. This year 126 students participated in the trip which was arranged through the efforts of the students' teacher, Mel Rupp, Andrea R. Gundersen, Esq. and Judge Michelle Towbin Singer who coordinated the speakers, activities and volunteers for the visit as well as participated in the activities with the students during their trip, which included observations of hearings and a presentation by the Public Defender, Howard Finklestein, the State Attorney, Michael Satz and Judge Williams. With the cooperation of her fellow jurists including, Judge(s) Levinson, Seigel, Ehrlich, Diaz, Beach, Singhal and Pollack the students were able to observe various phases of court hearings ranging from plea hearings to sentencing. After their courtroom observations and presentations the students wrapped up their day by participating in two mock trials. The mock trials brought out the

talent and enthusiasm in the students as they went through the process of a trial from opening statements through to closing arguments and verdict.

The judges who participated in the courtroom observations were gracious enough to take the time out of their docket to address the students and answer any questions they may have and explain the process of what was occurring in their respective courtrooms. Along with volunteers from the courthouse staff, there were also attorneys from the Broward County Bar Association including Robin Moselle, Todd McPharlin, Bruce Weihe, Lori Adelson, Karol Pierce, Carol Lynne Kendall and Evan Baron who volunteered their time to act as "guides" for the students during the courtroom hearing observations and answer any questions the students might have. It was a pleasure to see the enthusiasm from the students, who were able to see how the curriculum they have been learning in class is applied in practice and to highlight the work that the judiciary and the staff of the Seventeenth Judicial Circuit are involved with on a day to day basis.

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## Kimberly Kanoff: Vice-Chair FLA Bar Student Education & Bar Admissions Committee



Kimberly J. Kanoff, resident in the Fort Lauderdale office of McIntosh Sawran & Cartaya, P.A., has been appointed Vice-Chair of the Florida Bar Student Education and Bar Admissions Committee. The Committee determines whether or not law schools adequately prepare their students for the practice of law as well as monitors and reviews proposed legislation affecting legal education. Ms. Kanoff joined the firm in 2011 and heads its Appellate Division Litigation Support.

## Diana Santa Maria Installed ABOTA President



On January 21st, 2012, Attorney Diana Santa Maria was installed as President of the Ft. Lauderdale chapter of ABOTA (American Board of Trial Advocates). The American Board of Trial Advocates is a national association of experienced trial lawyers and judges dedicated to the Preservation of the Trial by Jury, the Independence of the Judiciary and elevating the standards of professionalism, ethics and civility in the legal profession.

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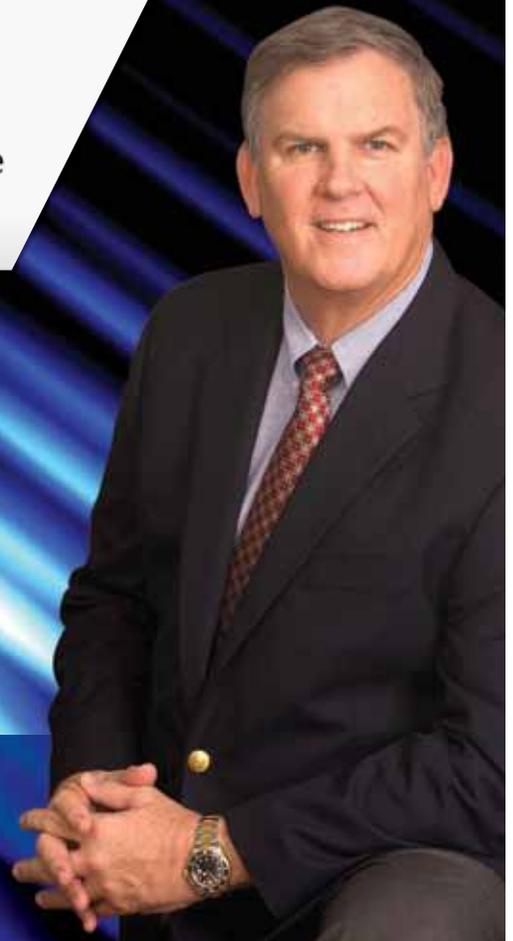
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# NOMINATION APPLICATION FOR THE BROWARD COUNTY BAR ASSOCIATION'S JOSEPH J. CARTER PROFESSIONALISM AWARD

Applicants in Practice in Broward County Less Than Twenty Years

**Person Nominating:**

**Nominee:**

Name \_\_\_\_\_  
Firm \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone \_\_\_\_\_  
Email \_\_\_\_\_

Name \_\_\_\_\_  
Firm \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone \_\_\_\_\_  
Email \_\_\_\_\_

Nominations should be submitted to:  
Art Goldberg - Executive Director [artg@browardbar.org](mailto:artg@browardbar.org) - Fax (954) 764-8060

Or mailed to:  
Broward County Bar Association  
1051 Southeast Third Avenue • Fort Lauderdale, Florida 33316  
*and must be received no later than Friday, May 18, 2012*

This form is also available for download at the BCBA website at [www.browardbar.org](http://www.browardbar.org)

**Criteria for Nomination:**

1. Current or former "active" and contributing member of the BCBA.
2. Exhibition of the highest degree of professionalism in accordance with BCBA Standards of Professional Conduct and the Florida Rules of Professional Conduct.
3. Demonstrates respect for the law and preservation of decorum and integrity of the legal system.
4. Conduct which has enhanced the image of the legal professional either through practice or programs and activities that educate the public about the law or the American legal system.
5. Additional general characteristics:
  - A role model for the legal community • Integrity • Timeliness and promptness • Mentoring of others • Zealous advocacy while maintaining civility • Decorum and demeanor • Credibility • Courtesy to counsel, the court, and the parties • Preparedness.

**Additional Information About Nominee:**

1. Practice area and years of practice:  
\_\_\_\_\_  
\_\_\_\_\_
2. Organization Affiliates:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
3. Bar Activities



# NOMINATION APPLICATION FOR THE BROWARD COUNTY BAR ASSOCIATION'S LYNN FUTCH PROFESSIONALISM IN PRACTICE AWARD

Applicants in Practice in Broward County More Than Twenty Years

**Person Nominating:**

**Nominee:**

Name \_\_\_\_\_  
Firm \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone \_\_\_\_\_  
Email \_\_\_\_\_

Name \_\_\_\_\_  
Firm \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone \_\_\_\_\_  
Email \_\_\_\_\_

Nominations should be submitted to:  
Art Goldberg - Executive Director [artg@browardbar.org](mailto:artg@browardbar.org) - Fax (954) 764-8060

Or mailed to:  
Broward County Bar Association  
1051 Southeast Third Avenue • Fort Lauderdale, Florida 33316  
**and must be received no later than Friday, May 18, 2012**

This form is also available for download at the BCBA website at [www.browardbar.org](http://www.browardbar.org)

**Criteria for Nomination:**

1. Current or former "active" and contributing member of the BCBA.
2. Exhibition of the highest degree of professionalism in accordance with BCBA Standards of Professional Conduct and the Florida Rules of Professional Conduct.
3. Demonstrates respect for the law and preservation of decorum and integrity of the legal system.
4. Conduct which has enhanced the image of the legal professional either through practice or programs and activities that educate the public about the law or the American legal system.
5. Additional general characteristics:
  - A role model for the legal community • Integrity • Timeliness and promptness • Mentoring of others
  - Zealous advocacy while maintaining civility • Decorum and demeanor • Credibility • Courtesy to counsel, the court, and the parties • Preparedness

**Additional Information About Nominee:**

1. Practice area and years of practice:  
\_\_\_\_\_  
\_\_\_\_\_
2. Organization Affiliates:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
3. Bar Activities  
\_\_\_\_\_

# **St. Thomas More Society of South Florida**

## **23rd Annual Red Mass, Reception & Dinner**

**Thursday, May 24, 2012**

Red Mass Celebrated by Archbishop Thomas G. Wenski  
6:00 p.m.

