



Broward County Bar Association BARRISTER

March 2005

VISIT OUR WEBSITE AT WWW.BROWARDBAR.ORG

VOLUME 33, ISSUE 3

HOLD THE DATE

APRIL 15, 2005

“Overlapping Family Law & Bankruptcy Issues”

The Family Law Section of the Broward County Bar Association is happy to present a brown bag seminar on “Overlapping Family Law & Bankruptcy Issues”.

This 90 minute seminar will be held on Friday, April 15, 2005 from noon to 1:30 p.m. at a location to be determined.

The distinguished panel of speakers will include Judge Sandy Karlan, Circuit Judge, 11th Judicial Circuit, Judge Robert A. Mark, Chief Judge, Bankruptcy Court, Judge A. Jay Cristol, Sr. Bankruptcy Judge, Evan Marks, Esq., and Barbara Phillips, Esq.

One hour CLE credit

Cost: \$10.00 to Broward County Bar Association members, \$15.00 to non-members.

Don't forget to bring a brown bag lunch.

Please register for this seminar with the Broward County Bar Association at (954) 764-8040.

2005 JUDICIAL ROBING CEREMONY

New Judges

Circuit Judges Howard A. Tescher & Hope Tieman Bristol, with Broward County Judges Eric Beller and Gisele Pollack, during Pledge of Allegiance at opening of 2005 Robing Ceremony held last January 28th at the main courthouse.



SLATE OF CANDIDATES APPROVED BY BCBA NOMINATING COMMITTEE



President
Timothy L. Bailey



President-Elect
Victor P. DeBianchi, Jr.

(see full slate on page 9)

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BCBA Passes Resolution on Courthouse Library

BE IT RESOLVED by the Board of Directors of the Broward County Bar Association that the Broward County Bar Association shall work with the Broward County Commission, in conjunction with the Office of the Broward County Court Administrator, to ensure the continuing presence and active operation of the Broward County Law Library at the downtown Fort Lauderdale Broward County Courthouse, and to work cooperatively to insure the continued availability of the Law Library resources for the benefit of the general public, for the benefit of practicing attorneys, and for the benefit of the judiciary.

St. Thomas More Society of South Florida

16th Annual Red Mass, Reception & Dinner

Thursday, April 28, 2005

**Red Mass Celebrated by
Archbishop John C. Favalora
6:00 P.M.**

**St. Anthony Catholic Church
901 N.E. 2nd Street
Ft. Lauderdale, Florida**

**Complimentary Reception – 7:30 P.M.
Dinner – 8:30 P.M.**

**Marriott Harbor Beach Resort
3030 Holiday Drive
Ft. Lauderdale, Florida**

**Guest Speaker: Justice Charles T. Wells
The Supreme Court of Florida**

\$65.00 per person

**Limited Seating/Reservations Only
Reservations Deadline is April 13, 2005**

**Mail Checks, made payable to “St. Thomas More Society”, to:
Donald A. Wich, Jr., Esq.
WICH, WICH & WICH, P.A.
2400 East Commercial Blvd., Suite #620
Fort Lauderdale, FL 33308**

Ethics Seminar yet to be scheduled

**FOR MORE INFORMATION ABOUT THE ST. THOMAS MORE SOCIETY,
VISIT THE WEBSITE AT WWW.REDMASS.COM.
FOR RED MASS INFORMATION
CALL 954-776-1600.**



PRESIDENT'S MESSAGE *by Steve E. Moody*

Life is Good!

A word to the unfortunates who missed the Judicial Robing Ceremonies held January 28th – DO NOT MISS THE NEXT ONE! It was an educational, entertaining and enjoyable experience. We started with a luncheon for the judges (100% membership) in the cafeteria on the third floor of the courthouse, then moved to a courtroom for their official group photograph; and, then on to the jury room for the ceremony. The four new judges, Tescher, Bristol, Pollack, and Beller had excellent introductions by family and friends and heartfelt “thank you for electing me and here’s what I’m gonna do” speeches.

The introducers quoted Kennedy, Churchill, Lincoln, Thoreau, and other greats while your president (hey, you elected me) quoted Spiderman (proving those who think the BCBA is middle class wrong, once again) who said, “With great power comes great responsibility.” I was later told that some U.S. President said it first, but, hey, I know where I heard it. Anyway, a great time was had by all. No less than fifteen judges thanked me on behalf of the BCBA for the event and many other judges expressed appreciation to other board members present.

The BCBA also presented \$2,500.00 to the T.J. Reddick Bar for its scholarship fund in honor of Henry Latimer, a distinguished lawyer, former Judge, former President of the BCBA, member of the Florida Bar Board of Governors from our circuit and a generally all-around top-notch good guy. We have lost a lot of good brothers and sisters of the Bar and the Board will look into setting up a scholarship fund of our own in honor of all those who have moved on before us to that great law office in the sky. This issue should carry the resolutions passed by the Board in honor of Lat and A.J. Thomas. Unfortunately, death and sometimes unexpected, untimely and tragic death, is part of life. I'd like to talk with the architect who drew these plans – maybe, if I'm lucky, someday I will. 'Till then, I'll live in the now.

Now, here's some news regarding life. “LIFE IS GOOD!” And, it's gonna get better – especially on April 9, 2005 from 4:00 P.M. to 10:00 P.M. That's the date for the BCBA 79th Year Old Birthday Bash. Can you believe we are 79 this year? Woo, doggies! Here's the place – my house (my wife is sooo excited, or is it excitable?) 3501 S.W. 116th Avenue, Davie. I-595 to Hiatus; South to 26th Street; West to 116th where you turn South in to Majestic Groves, a two mile rectangle. No matter how you turn after that, you will get there from here. This is free to members and significant others, so please R.S.V.P. (if you forget to, you can come anyway) to the BCBA at (954) 764-8040.

We will have a Caribbean steel band, jerk chicken, rice and peas, a little Red Stripe and maybe a touch of rum punch. There will be dancing (the first dance ever on the campus of Mercer University, founded in 1833 by Baptists, was held during my junior year, and as Vice-President of the Student Government Association, I was in charge of that milestone ooh, baby), volleyball for those of you (not me) still able to jump,

socializing, etc., etc., etc. (to quote from “The King & I”). Dress will be super casual, tee-shirts, shorts and sandals – and everybody will have a nametag with their first name only (I understand there are 42 sitting judges now with the name, “Charlie”). Overflow parking will be at the Plaza Shopping Center at the corner of Hiatus and I-595 (S.R. 84). Park, call 954-474-2125 and we will pick you up. So, come on out, rain or shine (we have a tent, even) and celebrate your life. It, like everyone else's, is precious and uncertain. Don't take it for granted.

Granted, we take a lot for granted, like our jobs, our spouses and even the BCBA. Well, it too needs nourishment and TLC. We are so fortunate to have the Art Director, who is passionate about his job and totally dedicated to, guess who...us. Come out and meet Art Goldberg if you haven't yet. It's no coincidence that “gold” is part of his name. But, Art can't do it all alone. He needs your help – your participation – your enthusiasm. Get involved with Bar activities. You'll be glad you did!

Speaking of bars, my cousin walked into a seedy bar once with two pretzels. “What happened?” I asked. “One was assaulted”, he replied.

The Broward Barrister is published by the Broward County Bar Association as a 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.

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MESSAGE FROM BROWARD COUNTY BAR

ASSOCIATION EXECUTIVE DIRECTOR *by Art Goldberg*

I would like to thank the following individuals for their support in making the 2005 Judicial Robing Ceremony (January 29) a great success: **Steve E. Moody**, President, Broward County Bar Association and members of the Board of Directors, **Chief Judge Dale Ross**; Court Administrator **Carol Lee Ortman** and her staff; **Howard C. Forman**, Clerk of Courts, and his staff; Broward County Commissioner **Ilene Lieberman**; **Jack McDermott**, Court Deputy, BSO District 6; BSO Chaplain **Rick Braswell**; and, **Kimberly Kisslan**. Special thanks also to Broward County Parks and Recreation Department for the loan of plants placed throughout the Third Floor Jury Room.

Judge Ross presided over the 2005 Robing Ceremonies for: **Circuit Judge Howard A. Tescher**, who was introduced by The Honorable Vincent Torpy, Jr., Fifth District Court of Appeal, and robed by Hillary, Ilana and Todd Tescher;

Circuit Judge Hope Tieman Bristol, introduced by John Bristol and Jordan

Bristol and robed by John, Jordan and Carly Bristol;

County Court Judge Eric M. Beller, introduced by The Honorable Jay Spechler, 17th Judicial Circuit Court, and robed by Sandra Beller, Sandra Brill and Gina Lettieri.

