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The Briefs

A Publication of the Orange County Bar Association

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MICHAEL L. SMITH
J.D., R.R.T.

- B.S., Nova Southeastern University

- J.D., Stetson Univ. College of Law

- Registered Respiratory Therapist

- Licensed in Florida

- Board Certified by the Florida Bar in Health Law



JOANNE KENNA
J.D., R.N.

- J.D., Stetson Univ. College of Law

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The Briefs

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Co-Editors

Kristyne E. Kennedy & Thomas A. Zehnder

Affiliate Bar Editor

Jessica K. Hew

Features Editor

Judith Garabo Hayes

Communications Manager

Peggy Storch

Hearsay Columnist

Nicholas A. Shannin

YLS Columnist

Taylor C. Kessel

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Deadline for September Edition: 9/1/2007

The deadline for each edition is the first day of each month. If that day falls on a weekend or holiday, the deadline is the prior working day.

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Who We Should Be

C. Gene Shipley

You may have picked up on a common theme in my first few President's Messages. In my initial PM, entitled "Who We Are," I recited the OCBA's Mission Statement of and summarized some of the many ways our members and staff serve the Central Florida community. In last month's PM, "Who Are You?" I described the diversity of our members, hopefully enabling you to better understand how expansively we can fulfill our mission and common goals. Through future President's Messages and other articles in *The Briefs*, we will continue to better equip you with information necessary to educate others as to how our members currently are and have always been instrumental in serving the ever-increasing needs of Orange County. This month, however, rather than providing you with facts about our association and its members to pass on, I'm asking you to consider the manner by which each of you, individually, promote honor, dignity, truth, and professionalism within the legal community. Do you consistently strive to promote the standards of professionalism? Hopefully, you've been able to answer honestly, "Yes." But, perhaps more important, if others were asked this same question of you, would they agree?

There are certainly many "instruction manuals" available to guide us in this pursuit. Each of our legal careers began by reciting the Oath of Admission to the Florida Bar. We are all bound by Rules of Professional Conduct, guiding us in our conduct with the public, our clients, the courts and each other. Our duty to uphold the standards of our profession with dignity, civility and courtesy is restated and expanded by the Florida Bar and the OCBA, as well as through various other creeds and standards of professionalism.¹ Even before we contemplated being an attorney, each of us was likely raised by our parents to adhere to a similar standard, the Golden Rule: do unto others as you would have them do unto you. Yet, by fulfilling our responsibility to "zealously advocate the client's position" under the rules of our adversarial system, it seems we often stray from these core standards.

As members of an association, by definition, how we are perceived in the eyes of others is directly affected by the actions and conduct of each and every other member of the OCBA. Of course, we all can feel proud to be associated with attorneys such as Kirk Kirkconnell, Woody Rodriguez, and the other past recipients of the OCBA's annual professionalism awards.² Unfortunately, our reputation in the general public is not limited to professionalism award winners, or even limited to those attorneys who strive to carry an unwaivering standard of courtesy and civility every

time they are observed practicing law. The reputation of each and every one of us is also affected by the public perception of unprofessional actions by the worst offenders in our profession.

Even with all of the materials available to guide us through the standards of professionalism, with such a diverse group of lawyers and legal professionals, we must recognize there may be some disagreement among us as to what conduct is considered professional and unprofessional. As members of the OCBA, we should treat every encounter with our colleagues as an opportunity to discuss issues pertaining to the legal system, especially the issue of professionalism. We must feel free to challenge each other to do the right thing, to do what's right, and to always act with civility when disagreements arise. Failing to discuss professionalism with each other only serves to widen the divide between possible differences, further eroding the professionalism we can convey, and further tarnishing the public's perception of us.

A second, equally important way to promote professionalism is through my initial challenge. Take the time every day to reflect on your actions, style, mannerism and communications as an officer of the court. Do they clearly embody the honor, dignity, truth, and professionalism we should be consistently demonstrating? On the occasions when you may fall below this standard, do you acknowledge it to yourself and to others? Oliver Wendell Holmes, whose son became a U.S. Supreme Court Justice, once said, "The greatest thing in this world is not so much where we are, but in what direction we are moving."

Upon reflection, I regret to say that I have not always acted in a manner that clearly promotes this laudable standard. In my initial PM, I told you I was proud and, in fact, humbled to serve as your President. I truly am proud to be associated with you. I am humbled by my past failures and present challenges in meeting the standards set for us all. Please allow a point of presidential privilege by asking for forgiveness from my colleagues who have witnessed this, and from you, my fellow OCBA members, for the same. I hope you will feel comfortable discussing how my actions in the future compare to your standard of professionalism.

¹ This pledge to "uphold the standards of the profession with dignity, civility and courtesy" is the first mandate stated in the American Inns of Court Creed of Professionalism and is required of all members of the First Central Florida American Inn of Court.

² Kirk N. Kirkconnell was the recipient of the 2007 William Trickel, Jr. Professionalism Award; Diego "Woody" Rodriguez received the 2007 Lawrence G. Mathews, Jr. Young Lawyers Professionalism Award.

C. Gene Shipley is a shareholder with Nardella Chong, P.A. He has been a member of the OCBA since 1998.

Florida Emergency Physicians-Kang & Associates, M.D., P.A. v. Parker,
800 So. 2d 631 (Fla. 5th DCA 2001)
Protected liability on multi-million dollar medical malpractice action.

Miller v. Jacobs & Goodman,
699 So. 2d 729 (Fla. 5th DCA 1997)
Declared liquidated damages clause of attorney employment agreement void and unenforceable.

Wenzel v. Boyles Galvanizing Co.,
920 F. 2d 779 (11th Cir. 1991)
Affirmed a \$2.75 million dollar personal injury award.

Boyles v. Mid-Florida Television Corp.,
467 So. 2d 282 (Fla. 1985)
Reversed the dismissal of a libel action against an Orlando television station.

Mitchell v. Metropolitan at Lake Eola LLC,
32 Fla. L. Weekly D365 (Fla. 5th DCA 2007)
Reduced lis pendens bond from \$600,00 to \$20,000.

Whigham v. Shands Teaching Hospital,
613 So. 2d 110 (Fla. 1st DCA 1993)
Reinstated multi-million dollar medical malpractice action against blood bank.

Pettry v. Pettry,
768 So. 2d 8 (Fla. 5th DCA 2000)
Reversed conversion of rehabilitative alimony to permanent alimony.

Caiazza v. Tuff Realty Corp.,
805 So. 2d 29 (Fla. 5th DCA 2001)
Protected ownership of two multi-million dollar Florida corporations.

Owen v. Owen
867 So. 2d 1222 (Fla. 5th DCA 2004)
Reversed imputation of income with directions to reduce by 50%.

Pixton v. Scotsman,
924 So. 2d 37 (Fla. 5th DCA 2006)
Reversed dismissal of negligence action for failure to comply with RCP 1.070(j).

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OCBA Luncheon Speakers



August 21, 2007



U.S. Senator Bob Graham

Bob Graham Center for Public Service

U.S. Congressman Lou Frey, Jr.

Lou Frey Institute of Politics and Government



Reenlisting for Democracy

United States Senator Bob Graham, former two-term governor of Florida, 18-year veteran of the U.S. Senate and ten-year member of the Florida Legislature, and United States Congressman Lou Frey, Jr., ten-year member of the U.S. House of Representatives and a practicing attorney in Central Florida, have joined together to launch an effort to improve civic education in Florida. The Lou Frey Institute of Politics and Government joined with the Bob Graham Center for Public Service at the University of Florida to prepare a report entitled "Enlisting a New Generation of Florida Citizens." The report, which was released to Florida Governor Charlie Crist, the legislative leaders and the public on January 23, 2007, addresses issues critically relevant to Florida's civic health.