St. Anthony Catholic Church  
901 N.E. 2<sup>nd</sup> Street  
Fort Lauderdale, Florida

Complimentary Reception - 7:30 p.m.  
Dinner - 8:30 p.m.  
Marriott Harbor Beach Resort  
3030 Holiday Drive  
Fort Lauderdale, Florida

**Guest Speaker: Justice Peggy A. Quince, Florida Supreme Court**

The Archbishop Edward McCarthy annual award will be presented at the dinner to  
**Ray Ferrero, Jr., Esq., Chancellor, Nova Southeastern University**

\$65 per person

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**NOMINATION APPLICATION FOR THE  
BROWARD COUNTY BAR ASSOCIATION YOUNG LAWYERS SECTION'S  
PAUL MAY PROFESSIONALISM IN PRACTICE AWARD**

**Award Candidate Nominated:**

Name \_\_\_\_\_

Law Firm \_\_\_\_\_

Address \_\_\_\_\_

Telephone \_\_\_\_\_

**Person Nominating:**

Name \_\_\_\_\_

Law Firm \_\_\_\_\_

Address \_\_\_\_\_

Telephone \_\_\_\_\_

**-A candidate for the award may nominate him/herself.**

**-Nomination Applications must be received on or before Wednesday, May 16, 2012.**

**Nominations should be submitted to:**

Bart Ostrzenski • President, BCBA Young Lawyers Section  
Ostrzenski & Stricklin, P.A.  
900 E. Hillsboro Boulevard, Suite A  
Deerfield Beach, Florida 33441

**Criteria for Nomination:**

1. Current contributing member of the BCBA, in good standing, who either: (1) had not attained the age of thirty-six (36) prior to July 1, 2012; or (2) have not begun their sixth year following the first date of admission to the highest court of any state.
2. Exhibition of the highest degree of professionalism in accordance with BCBA Standards of Professional Conduct and the Florida Rules of Professional Conduct.
3. Demonstrated respect for the law and preservation of decorum and integrity of the legal system.
4. Conduct which has enhanced the image of the legal professional, either through practice or programs and activities that educate the public about the law or the American legal system.
5. Additional general characteristics may include:
  - A role model for the legal community
  - Integrity
  - Timeliness and promptness
  - Mentoring of others
  - Zealous advocacy while maintaining civility
  - Decorum and demeanor
  - Credibility
  - Courtesy to counsel, the court, and the parties
  - Preparedness
6. Current members of the Young Lawyers Section Board of Directors are not eligible for this year's award.

**Additional information required about the nominee:**

Please attach an explanation of why the Nominee rises above others in exhibiting professionalism in his/her practice of law, bar activities, community activities, or other organizations and include specific examples of conduct (You may also attach a resume, if available).

# Promotions Without a Raise: Potential Legal Traps for the Unwary Business Owner

By: Catalina M. Avalos, Esq.

In an effort to avoid losing employees, more and more employers are considering different alternatives to keep their workforce, make payroll and increase morale. From reducing the work week, to encouraging job sharing, to offering promotions without a raise, business owners are thinking outside the box in their efforts to maintain a happier and productive workforce while being mindful of a tough economy. Employers know that good employees are worth keeping so they are being forced to become more creative with less incentives and lower revenues. One way employers seek to sustain employee morale while still being mindful of the mighty dollar, is by promoting vital employees without increasing pay. Promotions are often crucial in fostering a positive morale in the work place so employers are using promotions to recognize the efforts of essential employees in the hopes of not losing them to the competition. Although certainly not nothing illegal or inappropriate, there are several key issues employers need to keep in mind to avoid unsavory legal disputes.

Considering this practice? If so, you should first analyze and review recent promotions made in your company of similarly situated employees. One factor that warrants your attention is the demographics of the employees promoted and receiving pay increases in the recent years. Another factor for your consideration is whether the employees promoted with a pay increase are similarly situated or were promoted to and from positions similar to those you seek to promote. You should also evaluate the recent promotions to determine if the position carried better working conditions and/or greater long term earning potential. In your analysis, you should be mindful that if your recent promotion(s) involved a white male employee who was promoted and received a raise and now you propose to promote a female (or any other employee within a protected class) without a raise, you may be required to articulate a legitimate, non-discriminatory reason for not giving a raise to the female employee while giving a raise to the male employee. Also, you should determine whether, notwithstanding the lack of pay increase, the promotion will still represent better working conditions and/or provide greater long term earning potential. Your ability to articulate a legitimate, non-discriminatory reason for withholding a pay increase in connection with a promotion will be directly tied to your company's records and financial well being. Accordingly, if your business has taken a downturn due to the economic hard times or has another legitimate, non-discriminatory reason for its

actions, you will need to be prepared to articulate those reasons. Like with many other employment decisions, the key is to avoid opening your company to accusations of discriminatory practices by relying on legitimate business reasons for taking any action.

Prior to taking action, it is important that you are prepared to communicate to employees your decision to promote without a raise. You should be clear and forthcoming about why you are promoting without a raise. Whether it is because your revenue is overall down, you have lost a customer or contract, your major clients are not paying or because of any other are specific issues significantly impacting your company, transparency is key when explaining a salary freeze to employees. This is also a good time to inform the employee of any better working conditions or added benefits of receiving the promotion. Financial compensation and/or work satisfaction is usually what motivates an employee to remain at the same job; job satisfaction can also be derived from better working conditions and not just financial gain. If the employee feels that the company is being truthful and that he/she is part of a team working towards a goal, then that employee will likely be able to understand and remain agreeable to a promotion without additional compensation. The employee will also be able to explain the situation to inquisitive minds and may dissuade him/herself from entertaining a suggestion to explore or engage in legal action against your company. Although you need to be clear that the promotion does not result in a raise for the employee, you should set forth a clear time line for when the company will reevaluate its position. Once you set the time line and communicate it to your employee, stick to the time line and have a follow up meeting with the employee so that he/she has a clear understanding about the potential of receiving a pay raise for the added responsibilities. The goal is to avoid leaving the employee feeling like all he/she received from the promotion was added thankless responsibilities, as this results in low employee morale, a feeling of being taken advantage of and a likely consultation with a plaintiff's attorney.

As with any promotion, with or without pay increases, companies need to be aware of overtime considerations under the Fair Labor Standards Act (FLSA) and of the importance of properly classifying its employees. Promoting an hourly employee into a "management" position and converting his/her pay structure hourly to

**continued on page 21**

## Partners Brian Lerner and Jay Kim Named to Chambers USA: America's Leading Lawyers for Business

Ward Kim Vaughan & Lerner LLP is pleased to announce that two of its named partners, Jay Kim and Brian L. Lerner, have been recommended as "Leaders in their Field" for the upcoming 2012 edition of *Chambers USA: America's Leading Lawyers for Business*.

Although Jay's and Brian's ranking positions will not be disclosed by Chambers USA until its book is published in June, Mr. Kim has been recommended for ranking in "Litigation: General Commercial (Florida)." This is Mr. Kim's second year being selected by Chambers. Mr. Lerner has been recommended for ranking in "Labor and Employment: Florida." This is Mr. Lerner's third year being selected by Chambers.