County Court Judge Gisele Pollack, introduced by The Honorable Melanie May, Fourth District Court of Appeal and Scott Adelstein; and robed by Scott Adelstein and Renee Pollack.

Our sponsors should be recognized. They include: **CO-HOSTS:** Daily Business Review; Regent Bank; Office Depot Center; Mike O'Rourke, CPA, CVA, ABV/Morrison, Brown, Argiz and Farra, LLP; and, Westlaw. **GOLD SPONSORS:** Colodny, Fass, Talenfeld, Karlinsky & Abate, P.A.; James Carmel- Builder's Notice Corporation; Sheldon J. Schlesinger, P.A.; **SILVER SPONSORS:** B'nai B'rith Justice Unit #5207; BCBA Young Lawyers' Section; Broward Association of Criminal Defense Lawyers; Broward County Trial Lawyers Association; Ferencik Libanoff Brandt Bustamante & Williams, P.A.; Goren, Cherof, Doody & Ezrol, P.A.; Law

Offices of Kaplan & Singhal, P.A.; and, Rogers Morris & Ziegler.

The Broward County Bar Association has begun to offer the eight-hour Guardianship class that was formerly offered at Broward Community College. **Michele Kenny**, of Care Source (formerly the Elder Care Connection) is teaching the course. Call us at (954) 764-8040 for more information. The next scheduled course is set for **Saturday, March 26th**. We greatly appreciate the effort of Legal Video Services for taping the Ceremonies.

The Lawyer Referral Service of the BCBA will soon be providing a telephone Legal Information Service similar to The Florida Bar's Call-A-Law program. Our Lawyer Referral Service is inundated with thousands of calls per year from individuals seeking answers to simple legal questions. Although our primary effort is to make an appointment with one of our LRS attorneys, these info-seekers are either unable or unwilling to make a referral appointment. The caller will pay a service fee to listen to a five-minute presentation about a specific area of law. The BCBA will generate some income from these calls.



RECENT DEVELOPMENTS IN THE LAW

by Nancy Little Hoffmann

1. Contempt/Dissolution of Marriage
Miller v. Miller,
30 Fla. L. Weekly D325
(Fla. 4th DCA February 2, 2005).

After a former husband's pleadings were stricken as a discovery sanction, he was precluded from defending a contempt proceeding for failure to pay child support. The Fourth District reversed the order of contempt and incarceration, holding that the trial court must provide the contemnor the opportunity to prove his inability to comply, and that the trial court could not use discovery sanctions as a basis for finding that his ability to pay was "taken to be established."

2. Criminal Law/Sexual Predators
Milks v. State,
30 Fla. L. Weekly S55
(Fla. February 3, 2005).

Resolving a conflict between the Second and Third Districts, the supreme court upheld the constitutionality of the Florida Sexual Predators Act, section 775.21, Fla.Stats. (2003). The court addressed only the alleged violation of procedural due process or separation of powers and declined to consider the substantive due process and equal protection challenges raised by the parties but not addressed by the district courts of appeal.

3. Insurance/Ambiguity in Policy
Escobar v. United Automobile Insurance Company,
30 Fla. L. Weekly D329
(Fla. 3rd DCA February 2, 2005).

Because the interpretation of language in an insurance policy is a question of law, the Third District quashed a portion of the decision of a circuit court sitting in its appellate capacity which had reversed a directed verdict on the erroneous premise that the question of ambiguity in the policy should have been submitted to a jury.

4. Release/Initial & Subsequent Tortfeasors
Broz v. Rodriguez,
30 Fla. L. Weekly D21
(Fla. 4th DCA February 2, 2005).

Plaintiff was injured in a fall and sought medical attention from defendants, who performed surgery. Plaintiff then sued the initial tortfeasor for her damages, including damages for the alleged medically negligent care she received from defendants. Prior to verdict, the parties settled the case and plaintiff signed a release which did not exclude or reserve any claims she might have against defendants. In her later suit against the health care providers, they successfully argued that the release barred her claims against them. The Fourth DCA affirmed because the alleged medical negligence was not the "same tort" as her original negligence claim; thus, section 768.041 did not apply ["a release...as to one tortfeasor... shall not operate to release...any other tortfeasor who may be liable for the same tort or death."].



MESSAGE FROM BROWARD COUNTY BAR ASSOCIATION

YOUNG LAWYERS' SECTION *by Sharon Attas-Kaplan*

This year's Young Lawyers' Section Softball Tournament took place on Saturday, February 26, 2005, at Mills Pond Park in Fort Lauderdale. The new format for the 2005 softball tournament involved two separate divisions (based on skill level), and each team had the opportunity to play at least two games. Stay tuned for next month's article detailing the winners of the tournament, and player feedback as to the new format. A very special thank you goes out to Angel Petti Rosenberg and Quentin Morgan

for all of their hard work in making this year's softball tournament such a success!

The YLS 3rd Annual Bowl-A-Thon is scheduled to take place on Saturday, March 26, 2005, at Sawgrass Lanes, from 5:00 pm to 7:00 pm. Everyone is welcome to play! Please turn to the flyer in this month's Barrister for detailed information regarding playing and sponsoring this great event.

The social committee is in the process of planning a new YLS event called Family Day at the Park. The event is scheduled for Sunday, May 22, 2005,

from 11:00 AM to 5:00 PM, at T.Y. Park in Hollywood. The event is sure to be a blast as friends and family come together for a fun-filled day at the park with food, outdoor fun, bounce house fun, face painting, balloon art, snow cones, cotton candy, and a great water park experience for everyone and their families. Please be on the look out for more information about the YLS Family Day in the Park. For more information on YLS social events, please contact Michael Gilden at (954) 924-0300, or Scott Chitoff at (954) 522-2200.

Continued On Page 5

MESSAGE FROM BROWARD COUNTY BAR ASSOCIATION YOUNG LAWYERS' SECTION

Continued From Page 4

The February 24, 2005 YLS Luncheon featured guest speakers, Judge Ilona Holmes and Judge Elijah Williams. We would like to extend a special thank

you to Judge Holmes and Judge Williams for taking the time out of their busy schedules to address the YLS.

The March 24, 2005 YLS Luncheon will feature guest speaker, Former Supreme Court Justice Major Harding.

The April 2005 YLS Luncheon is the annual Board of Directors election luncheon. All young lawyers are encouraged to get involved and consider running for a seat on the Board.

The June 23, 2005 YLS Luncheon will

feature guest speaker, Chief Traffic Magistrate Brenda DiIoia speaking on traffic court defenses and electronic traffic tickets.

The cost of the YLS luncheons is \$18.00 for sole practitioners and government employees, and \$20.00 for all other attendees. Please RSVP to the Broward County Bar Association Office at (954) 764-8040, prior to all luncheons.

We are pleased to announce that two of our current board members, Scott Chitoff and Adam Rabinowitz, are running for seats on the Florida Bar Young Lawyers Division Board of Governors. Adam, an associate at Broad & Cassel in Fort Lauderdale, is running for Seat 1 from the 17th Judicial Circuit,

and Scott, an associate at Brinkley, Mc Nerney, Morgan, Solomon and Tatum, LLP in Fort Lauderdale, is running for Seat 4 from the 17th Judicial Circuit. This is a statewide election and voting ballots will be sent from the Florida Bar to each young lawyer by March 1, 2005. The voting period is for 20 days. You will be able to vote by paper ballot or the Internet. We urge you to vote for Scott and Adam who will make great young lawyer representatives from Broward County to the Young Lawyers Division Board of Governors.

Please be on the look out for more information regarding upcoming YLS events.

We hope to see you at all of our events this year!

MEDICARE SET-ASIDES

IT'S THE LAW AND IT'S ENFORCEABLE!!

by Darlene Cizewski MSN, RN, CRRN, CCM, CLCP

A Medicare set-aside is an account designed to pay future medical expenses for an injured party that would have been paid by Medicare had the injury not been the responsibility of the primary payer.

Medicare has the authority to review Workers' Compensation cases. Section 1862 (b) (2) of the Social Security Act (42 USC 1395y (b)(2)) requires that Medicare payment may not be made for any item or service to the extent that payment has been made or can be reasonably expected to be paid under a workers compensation law or plan. Section 1862 (b)(5)(D) and (b)(6) requires that Center for Medicare/Medicaid Services (CMS) and its providers and suppliers asked beneficiaries about payers that may be primary to Medicare.