"Enlisting a New Generation of Florida Citizens" suggests two disturbing trends that threaten Florida's civic future: first, that many Floridians are not motivated to participate either in the political process or other aspects of our state's civic life; and second, that even if they had the necessary desire to participate, many Floridians would not know where or how to begin. This lack of motivation and direction is particularly strong among Florida's youngest citizens. Educating the young and utilizing the one institution capable of building civic virtue among the young - the public school system - is the nexus for implementation of the report's five policy recommendations for strengthening civic education in the state.

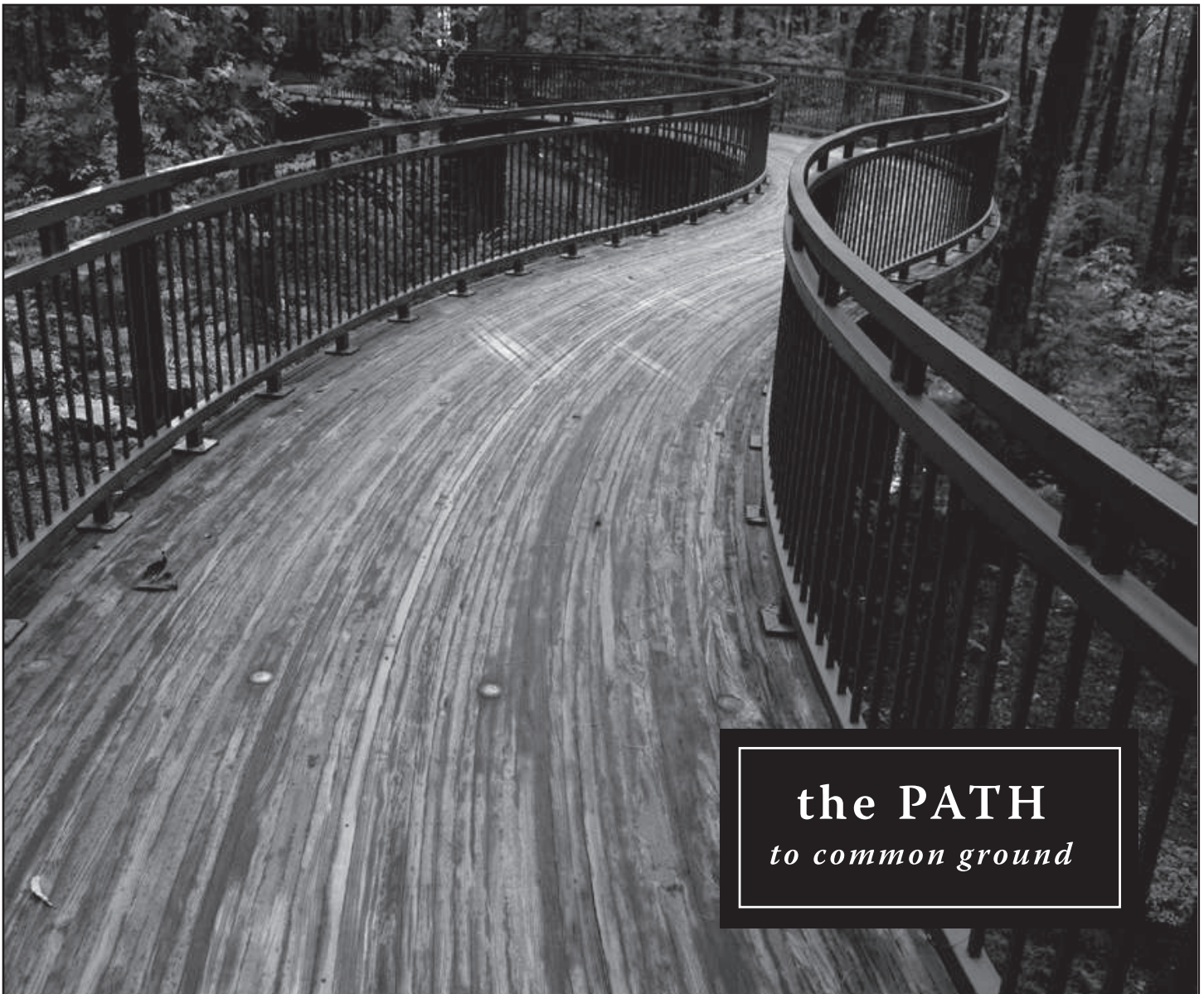
Summarized, the recommendations are: (1) **Make civics education an integral part of our public school curriculum;** (2) **Test civics on the Florida Comprehensive Assessment Test (FCAT);** (3) **Encourage and support the teaching of civics in Florida's K-12 school;** (4) **Lead the nation in textbook improvement;** and (5) **Establish a strategic Center for Florida Citizenship.**

Senator Graham and Congressman Frey's commitment to strengthening Florida's civic culture by promoting the development of a state-wide infrastructure that supports social studies and civics education will help many young Floridians reach adulthood with the motivation, skills and knowledge necessary to be active and effective members of Florida's body politic.

— The August Luncheon is Tuesday, August 21, 2007 —
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Please RSVP for the luncheon no later than August 14, 2007.
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To ensure proper luncheon count, RSVPs are requested no later than 5 days in advance. Those reserving less than 24 hours in advance will not be guaranteed a name badge. If you have made a reservation and find that you are unable to attend, please notify us as soon as possible via e-mail. We appreciate your effort to keep us up-to-date on your reservation status.



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Professionalism Committee

The State of Legal Professionalism in Our Community: Professionalism Carrots and Sticks

— Howard D. Friedman, General Magistrate



Our legal community continues to grow and become more diverse. The OCBA now boasts over 3,000 members. The practice of law has become more highly specialized. We are in a state of transition from practicing in a small community to a large community. We don't always personally know all the attorneys we encounter. There is no longer any guarantee you will have personal contact with only a small, close-knit group of opposing counsel who exert peer pressure on each other to maintain the acceptable levels of decorum and conduct that are integral to practicing with the highest ideals of professionalism. This way of carrying yourself where you concern yourself with what opposing counsel thinks of you – not necessarily liking you or agreeing with you, but respecting you and trusting your word – should not go the way of the dinosaur. This way of practice ought to be perpetuated.

Using “carrot and stick” analyses, the desire to be accepted and respected in a small, close-knit legal community is the traditional “carrot” of professionalism. The traditional “stick” for professionalism has been peer pressure. As a natural side-effect of growth in our legal community, the sense of belonging, being accepted and respected in a close-knit group has become obfuscated, diffuse, fragmented and has in other words, broken down. The peer group once relied upon to exert peer pressure to encourage pursuing professionalism, no longer constitutes the entire legal community. Because of the growth and the increased numbers of attorneys practicing, we all aren't getting to know each other very well.

Getting to know your fellow attorneys through joining organizations such as the OCBA and being active in the OCBA or Florida Bar committees, OCBA affiliate organizations or the Inns of Court will help. Establishing smaller groups of attorneys who share common interests or practice the same area of law recreates a semblance of the small, close-knit legal community of yore. Of course participation in these groups is strictly voluntary. Understandably many attorneys do not have the time to devote to these pursuits. Without the traditional “carrot and stick” of professionalism in place, the level of professionalism in our community is not defined by a well understood community standard, but rather is left more to the individual attorney and law firm. The inherent risk of practicing law in a community where there is no well understood community standard for professionalism is that the need to succeed eclipses the need to succeed while pursuing the highest ideals of professionalism. It is important to our profession, the image of our profession and our legal community that the ideals of honor, dignity and civility be maintained while we zealously pursue our clients' causes. Recognizing the current state of affairs, it came as no surprise that an effort would be made to establish and maintain an appropriate constant standard of professionalism.