To obtain this ranking, Chambers' researchers assessed Messrs. Kim and Lerner according to their reputation among clients and in-depth interviews with in-house counsel and leading private practice attorneys.



Jay Kim



Brian Lerner

continued from page 20

salary, does not necessarily relieve the company of its obligations under the FLSA. The question under the Fair Labor Standards Act is never about the employee's title or recent promotion, but rather, what their day to day responsibilities encompass. An analysis of the day to day responsibilities help determine if the employee falls into one of the exempt categories rendering him/her exempt from having to be paid overtime. Changing an employee's title and only adding some limited managerial responsibilities may not be sufficient to satisfy the factors considered by the Department of Labor to meet the "exemption" requirements necessary to overcome the company's obligation to pay overtime. An improper classification could result in unnecessary exposure to a FLSA claim if the employee works more than 40 hours per week in its new "limited managerial" position and the company erroneously believes that his/her salary is adequate compensation.

In a nut shell, companies must often think outside the box in order to survive tough economic challenges and stay ahead in the competitive arena. The important factor for companies to keep in mind is that with every strategy there are issues to consider and take into account. Prior to adopting any new strategy, it is always wise to confer with competent employment counsel to assist in formulating new strategies and avoid falling into some of these pitfalls.

**SAVE THE DATE**

### Annual Meeting & Installation Dinner

Thursday, June 7, 2012  
Broward County Bar Association

Join us for the Induction of the 2012-2013  
**Board of Directors**  
and the  
**Young Lawyers Section Board of Directors**

Marriott Harbor Beach Resort  
3030 Holiday Drive • Fort Lauderdale  
Cocktail Reception 5:30 P.M. • Dinner 6:30 P.M.

Cost: \$85 for members • \$95 for non-members  
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or via email: [Traci@browardbar.org](mailto:Traci@browardbar.org)  
Register online at [www.browardbar.org/events](http://www.browardbar.org/events)

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# Recent Cases of Interest

By Nancy Little Hoffmann



**Attorney's Fees/Sanction for Refusal to Honor Settlement**  
*Cox v. Great American Insurance Company*,  
37 Fla. L. Weekly D686 (Fla. 4th DCA March 21, 2012).

The Fourth District, reviewing a fee awarded as a sanction under rule 1.730(c) for failure to perform a mediation agreement, affirmed and reversed in

part. The court reversed and remanded because the trial court failed to include detailed factual findings describing the specific acts of conduct justifying sanctions. In the appellate court's view, the rule requires the same findings as in a case where a fee is awarded under the inequitable conduct doctrine, namely an express finding of bad faith conduct resulting in the unnecessary incurrence of attorney's fees. The trial court should have made specific factual findings as to both the egregious acts and the fees and costs incurred. The Fourth District affirmed, however, the trial court's assessment of fees incurred in litigating the amount of the fee award.

**Dissolution of Marriage/Appellate Attorney's Fees**  
*LaMolinara v. LaMolinara*,

37 Fla. L. Weekly D721 (Fla. 1st DCA March 26, 2012).

The First District affirmed an order denying the wife's motion for relief from judgment, finding the appeal without merit, but not frivolous. Although the husband vigorously argued that the wife should not recover any fees under section 61.16(1) because she filed a meritless appeal, the court held that her lack of success was not sufficient reason alone to deny her appellate fees, since the appeal was not frivolous. The First District adopted the practice used in the Second District regarding appellate fees in domestic relations cases, setting forth five "standard" orders appropriate in resolving appellate fee motions in the domestic relations context.

**Non-Resident Jurisdiction/Corporate Shield Doctrine**

*Kitroser v. Hurt*,

37 Fla. L. Weekly S237 (Fla. S.Ct. March 22, 2012).

The supreme court quashed an opinion of the Fourth District which had held that employees of the corporate defendant were not subject to jurisdiction in Florida. The wrongful death complaint had alleged that these non-resident employees were personally responsible for the death of plaintiff's decedent because as a result of their personal supervision or training of the truck driver who caused the accident, they knew or should have known that he was a careless and dangerous driver. The Fourth District had ordered that the complaint be dismissed for lack of jurisdiction based on the corporate shield doctrine. Answering a certified question, the supreme court held that although these supervisory employees were all non-residents of Florida, their

training of the driver took place in the defendant's Bartow facility. Accordingly, the allegations brought the defendants within section 48.193(1) ("committing a tortuous act within this state"), irrespective of whether those acts occurred for the benefit of their corporate employer.

**Procedure/Dismissal as Sanction**

*Alsina v. Gonzalez*,

37 Fla. L. Weekly D685 (Fla. 4th DCA March 21, 2012).

In reversing the dismissal of a complaint as a sanction for counsel's willful failure to comply with a court order, the Fourth District reiterated the absolute requirement that the trial court consider all factors set forth in *Kozel v. Ostendorf*. The absence of a hearing transcript did not preclude reversal, because the order was devoid of any consideration of those factors. The court noted that although dismissal of a complaint for non-compliance with a court order is reviewable for abuse of discretion, the failure to apply the *Kozel* standards is in itself a basis for reversal.

**Temporary Injunction**

*Harambam Congregation, Inc. v. Simcha Connection, Inc.*,

37 Fla. L. Weekly D686 (Fla. 3rd DCA March 21, 2012).

After appellant obtained a temporary injunction without notice, appellee successfully moved to dissolve the injunction for failure to satisfy the notice provisions of rule 1.610. On appeal from that dissolution, the Third District reversed, holding that by electing to file a motion to dissolve rather than appealing the temporary injunction, the appellee rendered moot the appellant's failure to follow the notice certification requirements, since the appellee had received the benefit of notice and an opportunity to be heard at the hearing on its motion to dissolve.

**Worker's Compensation Immunity**

*Ocean Reef Club, Inc. v. Wilczewski*,

37 Fla. L. Weekly D694 (Fla. 3rd DCA March 21, 2012).

Plaintiffs, allegedly injured by exposure to chemical fumes in the beauty salon where they worked, gave notice of their injuries to the employer. The employer initially did not file claims with its carrier until after plaintiffs filed suit, and the carrier denied coverage on the grounds that the injuries were not work related. Because that denial of coverage was imputed to the employer, the employer was estopped from claiming that the injuries occurred during the course and scope of employment. Accordingly the trial court correctly held that the employer was not immune from tort liability.

About the author: Nancy Little Hoffmann is a Board-Certified Appellate Lawyer practicing in the Fort Lauderdale area since 1974. She may be contacted at 954-771-0606 or by e-mail at [NLHappeals@aol.com](mailto:NLHappeals@aol.com). For more information, see [NancyLittleHoffmann.com](http://NancyLittleHoffmann.com).



# LAWYER APPRECIATION NIGHT

BASEBALL & LAWYER DISCIPLINE  
FACTS, FICTION & MYTHS

Space is  
VERY  
Limited  
RSVP!  
TODAY!



VS



**Tuesday, April 17, 2012**

Registration: 3:15 PM

CLE: 4:00 PM

1st Pitch: 7:10 PM

Brought to you by The Dade County Bar Association, The Broward County Bar Association, Florida Association of Criminal Defense Lawyers – Miami Chapter, Cuban American Bar Association, Wilkie D. Ferguson, Jr. Bar Association and the Miami Marlins

### Participants include:

Raoul G. Cantero, Former Justice of the Florida Supreme Court; Judge Cecilia M. Altonaga, United States District Court;  
Judge Kevin M. Emas, 3<sup>rd</sup> District Court of Appeal; Kenneth Marvin, Director, Lawyer Regulation, The Florida Bar;  
Derek Jackson, Vice President & General Counsel, Miami Marlins, LP; Moderator, David B. Rothman, Esq., (Rothman & Associates, P.A.)