The history of the act is found in 42 CFR 411 which is the Medicare's Secondary Payer Regulation (MSP) and is applicable to Workers Compensation, Liability and No-fault Auto. Originally part of the Omnibus Budget Reconciliation Act of 1980, it was intended to reduce federal spending and protect the financial well-being of Medicare. Medicare will always be the Secondary Payer if a primary payer exists. Although the law was in existence since 1980, it was not until the CMS policy memo of July 2001 that established guidelines for when a Medicare set-aside is requested and under which circumstances it must be reviewed and approved by CMS. Medicare has the right to reimbursement on conditional overpayment which is found in 42 CFR § 411.23, 411.24, 411.26, 411.37, 411.50, 411.52, & 411.54. This includes auto liability, uninsured motorists, underinsured motorist, homeowners, malpractice, product liability, general casualty, no-fault, or personal injury protection insurance. Currently there is class action lawsuit case that is being closely followed by the Workers Compensation Industry. A beneficiary has filed against Workers Compensation Carriers who settle cases without considering Medicare's interests (since 1981). A third attempt is currently pending in the Courts. The case is Penny Frazier v CNA Insurance Company. On 8/6/04 an amended complaint was filed adding two new defendants: AIG and Alabama Retail Comp.

When is a Medicare set-aside arrangement needed? A Medicare set-aside arrangement is necessary when a commutation settlement is being considered. The commutation settlement compensates a person for any medical expenses after the date of settlement. In contrast, a compromise settlement agrees to compensate an individual for medical expenses incurred prior to the date of settlement. A single Workers Compensation settlement agreement may contain both aspects. The criteria necessary to trigger a Medicare set-aside includes:

- Claimants who are entitled to Medicare: Part A., B, or both regardless of the settlement amount, and
- any claimant who has a "reasonable expectation" of Medicare enrollment within 30 months of the settlement date and has a total settlement of greater than \$250,000. These funds cannot be utilized to pay the claimants medical expenses until the individual actually becomes entitled to Medicare.

Although CMS does not specifically mandate a Medicare set-aside, but only "recommends it", failure to do so will result in Medicare claims continually being denied for the injured party.

CMS has established a formal report format and a formal submission process for the Medicare set-aside. CMS must agree to the settlement

documents. The CMS web site is <http://www.cms.hhs.gov/>. Additional information about the Medicare set-aside process can be obtained from this website.

Medicare has developed a requirements checklist that facilitates a complete and thorough proposal. Failing to submit an adequately prepared and funded MSA may result in significant delay in settling the case due to resubmission of requested documents. It currently takes about 9 months from the date of submission to the date that CMS responds. A request for any additional information may DOUBLE the time. The importance of submitting a very thorough initial MSA proposal cannot be emphasized. A sample of items on the checklist includes; client information, settlement amounts, MSA allocations, life expectancy, administration of the fund and type of funding. Additional attachments are also required for the MSA proposal. The allocation report is developed by an MSA Allocator who has additional training and experience in medical cost projections, analysis, Medicare coding/fees and Workers Compensation fee schedules. The role requirements for a Certified Life Care Planner and a MSA Allocator are very similar and an easy transition can be made. The Professional MSA Allocator has emerged as part of the comprehensive team approach in the MSA process. Other professional entities have also evolved as a result of the law: the MSA Broker and the MSA Administrator. CMS allows for the MSA funds to be either self administered or managed by the MSA Administrator. CMSA develops policy memos, on a routine basis, which address operational and policy issues as a result of inquiries from the field. It is very important to routinely monitor these memos which can be found on the CMS web site.

There are significant legal implications for the Employer-Carrier and the attorneys representing the carriers and the injured worker. A duty is owed to Medicare that insures that Medicare's interests have been adequately protected. You must notify Medicare if you identify an active enrollee is involved in your case. Multiple parties are at risk for noncompliance and these can include any of the following; the beneficiary/claimant, provider, supplier, physician, claimant's attorney, defense attorney, state agency, insured, TPA, and self-insured employer. Penalties which can be imposed are listed in the following law: 42 USC 1395 (y)(b)(2)(B) which allows the federal government to bring action against any responsible party. Monetary damages include a doubling of the damages plus interest which will be collected from the primary payer. CMS may refuse to recognize any settlement contrary to the MSA. Medicare may refuse future benefits to the claimant. Private cause of action (class actions) may be taken. CMS also has the authority to refer non-collectible debts over to the US Department of Treasury for possible offset of the beneficiaries' benefits. To achieve CMS approval gives reassurance to the parties involved in the claim and lessens the fear factor of impending litigation. Only CMS approval guarantees that future medical expenses are covered and parties can settle without risk of future exposure.

*Medicare Set-Aside Program (2005) Winter Springs,
FL, MediPro Seminars, LLC.*

*Darlene Cizewski MSN, RN, CRRN, CCM, CLCP
MSA Allocator
Alliance for Healthcare Consulting
(954) 472--3440*

UPL REPORT *by John Hume*

A common perception among lawyers is that The Florida Bar is doing nothing about the unauthorized practice of law. I shared that feeling until I became personally involved. As a member of the Standing Committee on the Unlicensed Practice of Law I see both cases of individual enforcement as well as broad policy issues that are of concern to lawyers.

At the Committee's meeting of January 21, 2005, several interesting issues arose. An out of state lawyer requested a formal advisory opinion that, because the Florida Supreme Court ruled that it did not have the authority to promulgate Rules of Procedure in workers compensation matters, that unlicensed lawyers could now practice in the area of workers compensation. The Committee rejected his request on the grounds that the case law is clear. A lawyer not licensed to practice in Florida is considered a non lawyer. The workers compensation rules permit only representation by an attorney.

The Committee also received a request regarding a realtor who offers his services in drafting real estate contracts on transactions in which the realtor is not otherwise involved. The Standing Committee advised that this clearly crossed the "line of demarcation between the sphere in which the realtor operates under the statute regulating his business and the sphere in which a member of the Bar operates when he represents clients who are parties to real estate transactions" as stated by the Florida

Supreme Court in 1950 in the Keyes Company case.

The Committee also discussed a "request for direction" regarding a medical products manufacturing corporation which has created an in-house group of attorneys that advocate for clients before the Social Security Administration for disability benefits. Case law holds that, unless licensed, a corporation may not engage in the practice of law. But, these services are pro bono and not profit driven. They clearly extend a benefit to the clients. Further, federal law allows non attorneys to appear before the Social Security Administration. The Committee determined that the only safe course of action was to refer the inquiring attorney to the case law, without further comment. Ironically, this corporation would have no problem if the services were being rendered by non lawyers.

The Committee approved six new litigation recommendations and staff reported an increasing level of cooperation with States Attorneys offices.

Broward County is well represented on this Committee. Members include Don Wich, the past Chair, Taylor White, Larry Leiby, Gary Faysash, from American National Bank, and me. We have three UPL committees, chaired by Hope Calhoun, Pat Guinta and Haas Hantic, which had twelve pending cases as of year end. If you have UPL concerns, call one of us.

BROWARD COUNTY BAR ASSOCIATION PROFESSIONALISM COMMITTEE

"Professionalism Inquiry Response Service"

The Professionalism Committee is now offering to answer questions which members may have concerning professionalism issues. Appropriate questions will be answered by a select group of experienced attorneys who sit on the Professionalism Committee. The intent is to provide practitioners with a means to have any uncertainties addressed in a non-judgmental, confidential atmosphere. Answers to questions are not legal

opinions and do not replace the services available through The Florida Bar.

Answers to questions will be provided in writing and may be published in the Barrister unless the requestor asks that it not be published. All names will be withheld in any publication. The sole purpose of this service is to provide a means of helping practitioners increase their professionalism.

Lawyers in the LIMELIGHT

Judge Dale Ross has been unanimously re-elected Chief Judge of the Seventeenth Judicial Circuit at a General Judges' Meeting held on February 4, 2005. His new term of office will begin July 1, 2005 for a period of two years.

W. Michael Brinkley, a partner with the Fort Lauderdale law firm of Brinkley, Mc Nerney, Morgan, Solomon & Tatum, LLP, has been selected to sit on the Steering Committee of both the Downtown Council and the Beach Council as well as being elected Chair-Elect of the Beach Council Steering Committee for 2005. The Steering Committees act as governing bodies for the Councils.