In an effort to define appropriate benchmarks of

professionalism, the Florida Bar Standing Committee on Professionalism recently made a valiant effort by drafting proposed rules to sanction unprofessional conduct. Violation of the rules could result in the requirement that the offending attorney attend a professionalism workshop and perhaps pay a modest fine or civil penalty. These proposed rules governing professionalism focused on the “stick” component of “carrot and stick” analyses. Unfortunately, these proposed rules were withdrawn from consideration by the Florida Supreme Court during the public comment phase because of concerns regarding the imprecision of when unprofessional conduct should be sanctioned. Despite having ideals and goals of professionalism, it remains unclear whether the failure to pursue these ideals, in and of itself, should result in sanctions. So, at this time, there is no bright line demarking minimum acceptable levels of professionalism. Sanctions for unprofessional conduct and unfair litigation techniques can still be had if the unprofessional conduct is both unprofessional and contemptuous; violates discovery rules; or the Rules of Professional Conduct. At this writing, the “stick” component is still in development and has not yet been perfected. But we must still press on to do what we can to promote the highest ideals of professionalism.

When you have a spare moment please take a look at the “Guidelines for Professional Conduct” (adopted by the Board of Governors of the Florida Bar on May 16, 1990), and the “Ideals and Goals of Professionalism” (adopted by the Executive Council of the Trial Lawyers Section of the Florida Bar in 1994 and by the Florida Conference of Circuit Judges in 1995). These are two of the Florida Bar's guidelines for professionalism available on the Florida Bar's Henry Latimer Center for Professionalism's web page.

Both of the Florida Bar's professionalism guidelines set forth in detail ways to improve both the practice of law and the public image of lawyers. I suppose a concise way to describe the Ideals and Goals of Professionalism is that they ask you to consider yourself a representative, perhaps ambassador, of the legal profession with a duty to honorably pursue justice. The Guidelines for Professional Conduct deal with the nuts and bolts of litigating with professionalism with an emphasis on honesty, fairness, appropriate trial conduct and courtroom decorum. These guidelines are roadmaps to where we each need to be in terms of professionalism in the practice of law. Understanding we are not perfect, if we make a mistake, pursuing professionalism dictates that we must continue to strive to improve. In practicing law, after determining that your conduct complies with the Florida Rules of Professional Conduct, it is as well important to consider whether your contemplated conduct pursues the highest ideals of professionalism. If everyone used their best efforts to practice in accordance with these professionalism guidelines,

Continued on page 9

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doubtless we would see an overall improvement in the quality of practice of law.

The title "Florida Rules of Professional Conduct" seemingly implies that following these rules automatically constitutes practicing with professionalism. Perhaps this ambiguity in the title to our rules of professional responsibility leads to some confusion. The Rules of Professional Conduct set forth the requirements which you must master to obtain your license and which, at a minimum, you must abide by in order to keep intact your license to practice. Of course, it is important to understand and abide by the Rules of Professional Conduct. However, it needs to be made clear that professionalism entails more than meeting the minimum requirement necessary to keep your license. It entails persistently engaging in exemplary conduct that will earn a good reputation in our legal community.

According to one esteemed jurist I have spoken with, it is very difficult to teach professionalism to law students because ideals of professionalism are difficult for law students to conceptualize. Professionalism is learned through experience practicing law, mentoring and developing the best practices. When an attorney's conduct is commendable, accounts of the attorney's conduct perhaps will be reported to us by other attorneys or judges, typically by word of mouth. Our trade publications will announce from time to time that an attorney has won an award or has been recognized for performing community service. There is no great central collected body of cases reported on professionalism.

On the other hand, the body of law on professional responsibility is quite extensive. It includes a wealth of reported case law, advisory opinions and rule amendments. We do not see cases reported where the most highly ethical attorneys are lauded for striving towards ideals of professionalism. Instead, we read of the attorney being disciplined for engaging in conduct that probably could have been avoided. We are taught what *not* to do, and it is perhaps expected that when what we learn is put into practice, a natural trend aspiring toward the highest ideals of professionalism will occur. This may occur naturally, but it certainly is far from a foregone conclusion. It is up to all of us to prevent an erosion of the understanding and expectations of professionalism.

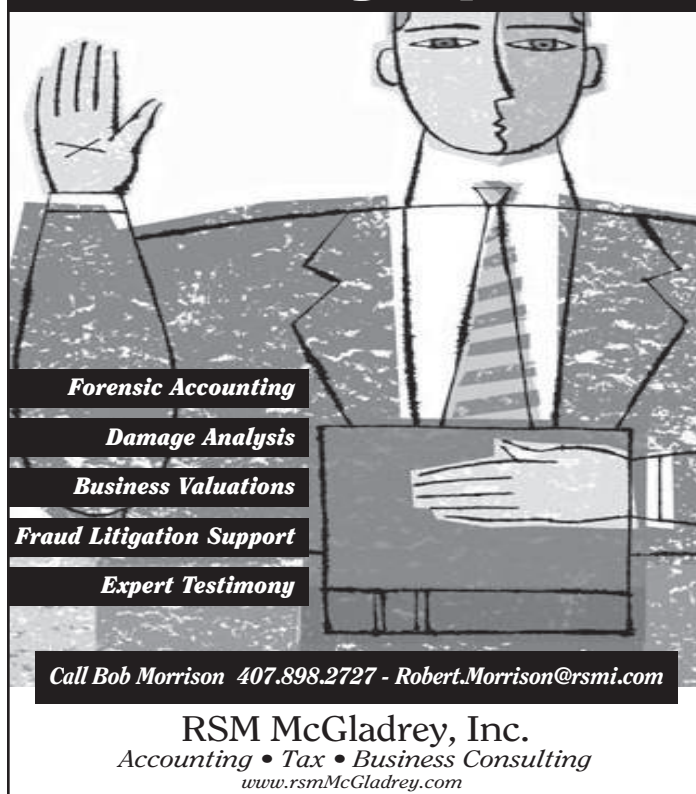
Your conduct aspiring toward the highest ideals of professionalism entitles you to be considered a role-model for our profession. If you take pride in work and get a compliment from opposing counsel or the court for the quality of your work, you have taken a step in the right direction. Serving as a mentor to a young attorney or law student entitles you to be considered a role-model for our profession. By sharing your wisdom and experience to help the next generation learn and improve, your spirit of volunteerism promotes professionalism. Becoming involved with a committee or organization promoting professionalism entitles you to be considered a role-model for our profession. By promoting the ideals of professionalism, you are making an effort to improve our legal system and ought to be considered a role-model for our profession. Performing community service entitles you to be considered a role-model for our profession. Volunteering your time and effort or donating your resources to improve our community improves the image of our profession and certainly embodies professionalism.

I was reflecting on the best and worst ways to convey the message of professionalism in this section of the article. I considered the absurdity and utter futility in drafting a lengthy several-thousand page legal treatise on professionalism. The treatise should necessarily detail how to act and respond to others actions with the utmost professionalism in most every situation lawyers encounter. Unfortunately, this topic covers so many variables encountered in practice there would be no good way to adequately index it and it would likely be so voluminous, no one would ever have the time to read it. I further grew concerned that it even may be too much to expect the reader to search the Florida Bar's web site to explore the professionalism guidelines referenced earlier in this article. As Polonius said to his son Laertes in the Shakespearian tragedy, *Hamlet*, "Brevity is the soul of wit." Considering Laertes' comment literally and eliminating the intended hypocrisy behind the comment in the play, perhaps encapsulating professionalism in a very concise and easy to swallow "capsule" can most effectively convey the message. Simply put, professionalism dictates that you are expected to practice law in accordance with these basic and simple understandings:

- 1) **Treat others as you would like to be treated.**
- 2) **Your word is your bond.**
- 3) **Be fair-minded.**
- 4) **Strive to improve.**

Howard D. Friedman is a Magistrate in the Ninth Judicial Circuit. He has been a member of the OCBA since 2005.