- Receive 2 hours of Ethics CLE
- Home Plate Box game ticket
- \$20 in Concession Credit for food/merchandise at Marlins Park (loaded into your LAN ticket)
- Complimentary Parking Pass (reg. \$15)
- Marlins gift item for each LAN package and exclusive Lawyer Appreciation Night raffle

### Lawyer Appreciation Night Agenda

3:15 Registration at Marlins Park  
 4:00 CLE Program  
 6:00 Lawyer Appreciation Raffle  
 7:10 First Pitch – Cubs vs. Marlins

\* Only lawyers who have purchased a Lawyer Appreciation Night Package will be eligible to earn CLE credit.

Description	QTY	Price	Total Due
LAN Package*	_____	x \$100 = \$	_____
Additional Game Tickets	_____	x \$ 65 = \$	_____
<b>Total Enclosed</b>		\$ _____	

For payment by check, please mail check, payable to  
Miami Marlins / Charles Sano  
501 Marlins Way / Miami, FL 33125

Fax credit card orders to: 305 373-6210

Name \_\_\_\_\_  
 Company Name \_\_\_\_\_  
 Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Phone (W) \_\_\_\_\_ (C) \_\_\_\_\_ Email \_\_\_\_\_  
 Method of Payment:  Check / Money Order **Check Number:** \_\_\_\_\_  Credit Card  
 Credit Card (Visa, MC, AMEX): \_\_\_\_\_ Exp: \_\_\_\_\_  
 Name on CC: \_\_\_\_\_ Signature: \_\_\_\_\_

**Deadline to register is Monday, April 9<sup>th</sup> – Please complete one form for EACH lawyer  
And send completed forms together at one time so that seats can be allocated together.**

All lawyer package tickets & additional tickets will be mailed to the contact name on the form.

Details regarding parking and check-in location will be emailed at least one (1) week prior to the event.

No refunds or exchanges. Not available at the box office

1-877-MARLINS

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groups@marlins.com

MARLINS.com

# Presidential Politics & Legal Marketing

By Margaret Grisdela



If you seek inspiration for your next law firm marketing campaign, you need look no further than the 2012 presidential election.

Core constitutional issues like the role of Congress, federal versus state rights, and individual mandates are being covered by newspapers and bloggers alike in daily detail. Highly publicized divisions across voters and even within political parties invite scrutiny of the raging debate over the role and spending patterns of the federal government.

Lack of a unifying theme is a common stumbling block for attorneys looking for acceptable ways to communicate with clients and prospects on a frequent basis. The presidential elections provide an easy answer to this dilemma, complete with a guarantee that the next seven months will provide an endless stream of fresh, newsworthy material.

The trick here is to translate the volume of news surrounding the presidential campaigns to your own area of legal expertise. Health care is a good example. Whether your target market is health care providers or health care consumers, The Patient Protection and Affordable Care Act offers fertile ground for interpretation, education, and commentary. Social issues, energy policy, financial reform, and tax rates are a few of the many other fundamental areas of law under debate.

Should a law firm take sides in these debates? That is a question for you to decide, keeping in mind that strong positions may alienate up to 50% of your audience. A better strategy might be as a neutral commentator, offering a balanced approach to the delivery of substantive insight that can help your audience make better informed decisions.

Creating an educated electorate is an ideal middle ground for lawyers, since attorneys help to make the

laws and certainly play a critical role in interpreting and upholding the legal rights of U.S. citizens. A safe stance is to encourage people to vote, while giving them guidance to better understand the issues. You could even view this as a public service campaign.

Translating the national debate into implications for your industry or geographic region brings election issues into sharper focus for your clients and prospects, while giving you a chance to position yourself as an expert on the important issues of the day.

Whether you are looking for inspiration for a blog post, a newsletter article, client fact sheet, or a social media marketing campaign, excellent news sources include websites of the White House, Congressional Budget Office, federal agencies, candidate campaign sites, the New York Times, the Wall Street Journal, the Poynter Institute, FactCheck.org, and other leading media outlets.

One benefit of aligning your marketing campaign to the presidential elections is that of increased visibility in the search engines as your blog posts and social media updates reflect the hot topics of the day. The rich red, white, and blue color scheme of our beautiful flag will add a visual sparkle to your campaign.

In closing, remember that marketing is a process and not an event. Once the elections are over you can transition to a focus on compliance. Have fun and never stop marketing! The author welcomes your comments and questions.

**About the Author:** *Margaret Grisdela is president of Legal Expert Connections, a national legal marketing agency, and the author of Courting Your Clients. She focuses on insurance defense marketing, personal injury marketing, social media, and other legal marketing campaigns. Contact her at 561-266-1030 or mg@legalexpertconnections.com*

# NEXT Announces 2012 Summer Fellowship Recipients

The NEXT Executive Team is proud to announce that Diana Stapp and Jennifer Morrissey have been selected as the 2012 Summer Fellowship Program recipients. Diana is a first year student at St. Thomas University, School of Law, who is interested in a career in legal aid services and Jennifer is in her second year at Vanderbilt University Law School, who plans to work in the areas of public interest and human rights.

“This year we are fortunate to offer fellowships to two very deserving and extremely well-qualified women. Diana Stapp and Jennifer Morrissey have both demonstrated incredible dedication and passion for pro bono work and assisting the community,” said NEXT President Larry Marin. “We are honored and excited to name Diana and Jennifer NEXT’s 2012 Fellows!”

As a NEXT Fellow, Stapp and Morrissey will have the opportunity to work directly with Legal Aid clients and attorneys, assisting individuals on issues affecting

children, immigrants, disabled clients, the elderly, as well as other low-income individuals.

NEXT is a joint project between Legal Aid Service of Broward County and Coast to Coast Legal Aid of South Florida. Comprised of Broward County “young-ish” legal and business professionals, NEXT exists to better inform and educate the Broward County legal and professional community about the two agencies in a spirit of fun and congeniality. The members of NEXT are joined in the common goal of contributing to the success of both agencies.

For more information about becoming a member of NEXT, or our upcoming events, please visit [www.legalaid.org](http://www.legalaid.org).

## Broward Lawyers Care

Thank you to the following attorneys  
who accepted a Pro Bono case  
from Broward Lawyers Care  
February 2012

- Timothy Arcaro
- Roshawn Banks
- Lorna Brown-Burton
- Laura Cancilla
- Bonnie Canty
- Serena Carroll
- Brianne DeSellier
- Peter N. Hanna
- Jorge E. Hurtado
- Jay Kim
- Conrad S. Kulatz
- Daniel McGowan
- Alan A. Pascal
- Kim Picazio
- Gene Reibman
- David Salomon
- Jeffrey Solomon
- David Steckler

## BCBA Walking for Autism Speaks

The BCBA is putting together a team to support the 2012 Autism Speaks Walk scheduled for Saturday, April 14. To join the team, go to <http://www.walknowforautismspeaks.org/faf/home/default.asp?ievent=993672>.

On the left side of the screen, you will see “Join or Support a Team.” Type “Broward County Bar Association.” Click on the blue underlined “Broward County Bar Association,” and you will be brought to the BCBA Team Page. Click on Join Our Team (blue underlined) and follow the instructions to register.