Mr. Leonardo Ortiz has joined the Ft. Lauderdale offices of Smith, Currie & Hancock, LLP as an associate. Mr. Ortiz concentrates his practice in the area of construction litigation, including construction claims, construction contracts, construction lien law and construction bonding.

Jonathan M. Streisfeld, an associate at Brinkley, Mc Nerney, Morgan, Solomon & Tatum, LLP has become a Partner of the firm. Mr. Streisfeld concentrates his practice in the areas of business litigation, including business torts, contracts, corporate, insurance and real estate related litigation, and civil appellate matters.

Randy Zeldin, Esq., is pleased to announce the opening of a satellite office in Pompano Beach, located at McNab Executive Plaza; 1000 W. McNab Road, Suite 150. Mr. Zeldin has been practicing in the field of workers' compensation in Palm Beach for over 20 years. Tel. (954) 586-0100 in Pompano or (561) 613-0101 in Boca Raton.

**MEMORIAL RESOLUTION
of the
BROWARD COUNTY BAR ASSOCIATION**

WHEREAS, our great friend and Brother at the Bar, **HENRY LATIMER**, was born in Ocilla, Georgia, was raised in Jacksonville, Florida by his widowed mother, grew up in the segregated South where he was forced to begin his education by reading books discarded from white schools, but overcame every adversity to become an icon for people of all colors; and

WHEREAS, **HENRY** served with honor in the United States Marine Corps, with service in Turkey, Greece, Gibraltar, Crete, Lebanon, and North Africa; and **WHEREAS**, **HENRY** attended Florida A&M University, received his Bachelor of Arts degree with honors in 1963, moved to Broward County, accepted a position teaching economics and history at Dillard High School, and served as the School's junior varsity basketball coach; and

WHEREAS, **HENRY** thereafter obtained his Masters of Administration Degree with honors from Florida Atlantic University and worked for the United States Department of Labor, Wage and Hour Division as a Compliance Officer; and

WHEREAS, **HENRY** then attended University of Miami School of Law, was the only black person in his class, graduated with honors in 1973, became one of the School's most distinguished graduates, served on the Board of Trustees and as a member of the Visiting Committee, helped establish the Black Law Student Association, and received in 2001 the Center for Ethics and Public Service Lawyers in Leadership Award for his long and valued service to the South Florida community; and

WHEREAS, in 1979 **HENRY** was appointed to the Broward County Circuit Court by Governor Bob Graham, was one of the County's first black judges, and served on that bench with honor and distinction for four years; and

WHEREAS, thereafter **HENRY** returned to private practice, forming Florida's first integrated law firm, then becoming the first black to serve as managing partner at a large South Florida law firm, then serving as managing partner at Eckert Seamans, and most recently serving as a partner at Greenberg Traurig where his practice included complex commercial litigation, civil rights litigation, mediation, and arbitration; and

WHEREAS, **HENRY** was a respected member of The Florida Bar, serving on the Board of Governors, as Chair of the Rules of Civil Procedure Committee, as Chair of the Committee on Equal Opportunities in the Profession, and as a member of the Florida Supreme Court's Mediation and Arbitration Rules and Racial & Ethnic Bias Study Commissions; and

WHEREAS, **HENRY** was a highly regarded member of the National Bar Association, serving as Chairman of the Judicial Counsel, Florida Chapter, and President of the Virgil Hawkins, Florida Chapter; and

WHEREAS, **HENRY** was a valued member of the Broward County Bar Association, serving as its President, a member of the Executive Committee, Chair of the Medical- Legal Committee, a member of the Trial Lawyer Section Executive Board, Vice-Chair of the Continuing Legal Education Committee, and receiving the Fourth Annual Lynn Futch Professionalism in Practice Award in 2002; and

ADOPTED this 28th day of January, 2005.
BROWARD COUNTY BAR ASSOCIATION

By:
Steve E. Moody
President

WHEREAS, **HENRY** was active in the American College of Trial Lawyers, the International Association of Defense Counsel, the American Arbitration Association, the Judicate, the Urban League of Broward County, and Kappa Alpha Psi Fraternity, the Civil Justice Advisory Group of the United States Senate Judiciary Committee; and

WHEREAS, **HENRY** was listed in the Best Lawyers in America, Florida Trend Magazine's Legal Elite, Chambers & Partners USA Guide's leading business lawyers, South Florida Legal Guide's Top Lawyers in South Florida, was recipient of the 2001 Pioneer Award from The African- American Judges of Florida, the 1999 Urban League of Broward County Margaret Roach Humanitarian Award, the 1999 South Florida Juvenile Diabetes Foundation Father of the Year Award ; and

WHEREAS, in addition to his many civic, charitable, and community activities, **HENRY** was a devoted husband and father whose first priority was always the family he cherished; and

WHEREAS, each of us, in our own way, treasured **HENRY**; we saw him in the poorest of communities mentoring the young and helping them find the right path; we saw him in the struggling neighborhoods of Broward County helping those who could not help themselves; we saw him in the courtroom championing unpopular causes because it was the right thing to do; we saw him volunteer his time to those who could not afford legal help because he believed in giving back; we loved him because he never forgot how he started and never stopped helping others achieve success; we admired him for his kindness and easy grace; we respected him for his skill, fidelity, and courage; we cherished him for his great gift of making every person feel special and loved; he was a rare person, with great wisdom, our friend, and his equal will not soon come our way again; and

WHEREAS, life has changed for all of us now, because **HENRY** departed this life on Monday, January 24, 2005, survived by his wife Mildred and his daughters Desiree and Tracie; and

WHEREAS, we mourn **HENRY**'s death beyond telling, but we, like **HENRY**, trust that God in His infinite wisdom and mercy has a Plan for our lives and for our deaths, that this Great Plan brought **HENRY** to his God for a reason, and that **HENRY**'s name is now written in the stars among God's chosen for us to remember forever; and

WHEREAS, the Broward County Bar Association wishes to express to the family of **HENRY LATIMER** the overwhelming sadness and loss felt by each member of the Association and to extend its sympathy and condolences not only to the family of **HENRY LATIMER** but to every member of this Community, who will miss him so sorely; **NOW**,

THEREFORE, BE IT RESOLVED by the Board of Directors of the Broward County Bar Association on January 28, 2005, that: **THIS ASSOCIATION EXPRESSES TO**, the deep sorrow felt by the Officers, Directors, and Members of the Broward County Bar Association at the death of **HENRY LATIMER**, and extends to them our profound sympathy on the loss of this most special person, their beloved husband and father, and our treasured friend, and expresses gratitude for the years we were honored to know **HENRY LATIMER** and for his tireless, dedicated, and compassionate service to this Association, to The Florida Bar, to our Community, and to our world.

**MEMORIAL RESOLUTION
of the
BROWARD COUNTY BAR ASSOCIATION**

WHEREAS, our late Brother at the Bar, **A. J. THOMAS, JR.** was born in Lake Butler, Florida, grew up in Starke, Florida, attended University of Florida, where he was a member of Sigma Chi Fraternity, graduated from the University of Florida School of Law in 1948, and practiced law in Starke, Florida until 1966; and

WHEREAS, **A. J. THOMAS, JR.** married his wife Jean in July of 1948, and the couple had three children, Archibald J. Thomas III of Jacksonville, Florida, John M. Thomas of Pompano Beach, Florida, and Ann T. Romaines of Oakland Park, Florida; and

WHEREAS, **A. J. THOMAS, JR.** served the people of this State in the Florida House of Representatives from 1961 until 1966, then moved to Fort Lauderdale with his family and practiced law here until his retirement; and

WHEREAS, during the years **A. J. THOMAS, JR.** lived in Fort Lauderdale, he served as President of this Association, the Broward County Trial Lawyers Association, the Fort Lauderdale Kiwanis Club, Charter Chairman of the Broward Council of Bar Presidents, Post and State Commander of the American Legion, and an active member of Christ Church United Methodist; and

WHEREAS, **A. J. THOMAS, JR.** was a dedicated and selfless member of the Broward County Bar Association, devoting countless hours to the improvement of the profession he loved and the community he made his home; and

WHEREAS, **A. J. THOMAS, JR.**, loved and respected by all who knew him, departed this life on Tuesday, December 21, 2004, and is survived by Jean, his wife of 56 years, Archibald III and John, his sons, Ann, his daughter, four grandchildren, his sister Clarice T. Wood of Hampton, Florida, and his brother F. Delano Thomas of Starke, Florida; and

WHEREAS, the Broward County Bar Association wishes to express to the family of **A. J. THOMAS, JR.** the loss felt by each member of the Association and to extend its sympathy and condolences to the family of **A. J. THOMAS, JR.**;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Broward County Bar Association at its meeting held January 11, 2005, that:

THIS ASSOCIATION HEREBY EXPRESSES TO Jean Thomas, Archibald Thomas III, John Thomas, Ann Romaines, Clarice Wood, F. Delano Thomas, and their families, the sorrow felt by the Officers, Directors, and Members of the Broward County Bar Association at the death of **A. J. THOMAS, JR.** and extends to them profound sympathy on the loss of their cherished husband, father, grandfather, and brother, and, further, expresses gratitude and appreciation for the long, able, dedicated, and humane service of **A. J. THOMAS, JR.** to this Association, to The Florida Bar, and to the community in which he lived.