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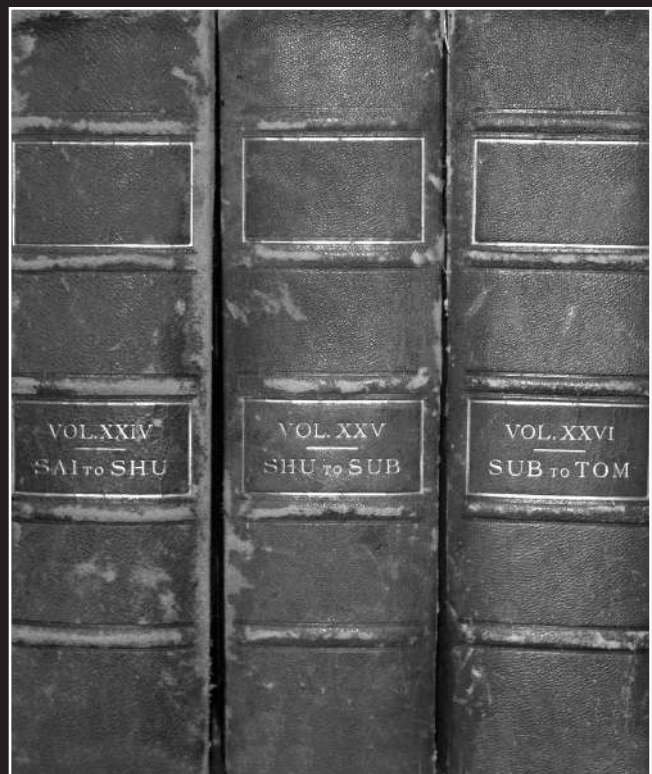
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OCBA Legal Aid News

John R. Hamilton Recognized at Legal Aid Pro Bono Awards Ceremony

Legal Aid Society of the OCBA

The annual Legal Aid Society *Pro Bono* Awards were held at the July 26, 2007, OCBA luncheon. Meena Hirani, President of LAS Board of Trustees, presented the New Lawyer Award of Merit, Individual Awards of Merit, Government Lawyer Award, Law Firm Award of Merit and the highest *pro bono* honor, the Judge J.C. "Jake" Stone Distinguished Service Award.

John R. Hamilton, a partner at Foley & Lardner, LLP, was awarded the Judge J.C. "Jake" Stone Distinguished Service Award. John has been a member of the *pro bono* panel since 1990 and has represented a variety of clients and many types of cases. He has served as a Guardian *ad Litem* and has accepted guardianship, custody and consumer cases, as well as appeals. Since 1990, John has handled 61 cases with over 1,064 hours. Additionally, he has provided training and advice for staff and *pro bono* attorneys.

John received the New Lawyer Award in 1994 and the Individual Award of Merit in 2002. He also assisted the Seminole County Bar Association Legal Aid Society and its client in 2004 when he filed a *mandamus* action to provide access to the court for a grandmother seeking temporary custody of her grandchild. For his work he received the 2005 Edward R. Smith Outstanding *Pro Bono* Attorney Award.

John is a member of Foley & Lardner's Appellate and General Commercial Litigation Practice Group and is board certified in appellate practice and civil litigation. A graduate of the University of Kentucky (both undergraduate and law), he was admitted to The Florida Bar in 1988.

The Legal Aid Society's New Lawyer Award was presented to Christi Adams, also of Foley & Lardner, LLP.

She was admitted to The Florida Bar in 2001 and became a member of the OCBA in 2002. For the LAS, Christi handles primarily GAL cases and has completed seven cases with over 95 hours. Christi is currently assisting eight children as their GAL.

The Government Lawyer Award was presented to Robert J. Welch, Jr., Assistant State Attorney. For more than 20 years, Robert has served as a *pro bono* mediator with the OCBA's Citizen Dispute Settlement Program.

Individual Awards of Merit were presented to attorneys who have made significant contributions to *pro bono* work. This year, the Legal Aid Society recognized Mark F. Ahlers, Frank M. Bedell, Sally Blackmun, Kim Michael Cullen, John R. Dierking, James A. Fowler, C. Anthony Gonzalez, Jr., Keersten Heskin Martinez, Robert W. Rasch and Roland A. Sutcliffe, Jr.

Law Firm Awards of Merit are presented to firms that make a commitment to *pro bono* services and that have more than half of their attorneys handle *pro bono* cases. Law Firm Awards of Merit were presented to Carlton Fields, P.A. and to Mahaffey & Leitch.

The Volunteer Advocate for Children award is given to a lay volunteer with the Guardian *ad Litem* Program. Jeri Spriggs, who has been a volunteer for many years with the program, received this year's Volunteer Advocate for Children Award.

The Legal Aid Society of the Orange County Bar Association thanks the above individuals and firms for their dedication, hard work and continued commitment to providing *pro bono* legal services to our community.



John R. Hamilton

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Real Property Committee

The Real Estate Lawyer's 2007 Legislative Session in Review

Sancha Brennan Whynot



The regular session of the Florida Legislature concluded on May 4, 2007. Due in large part to initiatives of the Real Property, Probate and Trust Law Section of the Florida Bar, much of the legislation that was on the session agenda directly relates to your real estate practice. Unless you have been sequestered in a basement office or firm "war room" preparing for trial or purposefully hiding away from all sources of news media, including your nightly dose of John Stewart, your Blackberry, your cell phone and the Internet, then you have certainly heard about the real property tax issues currently being debated in a special session of the legislature. At the time of drafting this article, there has been no definitive outcome to report. So, unfortunately for those over-worked attorneys among us, this article is not intended to address the real property tax issues and, instead, will focus on the many other legislative changes affecting the real property practitioner. For ease of review, I will attempt to divide the changes below in categories based on practice or general interest area.

Condominiums, Community Associations and Time Shares

If your practice involves working with condominiums and community associations, you will be particularly interested in the developments created by House Bill 7031, Senate Bill 902 and Senate Bill 1844. House Bill 7031, signed by the governor on May 24th as Chapter 2007-80, Florida Laws, modifies Chapters 718, 719 and 720. Revisions to part IV of the Condominium Act require additional disclosures for condominium conversions and provide for privity between the entity preparing the Conversion Inspection Report and condominium unit owners. This bill also revises the definition section of Chapter 718 to allow for a "condo-in-a-condo." There are also clarifications as to the contract disclosure requirements located in Chapter 718 and 719 that require budgets to be founded upon good faith estimates and current budgets be provided to purchasers at closing.

Additionally, the new 2007-80 provides for several new insurance options for condominium associations, cooperative associations and homeowners associations, including "pooled-insurance" and self insurance alternatives. Signed into law on June 19th (as 2007-183, Laws of Florida) and effective as of July 1st, Senate Bill 1844 creates a new section setting forth requirements for homeowner's associations to provide 45 days written notice to owners in order to collect delinquent homeowner's association assessments and prior to the filing of liens and commencement of foreclosure proceedings. Further, this section allows the homeowner an

opportunity to make a "qualified offer" for the repayment of delinquent sums owed to the association in a subsequent lien foreclosure action.

Senate Bill 902, 2007-173, Laws of Florida, that amends provisions of Chapters 712, 718 and 720, dealing with condominiums, cooperatives and homeowner's associations, was enacted on June 19th. These amendments include a simplified procedure for obtaining the consent of mortgagees when condominium documents are amended and a number of provisions dealing with the pre-suit mediation of disputes, including moving the mediation of homeowner's association disputes out of the Division of Florida Land Sales, Condominiums and Mobile Homes. The new law further extends the mandatory fire sprinkler requirements for condominiums until 2025 and creates a new statute prohibiting local governments from interfering with the right of beach access to condominium unit owners and guests, permits new owners to vote on mandatory membership agreements, and clarifies the rights of residential unit owners in mixed-use condominium situations.