## Broward Lawyers Care – Attorney of the Month

### Jennifer D. Sharpe

Jennifer D. Sharpe, Esq. has dedicated much of her time to volunteering within the legal community in South Florida. After Jennifer obtained two Bachelor's Degrees from Florida State University, she continued her education by earning a law degree from the University of Florida - Levin College of Law. After graduating law school, Jennifer worked as a CPA at Deloitte and Touche while attending the University of Miami to earn her LL.M. in Taxation.



Jennifer practices primarily in the areas of tax, estate planning and creditor protection planning.

Recently, she worked with Coast to Coast Legal Aid of South Florida (CCLA) to represent a disabled senior client with a probate proceeding. The client needed to obtain clear title to his condominium so he could then claim a homestead exemption. Thanks to Jennifer's assistance, a clear title was obtained and the client's property taxes were lowered accordingly. Most importantly, this enabled the client to maintain his home on a fixed income.

In addition to handling pro bono cases for Broward Lawyers Care (BLC), Jennifer also donates volunteer time to other LAS/CCLA activities. She served as Silent Auction Committee Chair for the 10th Annual For the Public Good and is a member of NEXT (Next Executive Team). Jennifer also volunteers her time with the BLC Advice & Counsel Hotline, a program that offers advice and counsel to low income residents of Broward County. Jennifer's commitment to pro bono work has truly made an impact on our community.

## NEXT TRES DE MAYO WINE TASTING

Thursday, May 3 - 5:30p.m.-7:30p.m.

### Wine Watch

Outdoor Courtyard

901 Progresso Dr., Ft. Lauderdale, 33304

\$20 members; \$30 non-members

● **RSVP EARLY – SPACE IS LIMITED** ●  
jpalma@legalaid.org or call 954-736-2423

NEXT (Next EXecutive Team) is comprised of Broward's legal and business professionals with an interest in contributing to Legal Aid Service of Broward County (LAS) and Coast to Coast Legal Aid of South Florida (CCLA) by supporting their missions and shaping their futures. Learn more at [www.legalaid.org](http://www.legalaid.org).



NEXT is created, funded and managed by Legal Aid Service of Broward County, and Coast to Coast Legal Aid of South Florida.

# Calendar of Events

*Unless otherwise noted, all BCBA events require an RSVP*

## **Solo/Small Law Firm Networking Lunch**

April 5, 2012 • 12:00 pm – 1:30 pm  
ESponsored By: Global Neuro & Spine Institute  
Bru's Room 5460 W. Hillsboro Blvd. Coconut Creek FL,  
Evan Ostfeld (954)227-7529 or Evan@attorney4life.com

## **4th DCA Oral Argument & Reception**

April 5, 2012 • 2:00 pm – 6:30 pm  
Featured Events

Oral Argument - 2:00 - 4:00

Reception - 4:30 - 6:30

\$25 BCBA Members

\$40 Non-Members

Judiciary: Complimentary to those that are current members of the BCBA

Broward County Courthouse / 110 Tower  
201 SE 6th Street / 110 SE 6th Street Fort Lauderdale  
Traci Lewis (954)832-3618 or traci@browardbar.org

## **Membership Committee**

April 10, 2012 • 4 p.m. - 5 p.m.  
BCBA Offices: 1051 SE 3rd Avenue, Fort Lauderdale

## **BCBA Board of Directors Meeting**

April 10, 2012 • 5:00 p.m. - 6:30 p.m.  
BCBA Offices: 1051 SE 3rd Avenue, Fort Lauderdale

## **Ethics / Professionalism CLE Lunch**

April 13, 2012 11:30 am – 1:30 pm  
**\*\*SOLD OUT\*\***

“Putting Civility Back into the Practice of Law”  
with Judge Rothschild, Judge Gates, Judge Richards and  
Jay Cohen, Esq.

\$25 BCBA Members

\$35 Non-Members

Includes Lunch

Registration begins at 11:30; Presentation at 12:00  
BCBA Offices 1051 SE 3rd Avenue Fort Lauderdale  
Traci Lewis (954)832-3618 or traci@browardbar.org  
Register: <http://www.browardbar.org/calendar/>

## **DiveBar Underwater Bar Association Happy Hour and Half**

April 13, 2012 5:30 pm – 7:00 pm  
“Deep Wreck • Dive: Case Management in the 21st Century”  
1 CLE Credit  
Speaker: Honorable Jeffrey Streitfeld  
No Charge - Includes 1 drink and appetizers  
Quarterdeck Restaurant 1541 Cordova Rd. Ft. Lauderdale  
lindsay@thedivebar.org or 954-522-6601

## **4 Hour Minor Guardianship Class**

April 14, 2012 • 9:00 am - 1:00 p.m., \$100  
Attorneys welcome, Florida Bar approved for CLE credits  
BCBA Offices: 1051 SE 3rd Avenue, Fort Lauderdale  
Contact Tish at (954)832-3617

## **DiveBar Underwater Bas Association Diving with the Moon and BBQ**

April 14, 2012 8:00 am – 4:00 pm  
BBQ afterward at the Parrot Lounge, 911 Sunrise Lane, Fort Lauderdale (\$15 per person includes 1 drink and buffet)  
\$60 Dive Only; \$82 Dive & tanks; \$90 Dive & nitrox tanks  
All proceeds benefit Dive Heart  
American Dream Dive Charters - Hyatt Regency Pier 66  
2301 SE 17th Street Fort Lauderdale  
Lindsay@thedivebar.org or (954)522-6601

## **Walk Now for Autism Speaks**

April 14, 2012 10:00 am – 12:00 pm  
Nova Southeastern University 3100 Ray Ferrero Blvd. Davie  
Register: [www.walknowforautismspeaks.org](http://www.walknowforautismspeaks.org)

## **B'nai B'rith Justice Unit Installation Brunch**

April 15, 2012 9:30 am – 11:30 am  
Renaissance Hotel 1230 S. Pine Island Road Plantation

## **Bench and Bar Committee Meeting**

April 17, 2012 • 12:00 p.m. - 1:30 p.m.  
BCBA Offices: 051 SE 3rd Avenue, Fort Lauderdale  
Traci: (954)832-3618 or traci@browardbar.org

## **Solo/Small Law Firm Networking Lunch**

April 17, 2012 12:00 pm – 1:30 pm  
Bimini Boat Yard 1555 SE 17th Street Fort Lauderdale  
Beth Lindie (954)764-5400 or blindie@lawyers.com

## **ABA Family Law Seminar**

April 18, 2012  
Eden Roc Renaissance Hotel Miami Beach

## **Employment Law Seminar “Recent Developments at the EEOC”**

April 19, 2012 12:00 pm – 1:30 pm  
Speaker: Robert Weisberg  
\$15 BCBA Members  
\$25 Non-Members  
BCBA Offices 1051 SE 3rd Avenue Fort Lauderdale  
Traci Lewis (954)832-3618 or traci@browardbar.org

## **YLS Elections Luncheon**

April 19, 2012 12:00 pm – 1:30 pm  
\$25 Pay at the Door  
Tower Club 100 SE 3rd Avenue Fort Lauderdale  
Traci Lewis (954)832-3618 or traci@browardbar.org

## **West Broward Bar Golf Classic Happy Hour**

April 19, 2012 6:00 pm – 8:00 pm  
2-4-1 Drinks  
Appetizers, Raffles  
\$10 Suggested Minimum Donation to benefit  
Seminole Middle School DECAL Program  
Azteca Mexican Restaurant 8800 State Road 84 Davie  
Marika Guyton (954)549-8602