ADOPTED this 11th day of January, 2005.
BROWARD COUNTY BAR ASSOCIATION

By:
Steve E. Moody
President

IN MEMORY OF HENRY LATIMER

BCBA President Steve E. Moody presents a \$2500 check from the Broward County Bar Association to Deana Holiday, president of the T.J. Reddick Bar Association to help establish a Scholarship Fund in the name of Henry Latimer. Mr. Latimer was a founding member of the T.J. Reddick Bar Association.



100% JUDICIAL MEMBERSHIP IN BCBA

The BCBA Membership Team of Christopher M. Neilson, Steve E. Moody and The Honorable Ana I. Gardiner was instrumental in helping BCBA to achieve its goal of having 100% of judges as members.

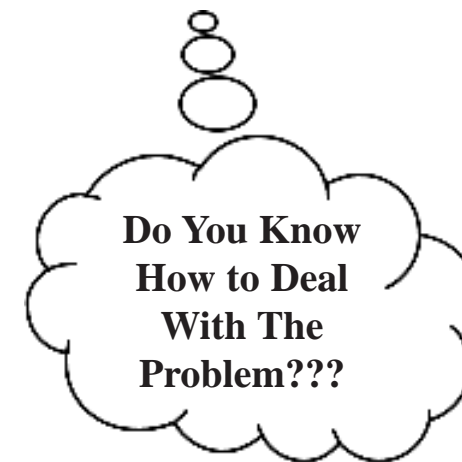


Circuit Judges of the 17th Judicial Circuit Court



Broward County Judges of the 17th Judicial Circuit

ASK YOURSELF...



The Broward County Bar Association Announces a New Service of the Professionalism Committee.

In an effort to increase the level of professionalism in Broward County, the Professionalism Committee is now answering questions on professionalism issues submitted by Broward attorneys.

DO YOU EVER HAVE QUESTIONS ABOUT PROFESSIONALISM ISSUE CONCERNS SUCH AS:

SCHEDULING – DISCOVERY – CONDUCT TOWARD OTHER ATTORNEYS, THE COURT AND PARTICIPANTS – CANDOR TO THE COURT AND COUNSEL – EFFICIENT ADMINISTRATION

Now you can submit questions on Professionalism Issues to the Professionalism Committee!

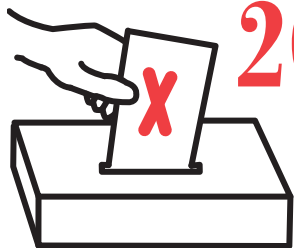
The Professionalism Committee is composed of knowledgeable practitioners who are committed to professionalism issues. The Professionalism Committee is now answering questions of practicing attorneys regarding professionalism concerns. Many of the answers will be published in the Broward Barrister.

BE A PART OF THE SOLUTION!!

(NOTE: RESPONSES TO QUESTIONS ARE NOT LEGAL OPINIONS, HAVE NO LEGAL EFFECT AND DO NOT REPLACE FLORIDA BAR SERVICES.)

** SEE REVERSE SIDE FOR FORM TO SUBMIT ANY QUESTIONS YOU MAY HAVE!

**VISIT THE BROWARD BAR AT www.browardbar.org FOR MORE INFORMATION & DETAILS ON HOW TO SUBMIT QUESTIONS



2005 Election Calendar **VOTE**

Ballots Mailed
APRIL 1

Ballots Returned
APRIL 15

Results Released
MAY 15

Term of Office: July 01, 2005 – June 30, 2007

2005 Officers



Candidate for Secretary/Treasurer
CHRISTOPHER M. NEILSON
Law Firm: Law Office of Christopher M. Neilson
Area of Practice: General Practice, Criminal Law, Family Law and Personal Injury
Law School: Nova Southeastern
Year Admitted to The Florida Bar: 1987
Year Joining BCBA: 1987

Elected to BCBA Board of Directors, 2004-2006; also, 2002-2004. Appointed to BCBA Board of Directors, 2000-2002 term for seat that was vacated by Honorable Michael Gates appointment to Circuit Court Bench. Chair, Membership Committee, 2004 to present. Conceptualized and implemented 100% Judicial Membership Goal for BCBA for 2005. (This is unprecedented in BCBA recent history!) Florida Bar Unauthorized Practice of Law Committee, 2004 to date. Florida Bar Pro Bono Award Committee, 2004. Chair, BCBA Bench and Bar Committee, 2002-2004. Assisted in numerous BCBA Seminars and Events, including Brown v. Board of Education 50th Anniversary; Criminal Defense Seminar; Acting Seminar, etc. Active Immediate Past Chair BCBA Bench and Bar Committee 2004 to present. Broward County Bar Association "Outstanding Service Award", 2003. Vice-Chair, Bench and Bar Committee, 2000-2002. BCBA Publications Committee; Wrote numerous articles for "The Barrister". Broward County Bar Association, Peer Review Committee, Special Events Chair, BCBA Halloween Party, 2002, 2003 and 2004. BCBA Liaison for Ethics Cruise, "On the River of Knowledge", 2003, 2004. Chair, Sponsorship Committee, BCBA Bench and Bar Conference, 2005. Co-Chair, BCBA Bench and Bar Conference, 2001; Chair of event/Sponsorship Committee, raising over \$10,000 (Attended by 400 members and guests, which featured Florida Supreme Court Chief Justice Harry Lee Anstead as our keynote speaker). My goal as a member of the BCBA Executive Board would be a logical progression of my BCBA service. I would continue to serve our members, and in being part of BCBA's "Seamless Transition" process hope to remain to advance and improve our Association. I am truly honored for the confidence placed in me, and the opportunity of serving. If elected, I will continue the strong work ethic I have demonstrated for our great association over the past several years. I greatly appreciate your support. Thank you very much. Chris Neilson



Candidate for Secretary/Treasurer
BARBARA K. SUNSHINE
Law Firm: Law Office of Barbara K. Sunshine
Area of Practice: Probate & Trust
Law School: Nova Southeastern
Year Admitted to The Florida Bar: 1984
Year Joining BCBA: 1985

I was elected to the Board of Directors in 1997 serving until 2001. I organized several events for the Bar Association, including the Grand Opening of the Norma B. Howard Bar Center in December 1997, and the 75th Anniversary Celebration in November 2000. I received the President's Award in June 2001, for "devotion, dedication, leadership and service far beyond that expected or required to the Broward County Bar Association." In 2001, I was Editor of the "Barrister." I was elected again to the Board in 2002 serving until the present and have worked on numerous committees. I am a sole practitioner in Plantation. I would be delighted and honored to serve on the Executive Committee as Secretary/Treasurer.

WEST: West of the centerline of State Road 7 (441) north to Commercial Boulevard and south to the centerline of State Road 94 – Two Vacancies



BRENDA DI IOIA
Law Firm: Brenda Di Ioia, P.A.
Area of Practice: Mediation & Arbitrations, Traffic Court
Law School: Nova Southeastern
Year Admitted to The Florida Bar: 1989
Year Joining BCBA: 1989

Chief Administrative Traffic Hearing Officer, 17th Judicial Court- 1994-Present; Director Broward County Hearing Officer Training Program; Board Member of BCBA since 2002, Past-President, Broward County Women Lawyers' Association. It is my privilege to be considered for continued service on the Board of Directors of the Broward County Bar Association. I have been involved with this organization for over a decade. Through the years, I may have checked you in at a BCBA event or Barrister Bash, worked with you on a BCBA committee, spoke to you about Traffic Court when you were a Young Lawyer, moderated Traffic Court and Small Claims forums, "acted" for you at the Bench and Bar conference, or helped out at your section's seminar. If I haven't met you yet, I hope to soon. The BCBA Association offers something for everyone. BCBA took strides in 2004-05 to enhance its role in the community; the Halloween party benefiting underprivileged children, the Lawyer Referral Program, and support of community based programs are just a few examples. We enhanced communication with our members and added more value for all members through corporate alliances such as the Office Depot Center and the Clerk of the Court. I am proud to have participated in these and many other decisions and look forward to the opportunity to continue assisting with the management of this stellar organization.