This bill also provides for the revitalization of expired homeowner's covenants for parcel owners residing in a residential community without a mandatory homeowner's association. For mandatory homeowner's associations, committee meetings of the associations will now be required to follow the open meeting requirements of Chapter 720. Homeowner's associations will also now be allowed to charge a fee of up to \$150, plus photocopying and reasonable attorney's fees, for information provided to prospective purchasers and mortgagees. There are also a number of changes relating to the governance of the designated committee or architectural control decisions made by the association, including provisions allowing a homeowner to recover fees from the association when prevailing in a dispute. For mandatory homeowner's associations, this bill establishes procedures for uniform developer-guaranteed assessments, requires a transition audit for those homeowner's associations that are created after December, 31, 2006, and creates opt-in procedures for association reserves conforming to the accounting policies found in the condominium act.

Additionally, in the world of condominiums and yet to be signed by the governor, highly debated Senate Bill 314 proposes significant amendments to section 718.117, providing new methods for the termination of a condominium. The provisions allow for allocation of condominium property among all unit owners, the creation of a plan of termination, appointment of termination

Continued on page 14

trustee, optional termination and termination in the event catastrophic damage.

House Bill 405, relating to timeshare plans, became law on May 26th and will be effective on July 1, 2007. 2007-75, Laws of Florida, revises various portions of Chapter 721 and creates new mandatory disclosures to prospective purchasers of out-of-state timeshare plans. This bill also establishes new advertising and disclosure requirements for timeshare resale companies and creates a fiduciary duty for the managing entity to maintain adequate casualty insurance coverage during developer control.

Title Insurance

One of the first few bills to be signed into law by the governor this legislative session was House Bill 111, relating to the title insurance industry generally. That bill has become Chapter 2007-44, Laws of Florida, and provides for a number of different title-related changes, including additional provisions establishing that all non-resident title agents must pass an initial exam and maintain certain continuing education requirements. Effective as of October 1st, House Bill 111 revises the unlawful rebate provisions and provides for specific rate and rate deviation requirements, redefines several key terms (including “primary title services” and “title search”) and specifies what items should be listed in a mortgagee payoff letter (now referred to as a mortgagee’s estoppel letter). Further, those insurance agents that have been preparing certificates of release for certain mortgagees paid at closing must adhere to specific requirements pursuant to the new statute.

Construction Law

On June 26th, House Bill 1285 was signed by the governor and became 2007-221, Laws of Florida. This law dealing with construction liens becomes effective on July 1, 2007, and amends chapter 713, repealing an entire section of the existing law and codifying existing case law. Not only will those providing labor or furnishing materials be entitled to file liens, but so will those claimants providing services. This law provides for clarification of existing terms and requires certain notices and demands to be in writing. Additionally, in the event of a contest of lien, the prevailing party will be entitled to recover attorneys’ fees and costs.

House Bill 1185, which also becomes effective on July 1st, revises portions of Florida Statutes § 810, redefining “construction site” to include all properties on which a permit is required for construction. This law provides for the posting of specific notices on construction sites and increases the penalty for trespass on a construction site larger than one acre to a felony.

Senate Bill 2234, which has not yet been signed by the governor, if signed, will create licensing requirements and regulatory methods for home and building inspection services and mold-assessment providers under the Department of Business and Professional Regulation.

House Bill 7057 became law on June 12th and creates the “My Safe Florida Home Program” designed to enhance the state’s windstorm mitigation program. Particularly, this law will provide financial grants for home improvements to protect homes from debris during a hurricane and provide single-family home inspections (Chapter 2007-126, Florida Laws).

Senate Bill 1624, which was just signed by the governor on June 26th, becomes effective on October 1st. Amending Florida Statute § 255.0517, this bill redefines some commonly used construction terms relating to public agency capital construction and improvement, and establishes requirements for certain contractors and subcontractors to qualify for worker’s compensation coverage.

Landlord/Tenant

Senate Bill 400 assists landlords in recovering possession of rental units upon the death of a tenant and provides for service of notice of probate on a tenant. This bill was signed into law on June 15th as Chapter 2007-136, Laws of Florida. Vetoed by the governor was House Bill 1277, which would have provided for termination fees or damages in the event of early cancellation of a lease by a tenant.

Community Development Districts

Signed into law on June 15th, House Bill 1491 expands definitions relating to community development districts, modifies special assessment procedures and certain filing procedures when a community development district is within more than one local government’s jurisdiction and clarifies powers of the board and disclosure requirements. (Chapter 2007-160, Laws of Florida).

Mobile Homes

Previously House Bill 259, Chapter 2007-47, Laws of Florida, amends the various obligations of a mobile home park owner when making land use changes. Specifically, the amendment requires certain notices be sent to mobile homeowners and places time requirements on the mobile home park owner for payment to the Mobile Home Relocation Trust Fund.

Homestead Exemption

Senate Bill 1026 was signed into law as Chapter 2007-36, Laws of Florida, on May 22nd. This bill implements the November 2006 homestead exemption for disabled veterans approved by the voters as a constitutional amendment.

Limited Liability Companies

Signed into law on June 15th, Senate Bill 252 (now 2007-134, Laws of Florida) makes a number of changes to the UCC by revising the provision to allow for agreements to fix time frames and specifying proper notice provisions.

Continued on page 17



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This new law also provides that all LLC names shall be unique and distinguishable from all other entity names registered with the Florida Division of Corporations.

Conclusion

There are a number of other probate, trust and guardianship bills that may also affect the real estate lawyer's practice. However, it is not practical for this article to be an exhaustive list of the legislative session. Among several of the other bills listed within the categories above, there are a few others that have not yet been signed by the governor that will relate to your real estate practice if they become law. Keep an eye out for developments with House Bill 1305, relating to electronic signatures for notaries public; Senate Bill 1920, which would provide for private property owners to limit the types of activities allowed on their commercial properties; Senate Bill 2038, which is the initiative of the Florida Clerk's Association creating the Uniform Real Property Electronic Recording Act (UREPRA); and Senate Bill 2234, creating a licensing and regulatory system for home inspection and mold assessment services.

If you are interested in learning more about these and other changes to the law affecting the real property, probate, trust and guardianship practitioner, the Real Property, Probate and Trust Law Section of the Florida Bar presents the annual **Legislative and Case Law Update Seminar**. This year, that seminar will be held at **The Breakers in Palm Beach on August 3, 2007**. This seminar is invaluable to the Florida attorney and should be considered a must-attend seminar every year for all legal professionals practicing in the areas of real property, probate and trust law. Registration is open to all interested attendees, with discounts provided for section members. Seminar information and registration forms can be found on the section's website located at: www.rpptl.org.

If you would like to follow the status of these or other bills on your own, updates are posted regularly at www.leg.state.fl.us. This article is submitted with great thanks to Pete Dunbar and Martha Edenfield and with gratitude for the countless hours of volunteer time devoted by the members of the Legislative Committee of the Real Property, Probate and Trust Law Section of the Florida Bar.

Sancha Brennan Whynot is a partner with The Brennan Law Firm. She has been a member of the OCBA since 2001.



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Side Bar

Jessica K. Hew



Welcome to *Side Bar*, the new source of information about the OCBA's fellow professional organizations!

This space is dedicated to publishing news about other legal organizations to help create synergy between members of the OCBA and other professional organizations. Of course, we also want to give information to the sightseers who just want to know what is going on around town. We welcome submissions about your organization by the 15th of each month for subsequent publication; you can email them to jhew@grahambuilder.com.