# Calendar of Events Continued

*Unless otherwise noted, all BCBA events require an RSVP*

## 8 Hour Adult Guardianship Class

April 21, 2012 • 9:00 am – 5:00 pm, \$180  
Attorneys welcome, Florida Bar approved for CLE credits  
BCBA Offices 1051 SE 3rd Avenue Fort Lauderdale Please  
Register with Tish: (954)832-3617

## Solo/Small Law Firm Networking Lunch

April 24, 2012 12:00 pm – 1:30 pm  
Sponsored By: Global Neuro & Spine Institute  
Olive Garden 807 South University Drive Plantation  
Chuck Eiss (954)812-9513 or icelaw21@aol.com

## Publicity Committee Meeting

April 24, 2012 12:00 pm – 1:30 pm  
BCBA Offices 1051 SE 3rd Avenue Fort Lauderdale

## Bar at the Bar Networking Event at Tap 42

April 24, 2012 • 5:30 pm – 7:00 pm  
No RSVP Necessary • No Charge  
1/2 Priced Drinks & Complimentary Happy Hour Food  
Tap 42: 1411 S. Andrews Avenue Fort Lauderdale FL,  
Traci Lewis (954)832-3618 or traci@browardbar.org

## BCWLA Luncheon

April 25, 2012 12:00 pm – 1:30 pm  
Administrative Professionals Luncheon  
\$35 BCWLA Members  
\$40 Non-Members  
\$30 Judiciary  
Riverside Hotel 620 E. Las Olas Blvd. Fort Lauderdale  
rsvp@bcwla.com

## West Broward Section Luncheon with Judge Ilona Holmes

April 26, 2012 12:00 pm – 1:30 pm  
Featured Education  
\$25 if RSVP'd prior to 4/26/2012  
"Objecting without being Objectionable"  
Plantation Preserve Golf Course  
7050 W. Broward Boulevard Plantation  
Traci Lewis (954)832-3618 or traci@browardbar.org

## Solo/Small Law Firm Networking Lunch

April 26, 2012 12:00 pm – 1:30 pm  
Macaroni Grill  
2004 NW Executive Center Circle Boca Raton  
Michael Degnan (561)353-1631 or michael@mjcdegnan.com

## "Raising the Bar" Family Law Annual Seminar

April 27, 2012 8:30 am – 4:30 pm  
8:30 - 9:00 Registration  
9:00 - 4:30 Seminar includes breakfast and lunch  
4:30 - 5:30 Cocktail Reception  
\$125 BCBA Members  
\$150 Non-Members  
Embassy Suites Hotel

1100 SE 17th Street Causeway Fort Lauderdale  
Traci Lewis (954)832-3618 or traci@browardbar.org

## Heart/Lung Worker's Compensation Lunch and CLE Seminar

April 27, 2012 12:00 pm – 3:00 pm  
"Heart/Lung Presumptions in Workers Compensation Cases Involving Firefighters, Law Enforcement and Correctional Officers"  
Panel to include Honorable Gerardo Castiello, Geoff Bichler, Esq., George Helm III, Esq. and Alan Kalinoski, Esq.  
\$25 BCBA Members  
\$35 Non-Members  
Includes Lunch and 3.5 CLE Credits  
BCBA Offices 1051 SE 3rd Avenue Fort Lauderdale Traci Lewis (954)832-3618 or traci@browardbar.org

## Solo/Small Law Firm Networking Lunch

April 27, 2012 12:00 pm – 1:30 pm  
Sponsored by: OfficeEdge  
East City Grill 1800 Bell Tower Lane Weston FL,  
Rick Woolf (954)252-0043 or rwoolf@woolffinancial.com

## Solo/Small Law Firm Networking Lunch

April 30, 2012 12:00 pm – 1:30 pm  
Sponsored by: Oasis Legal Finance  
Champps 6401 N. Andrews Avenue Fort Lauderdale FL,  
John O'Brien (954)782-9066 or john@johnobrienlaw.net

## Law Day Luncheon with Justice Cantero

May 3, 2012 12:00 pm – 1:30 pm  
Speaker: Justice Raoul Cantero  
Renaissance Hotel  
1617 SE 17th Street Causeway Fort Lauderdale FL, 33316  
Traci Lewis (954)832-3618 or traci@browardbar.org

## West Broward Bar Association Inaugural Golf Classic Happy Hour

To Benefit Seminole Middle School DECAL Program

Thursday, April 19th @ 6pm - 8pm

Azteca Mexican Restaurant  
8800 State Road 84, Davie

Suggested Minimum Donation \$10  
ALL Proceeds Benefit the School!  
2-4-1 Drinks \* Appetizers \* Raffles

Register or Sponsor: [www.westbrowardbar.com](http://www.westbrowardbar.com)

Information: Marika Guyton 954.549.8602  
or Michael Rajtar 954.554.0347

# Broward County Bar Association

Presents

## RAISING THE BAR FAMILY LAW SEMINAR

Friday, April 27, 2012

Embassy Suites Hotel 1100 SE 17 Street Causeway Ft. Lauderdale

REGISTRATION FEE: \$125 FOR BCBA MEMBERS; \$150 FOR NON-MEMBERS

REGISTER ONLINE AT [WWW.BROWARDBAR.ORG/CALENDAR](http://WWW.BROWARDBAR.ORG/CALENDAR) OR BY PHONE AT (954) 832-3618

8:30 a.m.- 9:00a.m.	<i>Registration</i>
9:00 a.m.-9:05 a.m.	<i>Welcome</i> Heather Apicella, Esquire
9:05 a.m.-9:45 a.m.	<i>Common Lawyer Mistakes</i> Honorable Arthur Birken
9:45 a.m.-10:30 a.m.	<i>How to Survive Having a Self Represented Party On the Other Side</i> Honorable Renee Goldenberg
10:45 a.m. - 11:20 a.m.	<i>QDRO'S</i> Timothy Voit, Financial Analyst
11:20 a.m. - 12:00 p.m.	<i>Dependency vs. Domestic Relations</i> Honorable Nicholas Lopane, General Magistrate Randi Glick Boven
12:00 p.m. - 1:00 p.m.	<b>LUNCH</b>
1:05 p.m. - 1:35 p.m.	<i>Toxicology Testing/Substance Abuse and Timesharing</i> Carolyn Drakes-Gallichio, Advocate Counseling Services
1:35 p.m. - 2:20 p.m.	<i>Gestational Surrogacy/Gay Adoption (Second Parent Adoption)</i> <i>Domestic Partnership Agreements</i> Hugo Acebo, Esquire; Stan Brenner, Esquire Robert Lamarche, LSCW, JD; Alan Mishael, Esquire and Christopher Rumbold, Esquire
2:35 p.m. - 3:05 p.m.	<i>Impact of Mortgage Foreclosure Actions on Family Law Cases</i> Honorable Marina Garcia-Wood, Carlos Reyes, Esquire and John Watson, Esquire
3:05 p.m.- 3:40 p.m.	<i>General Magistrates Surprise</i> GM Barbara Beilly, GM Randi Glick-Boven, GM Giuseppina Miranda GM Vicki Plant, GM Annette Szorosy, GM Phoebe R. Francois, GM Lucy Miller
3:40 p.m.- 4:30 p.m. -	<i>Resolving Jurisdictional Conflicts Arising Under the UCCJEA</i> Honorable Ronald Rothschild, Timothy Arcaro, Esquire
4:30p.m. – 4:35p.m.	<i>Closing</i> Heather Apicella, Esquire
4:35 p.m. – 5:30 p.m.	<i>Cocktail Reception</i>

The Broward County Bar Association's  
**2012 Law Day Luncheon**

**Law Day Luncheon**

**Sponsorship Opportunities**

**Liberty Sponsorship**

\$1,000.00

*(Includes 8 Lunch Tickets)*

**Justice Sponsorship**

\$500.00

*(Includes 4 Lunch Tickets)*

**Freedom Sponsorship**

\$250.00

*(2 Lunch Tickets)*

**All Sponsors Also Receive:**

Name and sponsorship level in the  
*Law Day Program*

Name displayed on signage at events.