JORDANA S. GOLDSTEIN
Law Firm: Ferencik, Libanoff, Brandt, Bustamante & Williams, P.A.
Area of Practice: Construction Litigation
Law School: University of Miami
Year Admitted to The Florida Bar: 1994
Year Joining BCBA: 1997

It would be my sincere honor to be able to serve on the 2005-2006 Board of Directors of the Broward County Bar Association. For the past several years, I have been actively involved in the Young Lawyers' Section, including serving as President of the Section last year. While serving on the Young Lawyers' Board, I had the pleasure of organizing and participating in several charity events, most notably the Section's "Holiday in January" program, which benefited foster care children in our community who may not have had the opportunity to participate in Christmas/Chanukah festivities. I was also responsible for organizing the Section's Bowl-A-Thon which benefited The Starlight Children's Foundation, a non-profit agency which provides services for seriously ill children. If elected, I look forward to coordinating similar events on behalf of the Broward County Bar Association. Furthermore, as a representative from the West, I hope to be able to bring more programs and events to our "neck of the woods"!

Central: East of the centerline of State Road 7 (441), north to the centerline of Commercial Blvd. – Three Vacancies



EDWINA V. KESSLER
Law Firm: Catri, Holton, Kessler, Kessler & Tuzzio, P.A.
Area of Practice: Civil Litigation Defense
Law School: Nova Southeastern
Year Admitted to The Florida Bar: 1994
Year Joining BCBA: 1994

I have been a member of the BCBA since I began practicing law in 1994. During those years I was a Board Member of the Young Lawyers Section and the President from 2002 to 2003. After I completed my tenure with the Young Lawyers', I was elected to the BCBA Board of Directors. I am in the process of completing my first term and am seeking re-election for a second term. I have enjoyed the many benefits we receive as a member of the BCBA and would work to expand those benefits. I am committed to the BCBA and would be privileged to serve on the Board again. I am proud to have participated in these and many other decisions and look forward to the opportunity to continue assisting with the management of this stellar organization.



JEFFREY R. WEISSMAN
Law Firm: Gladstone & Weissman, P.A.
Area of Practice: Board Certified Marital and Family Law, AV Rated
Law School: University of Pennsylvania
Year Admitted to The Florida Bar: 1994
Year Joining BCBA: 1994

Current Member of Board of Directors; Past Chair of Family Law Section (2002-2003); Past President of Young Lawyers' Section (2001-2002); Recipient of Paul May Professionalism in Practice Award (2003). I have enjoyed my tenure on the Board of Directors and wish to continue representing the interests of our general membership. During this past term, I have served as the Board Liaison to the Family Law Section and have actively pursued an initiative to offer health and other insurance benefits to our membership at a reduced, group rate. Such efforts will continue into my new term if elected. Your trust is greatly appreciated.



RALPH S. BEHR
Law Firm: Law Offices of Ralph S. Behr
Area of Practice: Criminal Law
Law School: Hofstra
Year Admitted to The Florida Bar: 1988
Year Joining BCBA: 1999

If elected I will work to strengthen the Broward County Bar Association by increasing membership of criminal defense practitioners. In the past criminal defense practitioners have not joined the Broward Bar in great numbers. I have served on the Board of Directors of the Broward Association of Criminal Defense Lawyers for over ten years, my practice is limited to criminal defense. The Broward Bar Association can grow in strength and diversity by reaching out to the criminal bar. I want to serve on the board to be a positive force in bringing criminal practitioners into the Broward Bar Association, and expanding our Association's services to the criminal bar.



JASON E. SLATKIN
Law Firm: Jason E. Slatkin, P.A.
Area of Practice: Bankruptcy, Commercial Litigation
Law School: University of Florida
Year Admitted to The Florida Bar: 1994
Year Joining BCBA: 1995

I have never forgotten the short anecdote told to me by one of my professors while I was in law school. "There is a big difference between making an argument and having one." I have been fortunate, for the most part, to have worked with attorneys who follow this principle and in doing so have shown me respect and collegiality; all the while diligently representing their clients, whether it be at the closing table or in the courtroom. As a member of the Board of Directors of the Broward County Bar Association, one of my main objectives will be to further this message and work with the other members of the Board to continue to preserve, and possibly grow, the level of professionalism that exists within our legal community. In addition, I look forward to working with the other members of the Board and the members of our Bar Association at large in order to address each of their concerns. As a transactional attorney, as well as a litigator, I believe I have an understanding of the diverse issues that affect each of our varied areas of practice. Moreover, I believe my tenure with the Board of Directors of the Young Lawyers' Section of the Broward County Bar Association, as well as my other civic and charitable endeavors, have provided me with the experience necessary to serve as a member of the Broward County Bar Association Board of Directors. And for that, I thank you for your support.



CATALINA AVALOS
Law Firm: Office of the State Attorney, 17th Judicial Circuit
Area of Practice: Criminal Law
Law School: Nova Southeastern University
Year Admitted to The Florida Bar: 1996
Year Joining BCBA: 2003

I am interested in joining the Broward County Bar Association Board of Directors. I am currently the past president of the Broward County Hispanic Bar Association and am on the Board of Directors of the Broward County Women Lawyers Bar Association. I understand the commitment and dedication needed to serve our legal community. My involvement with the voluntary bars gives me the necessary experience and insight to serve the Broward County Bar Association. I have had the opportunity to work with some of the members of the Broward County Bar Association Board of Directors on issues affecting the bar and would like the opportunity to serve our Broward County legal community. As the recipient of the 2004 Paul May Young Lawyers Professionalism Award, I experienced first hand the positive impact that the BCBA has on individuals and would like the opportunity to give back to the BCBA.



STEPHEN L. MALOVE
Law Firm: Malove & Kaufman, P.A.
Area of Practice: Personal Injury, Wrongful Death
Law School: University of Miami
Year Admitted to The Florida Bar: 1980
Year Joining BCBA: 1993

As a graduate of the University of Miami School of Law and Harvard University where I subsequently studied public health, I have been an advocate for patient's and victim's rights for almost 25 years. I have served on the Board of Directors of the Young Lawyers' Division of the Dade County Bar Association and have served on the Medical Liaison Committee with the Dade County Medical Association. In addition to teaching Legal Aspects of Healthcare Administration at the University of Miami, I have given presentations to nurses and healthcare administrators on related topics. I am a member of the Trial Bar of the U.S.D.C. and handle cases of personal injury and wrongful death. I am a longtime resident of Broward County and have offices in Ft. Lauderdale. I am devoted and dedicated to enhancing the legal profession.

2005 Candidates by Geographical Area

NORTH: North of the Centerline of Commercial Blvd. – One Vacancy



DON WALTERS
Law Firm: Hume & Johnson, P.A.
Area of Practice: Commercial Litigation
Law School: University of Florida
Year Admitted to The Florida Bar: 1988
Year Joining BCBA: 1988

It has been an honor to serve on the BCBA Board for the past two years. I feel that the board has made great strides in increasing the benefits of membership in the bar, but there is still much room for improvement. I ask to be re-elected to another term so that I can continue our work to make the Broward Bar our indispensable partner in the practice of law.

SOUTH: South of the Centerline of State Road 84 – One Vacancy



EDWARD HOLODAK
Law Firm: Edward F. Holodak, P.A.
Area of Practice: Civil Litigation, Family Law
Law School: University of Florida
Year Admitted to The Florida Bar: 1995
Year Joining BCBA: 1995

I have been a sole practitioner in Hollywood since 1999 with my areas of practice being commercial litigation, association law, personal injury and workers compensation. I have been a member of the Broward County Bar Association since being sworn in as an attorney and have served on the Board for the past year. In addition to my law degree from the University of Florida, I have a Masters in International Business from Nova Southeastern University. I am married with two small children and am active in various community and sporting organizations. I look forward to continuing to serve the members of the Association by my participation on the Board.