The Hispanic Bar Association (HBA) hosted another successful annual domino tournament fundraiser, "La Noche Latina." This year's tournament was sponsored by the Baez Law Firm and the Pendas Law Firm. The champions of the evening were the "Dominators": Cindy G. Duque of Wooten Honeywell Kimbrough and Marshall Morgan of Levin Morgan and Longo, LLC. Each of the Dominators received a \$150.00 gift certificate to Del Frisco's. Funds raised by this event will be used to sponsor the HBA's community service projects.

For those not in the know, the Central Florida Paralegal Association, Inc. (CFPA) is an organization for Central Florida paralegals/legal assistants who desire to promote high standards of professionalism in their career field. Through CFPA meetings, social activities, newsletters and other means, paralegals/legal assistants are able to keep current with changing requirements and network with fellow paralegals/legal assistants, attorneys and other legal professionals. CFPA hosts monthly lunches at three locations: Winter Park/Maitland, Downtown Orlando, and South Orlando. CFPA is seeking nominations for its "Paralegal of the Year" award, with a submission deadline of August 31, 2007. The paralegal selected to receive this award will be honored at the CFPA Annual Meeting on September 21, 2007, at 6:00 p.m., at the Orange County Regional History Center. For more details, go to www.cfpainc.com.

We hope you enjoy the rest of your summer! Don't forget, however, to send us your organizational news for inclusion in *Side Bar*. See you next month!

Jessica K. Hew is a partner with Graham, Builder, Jones, Pratt & Marks, LLP. She has been a member of the OCBA since 1995. Please send your submissions to Jessica at jhew@grahambuilder.com.

HEARSAY



Barbara Eagan is shown at the recent Florida Bar Annual FAWL/Virgil Hawkins Florida Chap. Nat'l Bar Assoc. Joint Awards Luncheon with award recipient, former Attorney General Janet Reno.



Barbara Eagan (FAWL president 2000-01), Janet Reno, Justice Barbara Pariente, U.S. District Judge, Patricia Seitz, Edith Osman, and several past FAWL presidents attended the luncheon.



Roger D. Moss accepts the 100% Club certificate on behalf of Diaz & Moss from Tad Yates, OCBA President-elect.



Thomas D. Hurlburt, Jr., U.S. Marshal for the Middle District of Florida, addressed attendees at June's OCBA luncheon.

[Opening literary line here.] I figured I'd go basic and unadorned this month – my oh so clever Kurt Vonnegut opening of the first new episode of Hearsay (June) received exactly zero comments. My reference to the Blue Doodlebop got plenty of response, while the *Slaughterhouse 5* opening got zilch. I'd give up, but maybe after the July Hearsay I will have at least one person e-mail me about *Henry V*, thereby restoring order to the nascent literary twists to the Hearsay openings.

So, what happened since our last fireside chat? Well, for starters, the rest of the state decided to come and pay us a visit, showing up for the Florida Bar Convention right here in the City Beautiful. I've got a couple of pics here for **Barbara** "Where's Major Nelson?" **Eagan**, who parlayed her past role as FAWL prez into an opportunity to lunch with the Reno (yes, that Reno – the former Attorney General and star of SNL's Janet Reno Dance Party.) Way to go Barbara! Another big deal went down at the Appellate Sections Dessert Reception (nothing says "sweet" like a discussion of preservation of error over chocolate fondant!). There, our own **John** "Sawbuck" **Hamilton** was honored with the prestigious Appellate Practice Section *Pro Bono* Award. John has been an integral part of the OCBA Legal Aid Society since the time when his compatriots Adams and Monroe helped to craft the bylaws, so this is an honor that is both well deserved and long overdue. Congrats, John.

The YLS Law Clerks' Reception on July 11, 2007, chaired by **Taylor Kessel**, was a bang up event, and well organized by the Taylor-made committee he assembled. A good time was had by all – clerks, attorneys and judges galore. Some pictures are also likely strewn about, so you can see the merriment for yourself! Perhaps most impressively, it came in significantly under budget, meaning that youth can be served again and again at future YLS events without the need for additional fundraising. A great start for YLS President **Liz McCausland**'s reign - we can't wait for the encore!

Gator fans didn't need to wait long to party again, though! The very next day was the UF Law Alumni Happy Hour, hosted by Gator Dynamo **Sarah** "Supafan" **Rumph**. The event was held at **Bruce** "Dad lets me drive the Gatormobile" **Harris**'s cool literary haven "Urban Think" in Thorton Park. The event drew over 150 litiGators, including Orlando Mayor **Buddy Dyer**, who did the honors for the raffle draw. In any event, if you missed this gathering, no fear – Sarah is orange-and-brewing another one for October 18, 2007. E-mail her at srumpf@cfl.rr.com for more details.

Do-Gooder Alert! **Robert Mellen**, managing shareholder for Akerman Senterfitt, has been tapped to be the next president of the Dr. Phillips Foundation. The DPF helps literally hundreds of local charities, including our own Legal Aid Society, and having

Nicholas A. Shannin

one of our own leading this philanthropic organization is great indeed. Another do-gooder is **Kevin Weiss** of the Weiss Legal Group, who has been appointed president of the Jewish Community Center of Greater Orlando board. A third Hearsay do-gooder this month is **Tico Perez** of Baker Hostetler, who was awarded the high honor the Silver Buffalo by the Boy Scouts of America. As a former BSA'er, I know what a big deal the Silver Buffalo is. A proper three-finger salute, Tico, for your dedication to the scouting ideals.

For other kudos, Hearsay would like to extend the column's hearty congratulations to the 100 or so excellent attorneys who represent Orange County so ably by being listed as either a "SuperLawyer," one of *Florida Trends* "Legal Elite" or "Chambers USA" rankings. There are simply too many to list separately, but to each of you, congrats on your listing and your achievements! Back to the Florida Bar meeting - a few more OCBA'ers were honored at the event - the 50-year Members! **James Driscoll, Arthur Leonhardt, Robert Petree, William Robinson, and Arthur Yergey** were all honored at the event. Congrats to each on his long tenure as part of Orange County's legal profession.

Lastly, a word about the OCBA Trivia Competition, where yours truly is set for his star turn as Emcee *after* this column comes out. As such, you'll have to wait 'til next time to read about the winners, the whiners, and other Hearsayish details. What I can tell you at this early date, though, is that when I report then that it was a sellout, believe it. Event Chair **Shayne Thomas** had to turn away over eight teams because we were totally booked. Knowers of stuff, be warned: sign up early next year because the title of "teameus mas geekeus" is apparently quite coveted and not to be garnered by a late-assembled team of geek-wannabees! So, you already know my lead story for next month, but other details still need to be determined. Don't forget, if you missed out on the fun at trivia, you can still join in on more fun to come from the OCBA Social Committee! Make sure you sign up for the **Joint Happy Hour** with CFAWL, HBA, PCPBar and YLS on **September 13, 2007** at Doc's restaurant and the annual **Poker Tournament** on **November 15, 2007**. Stay tuned for more information on those events, or contact OCBA Social Committee Chair **Kimberly Webb** at kwebb@rumberger.com. Get your hearsay, your gossip, your tired kudos yearning to breath free to me at nshannin@floridalawonline.com and I'll see if I can get them in the next issue. Until then, enjoy August, stay cool and I'll see you in September!

Nicholas A. Shannin is a Board Certified Appellate Attorney and a partner with Page, Eichenblatt, Bernbaum & Bennett. He has been a member of the OCBA since 1995.



The Young Lawyers Section's annual Law Clerks' Reception on July 11, 2007, boasted some noted notables: The Honorable Kests – John and Sally.



Tom Zehnder, Kristyne Kennedy, Tom Wert and Tad Yates attended the Summer Law Clerks' Reception. More than 300 guests turned out for the annual event.



Akerman Senterfitt law clerk Mike Nardella takes a break from work and has a couple of laughs with OCBA President Gene Shipley at the summer bash!