Recognition in the BCBA Monthly  
Newsletter, *The Barrister*, which will be  
distributed to all Broward County Bar  
members.

**Please make checks payable to 'The  
Broward County Bar Association' and  
mail to:**

**Angel Petti Rosenberg, Esq.  
Hall & Rosenberg, P.L.  
8850 W. Oakland Park Blvd. #101  
Sunrise, FL 33351**

**Email Questions to:  
angel@hallrosenberg.com**



**Law Day Luncheon**

Date: Thursday, May 3<sup>rd</sup>, 2012

Time: 12:00 Noon

**Speaker: Former Justice Raoul G. Cantero**  
(Former Florida Supreme Court Justice)

**Liberty Bell Award Recipient: TBD**

Location: Renaissance Hotel  
1617 S.E. 17<sup>th</sup> Street Causeway  
Fort Lauderdale, FL  
\$35.00 members/\$45.00 non-members  
Judiciary – complimentary for members

\* Make reservations early as seating is limited

To RSVP go to [www.browardbar.org/events](http://www.browardbar.org/events) or  
contact Traci Lewis at 954.832.3618  
email: [traci@browardbar.org](mailto:traci@browardbar.org)  
1051 S.E. 3<sup>rd</sup> Avenue, Fort Lauderdale FL 33316



**Howard C. Forman – CLERK**  
**CIRCUIT COURT      COUNTY COURT**  
17<sup>TH</sup> Judicial Circuit  
In and for Broward County  
Fort Lauderdale, FL 33301

201 Southeast 6<sup>th</sup> Street  
Broward County Courthouse  
Fort Lauderdale, Florida 33301

**Redaction Notice**

**TO:                    Customers of the Broward County Clerk’s Office**

**DATE:                January 1, 2012**

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Effective January 1, 2012, Clerks are prohibited from releasing any court records, official records and other documents unless they have been reviewed and redacted for confidential information such as Social Security or bank account numbers. See Florida Statutes, Section 119.0714(2)(e)(1) and Rule 2.420.

To comply with the new law, the review and redaction must be done before the record is viewed. This means that we will no longer be able to immediately provide copies of new or previously filed documents at our front counters. Depending upon workload, the amount of time it takes to prepare redacted copies could vary from a few hours to a few days.

While we try to fulfill customer’s records requests as expeditiously as possible, this new mandate from the Florida Legislature means that requests will take longer to process. To avoid delays, you can request to view these files/documents in advance. If you’d like to review a file, please fax or email your request to the appropriate division listed on the request form. Requests can also be made at the front counters of each division. The “Request Form” is located at [www.browardclerk.org](http://www.browardclerk.org). Requests can also be made at the front counters of each division. Please refer to [www.browardclerk.org](http://www.browardclerk.org) for a listing of the Clerk of Court locations.

We ask for your patience as we meet this mandate, and provide the following general timelines for records requests:

- 1) Unless a request is an emergency, i.e., there is a hearing that day and you must have copies for that hearing, we will attempt to fulfill your request within five business days.

We remain committed to delivering outstanding service and will make every effort to reduce any adverse impact resulting from this statutory change.

Thank you for your understanding and patience.

**Attorney’s and Pro Se Filer’s Responsibility**

**We call your attention to rule of Judicial Administration 2.425 which became effective 10/1/11. The rule sets forth the information that must not be filed or must be truncated or redacted before filing. It also emphasizes that both attorneys and pro se litigants must be vigilant to file only authorized documents meeting the requirements adopted by this rule.**



## JUDICIAL RECEPTION

(Complimentary for all Members of the Judiciary)

**Thursday, May 10, 2012**

5:30 p.m. – 7:30 p.m.

New River Center Rotunda

200 East Las Olas Boulevard

(New River Center -- SW corner of Las Olas Blvd. & SE 3rd Ave.)

### LEVELS OF SPONSORSHIP

TITLE CONTRIBUTOR	\$2,500.00 (includes 20 tickets)
SUPREME CONTRIBUTOR	\$1,000.00 (includes 8 tickets)
JUSTICE CONTRIBUTOR	\$500.00 (includes 4 tickets)
BARRISTER CONTRIBUTOR	\$300.00 (includes 2 tickets)
SOLICITOR CONTRIBUTOR	\$150.00 (includes 1 ticket)

All sponsors will also receive their name displayed on signage at event and recognition in the BCBA monthly newsletter, the *Broward Barrister*. Title Contributors will receive additional independent signage at the event.

### INDIVIDUAL TICKETS

Advance RSVP BCBA Members	\$35.00
Advance RSVP Non-Members	\$45.00
Walk-In Attendees	\$55.00

Entrance tickets include complimentary hors d'oeuvres, cocktails and desserts.  
RSVP by May 3, 2012.

### **For sponsorship information or to RSVP, please contact:**

Tobi B. Lebowitz, Esq.  
Judicial Reception Chairperson  
200 East Las Olas Boulevard, Penthouse A  
Fort Lauderdale, Florida 33301  
tlebowitz@stearnsweaver.com  
(954) 462-9525

**Checks should be made payable to: Young Lawyers Section.**

# SPONSORSHIP COMMITMENT FORM



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| <input type="checkbox"/> <b>\$500 DRIVING RANGE SPONSOR</b>      |   |

Fill out and return with your check(s) payable to: **BCBA**

Mail to: **BCBA West Section Golf Tournament**

*c/o Traci Lewis 1051 SE Third Avenue, Ft. Lauderdale, FL 33316*

Authorized Signature: \_\_\_\_\_

Sponsor Name: \_\_\_\_\_

Contact Person: \_\_\_\_\_

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For more information contact **Michael Rajtar at 954-241-0154**

**or Marika Guyton 954-549-8602**

## **WBBA Hosts Golf Tournament to Benefit Middle School Law Program**

West Broward Bar Association (WBBA) will host the West Broward Bar Inaugural Golf Classic on Saturday, May 12, 2012, at the beautiful Plantation Preserve Golf Course and Club in Fort Lauderdale. This partnership between the WBBA and Seminole Middle School will help raise funds to buy computers and materials for the 8th grade law students in the Division of Enhanced Communication and Law (DECAL) program.

The DECAL program is an innovative curriculum for high achieving learners. Students are put through a rigorous curriculum offering up to seven high school credit classes that include speech and debate. A Law Studies is taught in the 8th grade year in which the students participate in mock trials, interaction with law professionals, and a trip to the Main Broward Court-house sponsored by the WBBA. The Seminole Middle School DECAL program is the only active non-magnet middle school government and law program in Broward County.