**BCBA BOARD OF DIRECTORS ANNOUNCES
AN
"OPEN ENROLLMENT"
TO PURCHASE
ACCESS POINTS TO CLERK OF COURTS
PUBLIC ONLINE ACCESS SYSTEM**

Enrollment Period
FEBRUARY 1, 2005 – MARCH 31, 2005

One year access to begin
APRIL 01, 2005

Minimum of 50 units – Cost: \$130 includes five dollar set up charge. Additional units \$2.50 each.

ORDER FORM

Mail to BCBA, 1051 SE Third Ave, Fort Lauderdale, FL 33316 or fax to (954) 764-8060.

NAME _____

FIRM _____

ADDRESS _____

TEL _____ **FAX** _____ **EMAIL** _____

Number of Units _____ **Total \$** _____

Check Enclosed

Credit Card and Expiration Date

POSITION AVAILABLE

Staff Counsel Position-Statewide Labor Organization-Broward County Regional Office
Attorney for regional labor union office. JD degree from ABA accredited College of Law, member in good standing with the Florida Bar; knowledge of administrative, labor, education law needed. Fluency in Spanish an asset. Writing samples and references to be submitted with application. Salary Range from \$59,358 to \$88,861 depending upon qualifications and experience and based upon collective bargaining agreement. Excellent benefits offered. Medical, dental, vision, life, disability and retirement benefits offered. Liberal vacation and sick leave and holidays.

Contact:
Lynn Cavall, Director of Human Resources, FEA, 213 South Adams Street, Tallahassee Fl. 32301.

Paralegal Specialist Position: Statewide Labor Organization-Broward County Regional Office
Paralegal for labor union regional office.

Certified Paralegal from accredited Paralegal Studies Program. Some experience required. Good verbal and computer skills required. Organizational skills an asset. Fluency in Spanish an asset. Salary range from \$31,411 to \$55,997 depending on qualifications and experience and collective bargaining agreement salary schedule. Excellent benefits provided. Medical, dental, vision, life, disability and retirement benefits offered. Liberal vacation and sick leave and holidays.

Contact:
Lynn Cavall, Director of Human Resources, FEA, 213 South Adams Street, Tallahassee, Fl 32301

DISABILITY INCOME

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| ❖ Life Time Benefits Rider | ❖ Additional 10% Monthly Benefit |

Other Services Offered:

-Association Discounts May Be Available-
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SAVE THE DATE

Legal Aid Service of Broward County will host the 4th Annual "FOR THE PUBLIC GOOD" benefiting Legal Aid's Children's Advocacy Project on Friday, May 13th at the Marina Marriott located at 1881 S.E. 17th Street (17th Street Causeway), Ft. Lauderdale. Join us for cocktails, dinner, silent auction and entertainment. Individual tickets to the event are \$80.00 and tables of 8 are available. Please contact Kathy Thomsen (954) 736-2424 for information about event sponsorship, donation of auction items and volunteer opportunities.

March 16th Set for Solo-Small Law Firm Networking Group

The next Solo-Small Law Firm Networking Group networking dinner takes place at 6:00 PM on Wednesday, March 16th, 2005 at the Wyndham, Fort Lauderdale Airport

BCBA members receive discounted admission of \$35 when reserving in advance and \$40 at the door.

Vegetarian dinners are available for those making advance reservations. To participate or add your name to the mailing list for future Solo-Small Law Firm Networking Group programs, phone Loring Spolter at (954) 728-3494

SOLO-SMALL LAW FIRM NETWORKING GROUP APRIL 2005 AREA LUNCHES

There is no registration fee for lunch participants, merely pay for your own lunch.

HOLLYWOOD:

The Ark
6355 Stirling Road, Hollywood
Friday, April 22, 2005, at 12:00
RSVP by phoning Stephen Ziegler, Esq. (954) 467-2000

PLANTATION:

Olive Garden
807 South University Drive (Fountains Plaza), Plantation
Wednesday, April 27, 2005 at 12:00
RSVP by phoning John Rizvi, Esq. (954) 583-9600

FORT LAUDERDALE:

Chuck's Steakhouse
Corner of 17th Street and Miami Road, Fort Lauderdale
Thursday, April 14, 2005 at 12:00
RSVP by phoning Kathryn Holtzman, Esq. (954) 763-1839

CORAL SPRINGS:

Olive Garden
1555 North University Drive, Coral Springs
Tuesday April 5, 2005 at 12:00
RSVP by phoning Ronald Luzim, Esq. (954) 755-1500

Ernie Riland, Director of Mediation and Arbitration announces, the new

"Broward Community Justice Alternatives Program" (BCJA.)

This program was created to replace Citizen's Dispute which had been in existence since 1976 and was the original mediation program designed to offer alternative dispute resolution for the citizen's of Broward County.

The program has been expanded and BCJA is designed to provide services to the citizens of Broward County, local businesses, Broward County Organizations and Broward County Government including Municipalities. The purpose of BCJA is to provide a Florida Supreme Court trained Mediator to facilitate communication and work with the parties in order to reach a mutually agreeable resolution to a dispute.

Typical cases referred to our program include citizen's disputes, worthless checks, sales tax diversion or other types of cases referred from the State Attorney's Office as well as cases referred from Broward County E.E.O.C, elderly issues and municipality ordinance violations or other similar issues. Mediation is typically a safer, less adversarial venue than the court and is more expedient and less expensive. Mediation also allows parties to make their own decisions instead of leaving their fate in the hands of the court.

BCJA provides an opportunity to resolve disputes in an informal, non-adversarial manner at no cost if referred from a Broward County Government Agency. Elderly cases are mediated at no cost. For walk-in cases not referred from a governmental agency, our program charges a nominal fee of fifty dollars per mediation session. Cases are generally scheduled between 8:30 a.m. - 5:00 p.m. Monday through Friday and are held here at our main courthouse office. For more information please contact Jim Todd or Jeff Kaplan, Program Coordinators, at (954) 831-7752, 7753.

ADVANCED MEDIATION TRAINING

_ MARCH 12, 2005 _ JUNE 18, 2005 _

8.4 CONTINUING MEDIATOR EDUCATION CREDITS*
4.4 ETHICS
2.0 DOMESTIC VIOLENCE

(\$250.00) 8:30 AM - 5:15 PM

LOCATION:
BROWARD COUNTY BAR ASSOCIATION

CONTACT:
GERALDINE LEE WAXMAN, J.D.
(954) 741-1311
FAX (954) 677-9898
E-MAIL: PractiSolutions@aol.com

Primary Trainer: Geraldine Waxman, J.D., over 20 years experience in mediation training.

* 8 CLE Credits Pending

QUALIFIED ARBITRATOR SUPREME COURT CERTIFIED TRAINING

2005 SATURDAY DATES:
3/19, 4/2, 5/28, 6/25

(\$200.00) * 9:00 A.M. - 1:20 PM 5 CLE CREDITS

ADVANCED ARBITRATION TRAINING

(\$120.00)*

2:00 - 5:15 PM SAME DATES
3 CLE CREDITS

LOCATION:
BROWARD COUNTY BAR ASSOCIATION

CONTACT:
GERALDINE LEE WAXMAN, J.D.
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FAX (954) 677-9898
E-MAIL: PractiSolutions@aol.com

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JUDICIAL ROBIN CEREMONIES

17th JUDICIAL CIRCUIT
IN AND FOR BROWARD COUNTY

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Sarah McLachlan

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**BROWARD COUNTY BAR ASSOCIATION
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THE 3rd ANNUAL
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**SATURDAY, MARCH 26, 2005
5:00 – 7:00 PM**