Attorneys and law clerks found something to smile about at the smash hit of the summer - the Law Clerks' Reception!



Family Law Committee

The Presumptions of Privette¹: Have They Perished with the Coming of Daniel² and Disestablishment of Paternity (Florida Statute §742.18)?

Susan W. Savard



The Florida Supreme Court in *Dept. of Health and Rehabilitative Serv. v. Privette*, and again in *Parker v. Parker*,³ interpreted the due process clause of Article 1 §9 of the Florida Constitution such that once children are born legitimate, they have a right to maintain that status both factually and legally if doing so is in their best interests. The presumption of legitimacy, although rebuttable, is one of the highest presumptions at law. Many courts across the nation have held that the presumption is so weighty that it can defeat even the claim of a man proven beyond all doubt to be the biological father.

In addition to addressing the issue of the presumption of legitimacy, *Privette* further enunciated the standard for granting a request for DNA blood testing to determine if the legal father is the biological father of a minor child. Only after a Guardian *ad Litem* has been appointed and the court has heard the argument of the parties, including the legal father if he wishes to appear, and a finding that the child's best interests will be better served even if the blood test later proves the child's factual illegitimacy, may the court then enter an order for DNA blood testing. The burden is one of clear and convincing evidence to be proven by the one seeking the testing.⁴

In 1997, the Florida Supreme Court in *Daniel v. Daniel* announced a distinction between paternity (or "natural lineage") and legitimacy. *Daniel* holds that a person has no legal duty to provide support for a minor child who is neither his natural nor adopted child and for whose care and support he has not contracted following dissolution of marriage.⁵ In *Daniel*, both parties stipulated that the child born of the marriage was not the husband's biological child. The trial court, finding that the husband was the legal father, imposed a child support obligation at the time of Final Judgment. The Supreme Court ruled that just as a child's natural lineage was unaffected by her mother's marriage to a person other than the child's natural father, the child's legitimacy would similarly not be affected by a determination of paternity with someone other than her husband (or orders of support following such determination).⁶

The presumptions of *Privette* were notably eroded with the enactment of the Disestablishment of Paternity

statute, Fla. Stat. §742.18, effective June 20, 2006. The statute provides that a male may disestablish paternity or terminate a child support obligation when the male is not the biological father of a child. The statute provides specific circumstances and procedures for the granting or denial of such relief. In essence, the statute provides that if a DNA test disproves the paternity of a parent who has been paying child support or was determined to be the father pursuant to a final judgment of paternity, then prospective obligations of child support, parental rights, custody and visitation can be terminated.⁷ The statute does not require or even suggest the appointment of a Guardian *ad Litem* to determine the best interests of the child. Further, DNA testing may be conducted while the questioning parent has access and contact with the child.⁸ Accordingly, the testing may be conducted without the knowledge or consent of the other parent. On the other hand, if the questioning parent does not have access to the child, the testing may be by motion and court order.

Under the statute, a legal father who suspects that he is not the biological father of a child born during a marriage now may be able to escape the best interests standard imposed by *Privette* and the appointment of a Guardian *ad Litem* by simply waiting until after the Final Judgment of Dissolution of Marriage is entered, taking the child for DNA testing and then filing a request for relief to disestablish paternity. This procedure thus emasculates the underlying public policy considerations in *Privette*.

The Disestablishment of Paternity statute provides that if the relief is granted, the legitimacy of a child born during a lawful marriage shall not be affected. However, a new birth certificate will be issued deleting the name of the male who was ordered to pay child support as the father of the child. Only upon the request of the mother, legal guardian or custodian of the minor child may the court then consider a request to change the child's surname, and only as to this issue is a best interest standard applied.

As the Court in *Privette* stated:

It is conceivable that a man who has established

Continued on page 24

¹*Dept. of Health and Rehabilitative Serv. v. Privette*, 617 So.2d 305 (Fla. 1993).

²*Daniel v. Daniel*, 695 So.2d 1253 (Fla. 1997).

³*Parker v. Parker*, 950 So.2d 388 (Fla. 2007).

⁴*Privette*, 617 So.2d at 308.

⁵*Daniel*, 695 So. 2d at 1254.

⁶This distinction is difficult to reconcile, especially when a "bastard" is defined as: an illegitimate child, children who are not born either in lawful wedlock or within a competent time after its termination, a child

of a married woman conceived with one who is not the husband of the mother, a child born out of lawful matrimony or born to a married woman under conditions where the presumption of legitimacy is not conclusive and has been rebutted. Steven H. Gifis, *Barron's Law Dictionary* (4th ed., Barron's Educational Series, Inc. 1996).

⁷Fla. Stat. § 742.18 (West, 2007).

⁸If the DNA test results are provided solely by the male who was ordered to pay child support, the court may, on its own motion, and shall, upon the motion of any party, order retesting.

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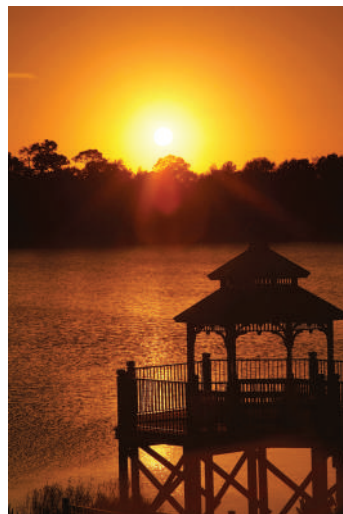


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Committee POSTINGS

Announcing OCBA Committees for 2007-2008

APPELLATE PRACTICE

Jamie Billotte Moses
jmoses@fisherlawfirm.com
Third Thursday 12 p.m. OCBA Center

BANKRUPTCY LAW

Douglas Neway
dneway@bondnbotes.com
Last Friday 12 p.m. OCBA Center

BUSINESS LAW

Trevor Arnold
tarnold@gray-robinson.com
Last Wednesday 12 p.m. Baker & Hostetler

CONSTRUCTION LAW

John Samaan
jrs@samaan-law.com
Meeting Time: TBA

CRIMINAL LAW

Vincent A. Citro
vincent.citro@usdoj.gov
First Tuesday 12 p.m. OCBA Center

DIVERSITY

Deneen Carrier
dcarrier@sao9.org
Co-chair:
Atheus R. Lockhart
arl@fltrialteam.com
First Friday 8 a.m. OCBA Center

ELDER LAW

Barbara Coenson
bcoenson@kmjlawfirm.com
First Thursday 12 p.m. OCBA Center

ENTERTAINMENT LAW

Nick Nanton
NDNanton@DicksNanton.com
Meeting Time: TBA

ESTATE/GUARDIANSHIP & TRUST

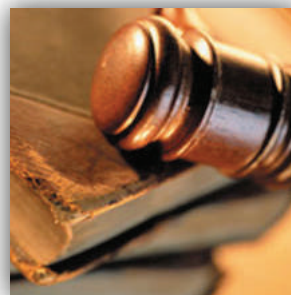
Amber Jade Johnson
attorneyaj@aol.com
Second Wednesday 11:30 a.m. OCBA Center

FAMILY LAW

Deborah S. Korleski
Deborah@KorleskiLaw.com
Co-chair:
Thomas D. Marks
tdm@markslawfla.com
Third Wednesday 8 a.m. Courthouse

FEDERAL JUDICIAL RELATIONS

Robert W. Thielhelm, Jr.
rthielhelm@bakerlaw.com
First Thursday 12 p.m. Hon. Conway's Chambers



INSURANCE LAW

Dennis Wall
DJW@dennisjwall.com
Third Wednesday 12 p.m. OCBA Center

INTELLECTUAL PROPERTY

Hutch Hicken
hhicken@litchfordchristopher.com
Co-chair:
Paul DeHart
pdehart@litchfordchristopher.com
Meeting Time: TBA