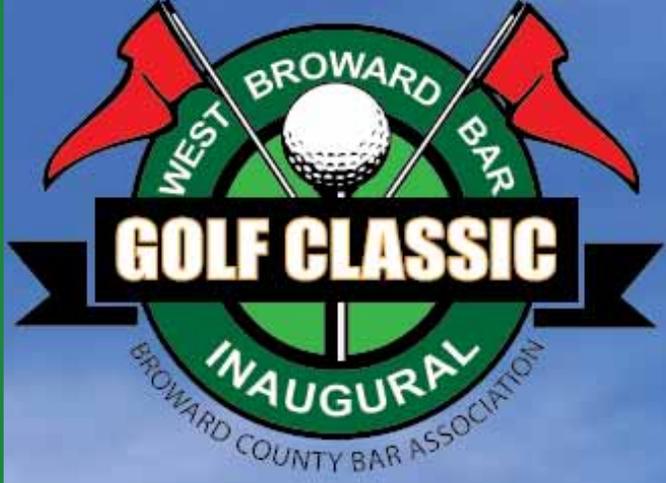
“With the increased funding cuts to the public schools there is a need to step up and assist those affected in our community,” said Michael Rajtar, President of the WBBA. “This is a perfect pairing of a legal organization and a law program partnering to benefit the next generation.”

The tournament will kick off with registration and lunch at 11:30 a.m., followed by a shotgun start 1 p.m. After the tournament, guests will enjoy cocktails and hors d'oeuvres from 5 to 6 p.m., followed by an awards dinner, silent auction, and a raffle.

The West Broward County Bar Association is a chapter of the Broward County Bar Association, a not-for-profit organization founded in 1925 to foster courtesy, ethics, and professionalism among lawyers. The organization works to educate the citizens of Broward County on their legal rights and to provide necessary legal services to Broward County's residents.

Tickets are \$100 per golfer and several sponsorship levels are available starting at \$250.

*For more information and to register online, go to [www.WestBrowardBar.com](http://www.WestBrowardBar.com).*



Benefitting:  
The Law Curriculum of the DECAL Program  
of Seminole Middle School

**DATE:** SAT. MAY 12, 2012 **JOIN US!**  
**TIME:** REGISTRATION BEGINS 11:30AM  
SHOTGUN START 1PM  
**LOCATION:** PLANTATION PRESERVE GOLF  
7050 W. BROWARD BOULEVARD  
PLANTATION, FL 33317  
954-585-5020

**FOURSOMES AVAILABLE AT \$400**

**INDIVIDUAL PLAYER SPOTS AVAILABLE FOR \$100**

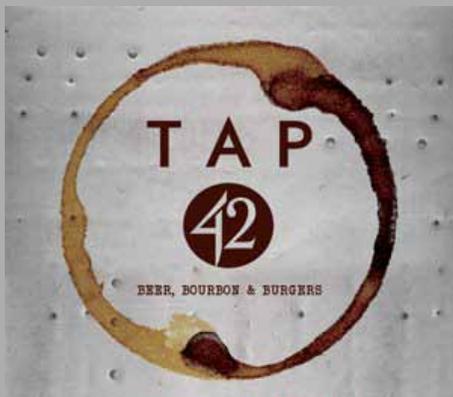
Foursomes and Individual Player Spots Include:  
GOLF, RANGE, LUNCH & DINNER,  
ENTERTAINMENT, SILENT AUCTION, RAFFLES

EARLY BIRD REGISTRATION ONLINE AT:  
**WESTBROWARDBAR.COM**

**Bar at the Bar**  
at  
**TAP 42**

April 24th, 2012, 5:30 pm – 7:00 pm  
No RSVP Necessary  
No charge to attend

1411 S. Andrews Avenue, Fort Lauderdale  
For Information, contact Traci Lewis at  
(954)832-3618 or [traci@browardbar.org](mailto:traci@browardbar.org)



***“Heart/Lung Presumptions in  
Workers Compensation Cases  
Involving Firefighters,  
Law Enforcement &  
Correctional Officers”***

Panel to include  
Honorable Gerardo Castiello,  
Geoff Bichler, Esq., George Helm III, Esq.  
Alan Kalinoski, Esq. and Dr. David Perloff

**April 27, 2012  
12:00 p.m. - 3:00 p.m.**

*3.5 CLE Credits Available*

**Broward County Bar Association  
1051 SE 3rd Avenue  
Fort Lauderdale**

\$25 BCBA Members  
\$35 Non-Members  
Lunch Included in Fee

To register: <http://www.browardbar.org/calendar/> or  
Traci Lewis (954)832-3618 or [traci@browardbar.org](mailto:traci@browardbar.org)

**RECENT DEVELOPMENTS AT THE EEOC**

Speaker: Robert E. Weisberg

**April 19, 2012**

CLE credits pending  
Broward County Bar Association  
1051 SE 3rd Ave Ft. Lauderdale  
Registration: 11:30 a.m. -12:00 p.m.  
Lunch and Program: 12:00-1:30 p.m.

\$15 for members • \$25 for non-members

To register: <http://www.browardbar.org/calendar/> or  
Traci Lewis (954)832-3618 or [traci@browardbar.org](mailto:traci@browardbar.org)

The Florida Bar Entertainment, Arts &  
Sports Law Section presents

**Demystifying Copyrights, Trademarks,  
& Patents  
(2 CLE Credits)**

**Norma B. Howard Center Conference  
BCBA Offices  
1051 SE 3rd Avenue • Fort Lauderdale  
Monday, April 30, 2012  
12 noon – 1:30 p.m.**

Moderator: Daniel Devine, Esq.  
Panelists: Michael I. Santucci, Esq., Scott Smiley,  
Esq., Allison Sinclair Lovelady, Esq.  
**Registration is complimentary and seats are  
limited to the first 50 persons who RSVP.  
Please RSVP to: Daniel Devine at  
[ddevine@500law.com](mailto:ddevine@500law.com)  
For questions call (954) 351-7474**



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**E-mail: Richard@rszlaw.com**

***Probate Litigation: Trends and Hot Topics CLE Lunch***

May 11, 2012

12:00 pm – 1:30 pm

**Free CLE Luncheon  
to BCBA Members**

BCBA Offices 1051 SE 3rd Avenue Fort Lauderdale

*Sponsored by*

**Pankauski Law Firm, PLLC**



Traci Lewis (954)832-3618 or [traci@browardbar.org](mailto:traci@browardbar.org)

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**4th DCA RECEPTION**

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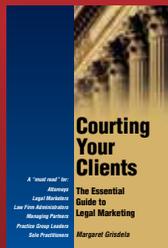
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# **Foreclosure Law: Representing Any Client from Beginning to End**

The Broward County Bar Association and the Farquhar College of Arts and Sciences Paralegal Studies Program at Nova Southeastern University are pleased to announce this repeat of a very-well received 8-week course designed to expand knowledge and skills in areas identified as critically needed in the local legal community.

**Course Description:** Attendance will increase understanding of current foreclosure laws and how they impact consumers.

**Course Instructor:** Gary Singer

**Wednesdays | April 18 – June 6, 2012 | 6:30–9:30 p.m.  
Norma Howard Center of the Broward County Bar Association**

Required Material (purchase separately):  
Foreclosures in Florida by Kendall Coffey  
Publisher: LexisNexis Publishing Solutions Attorney  
ISBN: 9781422453292

Tuition and Registration:  
\$795 for 25 hours of CLE credits  
Course registration:

**Register and pay online at [www.fcas.nova.edu/sbs/bar](http://www.fcas.nova.edu/sbs/bar).**

**For more information, contact:**

Art Goldberg, executive director, Broward County Bar Association at  
(954) 764-8040 or [artg@browardbar.org](mailto:artg@browardbar.org)

**or**

Jessica Garcia-Brown, J.D., LL.M., assistant professor and chair of paralegal studies, Farquhar College of Arts and Sciences, Nova Southeastern University at (954) 262-7948 or [jessicga@nova.edu](mailto:jessicga@nova.edu)

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