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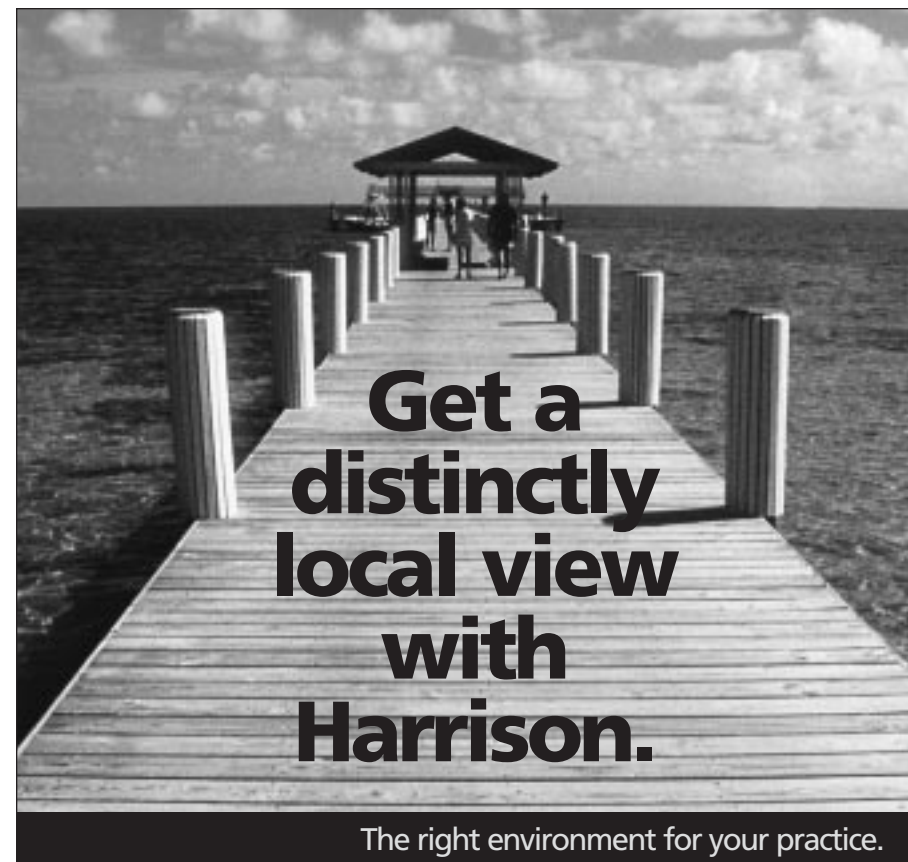
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For any questions please contact Anne Ogden or Chris Connally at (954) 626-0000

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**2005 BCBA MAJOR EVENT
 SCHEDULE**

- April 9th** – BCBA's 79th Annual Birthday Bash
- April 16** – BCBA Law Day Run
- April 29** – Law Day Luncheon
- May 19** – Retiring Judges Dinner
- June 29** – BCBA Annual Meeting and Installation Dinner.

**APRIL 15, 2005
 "Overlapping Family Law &
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CALENDAR OF EVENTS

MARCH 2005

Tuesday, March 8
 North Broward Bar Association Monthly Meeting at 12:00 p.m. at the Courtyard by Marriott, 2440 W. Cypress Creek Road, Ft. Lauderdale. RSVP to Rose Giunta at 954/788-8500.

Tuesday, March 8
 Association of South Florida Mediators Meeting at 11:45 a.m.-1:15 p.m. at The Tower Club. Topic to be announced. Cost to attend is \$20 members, \$23 members w/out RSVP, \$22 non-members, \$18 students. RSVP at www.asfm.net.

Tuesday, March 8
 BCBA BOD Meeting, 5:15 p.m. Norma B. Howard Bar Center. RSVP to BCBA at 954/764-8040.

Saturday, March 12
 South Florida Chapter of the Association of Corporate Counsel (ACC-SFL) "One Night Under the Sea" A portion of the Event's proceeds will go to benefit Florida's Children

First. Go to www.onenightunderthesea.com or call (954) 949-2888 for more information.

Tuesday, March 15
 Elder Law Section Topic: "Medicaid" 4:00 PM to 5:30 PM Location: Broward County Bar Association 1051 S.E. Third Avenue, Fort Laud., Cost: \$20. RSVP. 954/764-8040

Tuesday, March 15
 Bench and Bar Committee Meeting, noon, Tower Club. RSVP to the BCBA at 954/764-8040.

Tuesday, March 15
 Real Property Section Seminar "1031 Exchanges". 6:00 p.m. Speaker: Stephen A. Wayner, Esq., Bayview Financial Exchange Services. One hour CLE. Cost: \$15 for members/\$25 for non-members. RSVP to BCBA at 954/ 764-8040.

Tuesday, April 5
 Solo/Small Firm Networking Luncheon, Noon, Olive Garden, 1555 N. University Dr., Coral Springs. RSVP to Ronald Luzim, (954) 755-1500.

Saturday, April 9
 BCBA's 79th Annual Birthday Bash. Details to be announced.

Tuesday, April 12
 North Broward Bar Association Monthly Meeting at 12:00 p.m. at the Courtyard by Marriott, 2440 W. Cypress Creek Road, Ft. Lauderdale. RSVP to Rose Giunta at 954/788-8500.

Tuesday, April 12
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Tuesday, April 12
 BCBA BOD Meeting, 5:15 p.m. Norma B. Howard Bar Center. RSVP to BCBA at 954/764-8040.

Thursday, April 14
 Solo/Small Firm Networking Luncheon, Noon, Chuck's Steakhouse, 17th St Causeway and Miami Road, Fort Lauderdale, RSVP to Kathryn Holtzman, (954) 763-1839.

Saturday, April 16
 Law Day Run-"10th Barrister Bolt," staged at Tradewinds Park, a timed 5 k run and walk inside the park. Teams of runners are welcomed. The event raises funds for the Children's Home Society of Broward County. Cost to register is \$20 in advance, \$25 at the race. Sponsorship opportunities are also available. For more information contact Julie Klahr at 954/771-4500 or email jklahr@cityatty.com or John Primeau 954/921-2001 or email jprimeau@butlerandprimeau.com

Wednesday, March 16
 Solo/Small Law Firm Networking Group Dinner at 6:00 p.m. at the Wyndham, Ft. Lauderdale Airport. BCBA members receive discounted admission of \$35 when reserving in advance and \$40 at the door. Contact 954/728-3494 for more information.

Friday, March 18
 FREE Intermediate Family Law Continuing Education Seminar (free to those who agree to take one pro bono case each year, otherwise cost to attend is \$125), co-sponsored by Coast to Coast Legal Aid of South Florida and the Broward County Bar Association's Family Law Section. 9:00 a.m. To be held at the Ft. Lauderdale Marina Marriott on the 17th Street Causeway. For more information, contact Gyl Pelissier at 954/736-2426 or email gpelissier@legalaid.org.

Wednesday, March 23
 BCBA Young Lawyers' Section Board of Directors Meeting, Norma B. Howard Bar Center. 5:30 p.m.

Thursday, March 24
 BCBA YLS Luncheon. Guest speaker is former Supreme Court justice Major Harding. Noon at The Tower Club. Cost to attend is \$18 for solo practitioners/government employees and \$20 for all others. RSVP to 954/764-8040.

Saturday, March 26
 Guardianship class (mandatory, court-ordered class for guardians), held at the BCBA Conference Center, 9:00 a.m.-5:00 p.m. Cost to attend is \$180. Call BCBA at 954/764-8040 for more information.

Saturday, March 26
 YLS 3rd Annual Bowl-A-Thon at Sawgrass Lanes, 5:00 pm to 7:00 pm. Contact Anne Ogden or Chris Connally at 954/626-0000 or Quentin Morgan at 954/522.2200.

Tuesday, April 19
 Bench and Bar Committee Meeting, noon, Tower Club. RSVP to the BCBA at 954/764-8040.

Friday, April 22
 Solo/Small Firm Networking Luncheon, Noon, The Ark, 6355 Stirling Road, Hollywood. RSVP to Stephen Ziegler, (954) 467-2000.

Wednesday, April 27
 Solo/Small Firm Networking Luncheon, Noon, Olive Garden, 807 S University Dr., Coral Springs. RSVP to John Rizvi, (954) 583-9600.

Wednesday, April 27
 BCBA Young Lawyers' Section Board of Directors Meeting, Norma B. Howard Bar Center. 5:30 p.m.

Thursday, April 28
 BCBA YLS Luncheon. Noon at The Tower Club. Cost to attend is \$18 for solo practitioners/government employees and \$20 for all others. RSVP to 954/764-8040.

Thursday, April 28
 St. Thomas More Society of South Florida 16th Annual Red Mass, Reception & Dinner, celebrated by Archbishop John C. Favalora, 6:00 p.m. at St. Anthony Catholic Church (901 N.E. 2nd Street, Ft. Lauderdale). Complimentary Reception at 7:30 p.m. and Dinner at 8:30 p.m. (Marriott Harbor Beach Resort). Guest Speaker is Justice Charles T. Wells. Cost to attend is \$65.00 per person. Reservations only, call 954/776-1600 for more information.

Friday, April 29
 Law Day Luncheon. Details to be announced.

APRIL 2005



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