INTERNATIONAL LAW

Kim Radcliffe
dkimradcliffe@aol.com
Second Wednesday 12 p.m. OCBA Center

JUDICIAL RELATIONS

Debra Botwin
debbie@brewerbotwin.com
Second Wednesday 12:15 p.m. Courthouse

LABOR & EMPLOYMENT LAW

Michael Farrell
mfarrell@schwartzlawfirm.net
Fourth Wednesday 12 p.m. OCBA Center

PROFESSIONALISM

Honorable Howard D. Friedman
ctgmhf1@ocnjcc.org
Third Tuesday 12:15 p.m. OCBA Center

REAL PROPERTY LAW

Douglas P. Gerber
dpgerber@aswmpa.com
Second Thursday 12 p.m. OCBA Center

SOCIAL SECURITY

Richard A. Culbertson
culbertsonlaw@msn.com
Co-chair:
Joseph Mancuso
Jmancusoz@cal.rr.com
Second Thursday 12 p.m. OCBA Center

SOLO & SMALL FIRM

Kenneth Gluckman
kgluckman@generalcounseladvisors.com
Third Thursday 12 p.m. OCBA Center

TECHNOLOGY

Terry Brennan
tbrennan@ralaw.com
Meeting Time: TBA

WORKERS' COMPENSATION LAW

Honorable Thomas Sculco
Thomas_Sculco@doah.state.fl.us
Second Friday 11:45 a.m. Smokey Bones



to join a committee visit the committees page at
www.orangecountybar.org

Graphics By: Omar E. Cintron



Rainmaking

The Marketing Assistant - What Do Great Marketers Know That You Don't?

Mark Powers



As a marketing advisor and coach, one question I constantly grapple with is this: how can *good lawyers* become *great marketers*? Driven to distraction by constant interruptions, difficult staffing issues and demanding clients, most attorneys don't take the time to do what it takes.

Yet many of our attorney clients are very good at marketing when placed in the right situations. It's getting them there that's the problem. Making phone calls with contacts often involves a lot of phone tag, calendaring client development events takes time and planning the basic logistics of marketing is distracting. As a rule, attorneys aren't very good at the *initiation* phase of marketing.

However, this phase is essential. Without someone to initiate and organize these steps, most marketing efforts will never get off the ground.

"If you aren't successful in setting up lunches, dinners and meetings with referral sources, your client development efforts aren't going to be very strategic," Shawn McNalis, one of our practice advisors, says. "If you're not meeting with the right people, then you're relying on nothing more than happenstance to promote your practice. Happenstance will take you only so far. We advise our clients to take a more proactive approach."

Large firms can rely upon marketing directors to deal with client development. But what does the small firm practitioner do?

Enter the Marketing Assistant. When Mark Chinn, an attorney from Jackson, Mississippi, had difficulty marketing himself, he sought change. That change came to him in the form of a young college student who was studying marketing at a local junior college.

For a number of months Chinn had been listening to me promote the idea of leveraging himself by hiring a marketing assistant. Although his new assistant had little experience, Chinn immediately noticed the difference hiring a marketing assistant made to his practice. Every morning, armed with a list of contacts, she and Chinn would have a short meeting to strategize, set up lunches and plan client development events. They also focused on placing articles about his firm in both local and statewide newspapers.

To accomplish this last task, they compiled a list of publications and set up the list as an e-mail group in their database system. Consequently, whenever something newsworthy happened in Chinn's office – a new promotion, a new award – his marketing assistant could automatically distribute the news to the state or local press.

"She was so ambitious and proficient. Any assignment I gave her came back to me ten fold," Chinn explained.

Rick Law, an estate-planning attorney in Aurora, Illinois, also found it time consuming to market his practice to prospective referral sources. To overcome this obstacle,

he hired a marketing assistant, Jonathan Johnson, who instantly impressed Law with his initiative and drive. Formerly a manager at a title-insurance company, Johnson used his background in sales to assist Law in his marketing efforts.

Since hiring Johnson, Law's marketing efforts have been revitalized. "Attorneys can tend to be a little...prickly or porcupine in our attitudes," Law admits. "With my marketing assistant, there was a complete lack of that. It was very refreshing to me to see this outsider help implement some of my ideas, but also bring fresh new ideas for marketing my practice."

Recently, Johnson created an event for Rick Law's top referral sources. Similar to a Spanish tapas dinner, the evening's menu featured many small dishes instead of one main course. "It was different, but the idea was received quite well. We limited it to our top referral sources, which fit perfectly with our clientele – mostly caregivers and nursing home professionals. Without my marketing assistant, this event would never have gotten off the ground," Law said.

To leverage your marketing efforts by working with a marketing assistant, consider delegating a number of different client development activities:

- Schedule lunch/breakfast marketing meetings
- Manage your database of clients and referral sources
- Plan and manage parties, seminars and other group events
- Build and manage newsletter, email, birthday lists
- Assist in preparation for speaking engagements
- Prompt you to write thank you notes
- Deliver gifts and buy tickets for your referral sources
- Prompt you into action when you stop marketing

There are several different ways for small firms to employ a marketing assistant. Depending on your location, you may be able to hire a college student or other individual to work for you part time for around \$8 to \$15, as Mark Chinn did. If you require more support, you can hire someone full time, as Rick Law did, or draft one of your existing staff members to help. This last option is the most popular among my clients, but I'm particularly fond of contracting with *virtual* marketing assistants. Consider this option if you have limited office space or are not interested in hiring another employee. Since virtual marketing assistants work from their homes or remote office locations, a law firm doesn't have to free up office space or include them on the payroll. The firm can specify how much time it needs on a weekly, monthly, or per project basis. Virtual marketing assistants are paid \$20 to \$45 per hour, depending on their qualifications. and several will work as little as 10 hours or

Continued on page 24

a loving, caring relationship of some years' duration with his legal child will later prove not to be the biological father. Where this is so, it will seldom be in the children's best interest to wrench them away from their legal fathers and judicially declare that they now must regard strangers as their fathers. The law does not require such cruelty toward children.

Privette, 617 So.2d at 309.

The law has changed:

While some individuals are innocent victims of deceptive partners, adults are aware of the high incidence of infidelity and only they, not the children, are able to act to ensure that the biological ties they may deem essential are present . . . The law should discourage adults from treating children they have parented as expendable when their adult relationships fall apart. It is the adults who can and should absorb the pain of betrayal rather than inflict additional betrayal on the involved children.

Parker, 950 So.2d at 394⁹ [quoting Theresa Glennon, *Expendable Children: Defining Belonging in a Broken World*, 8 Duke J. Gender L. & Policy 269, 275 (2001)].

The children of our society have certain rights as guaranteed by our constitution. Children born during a valid marriage should have a right to maintain the status of legitimacy, both factually and legally if doing so is in their best interests. What are we telling our children about their parentage and legitimacy and values of our society? Do they not have a right to know the husband of their mother at the time they were born as their true father? The laws have changed and so have societal values when it comes to our children.

⁹*Parker* addressed whether the wife's misrepresentation at trial that the child was the husband's biological child constituted intrinsic or extrinsic fraud. The Court held the misrepresentation to be intrinsic fraud, thus invoking the one-year limitation for relief from the Judgment imposed by Fla. R.Cir. P. 1.540(b). The determination of parentage in the Final Judgment of Dissolution of marriage was *res judicata*, as the husband's request for relief was brought outside of the one year period. Although decided on other grounds, the Court acknowledged the existence of Fla. Stat. § 742.18, but did not consider or apply the statute in its opinion.

Susan W. Savard is an associate with Michael R. Walsh, P.A. She has been a member of the OCBA since 2005.



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No matter how you set it up, this is an idea that works. We have identified the 21 most important Marketing Assets that a rainmaker must acquire to be successful, and I rate having a marketing assistant third overall in effectiveness.

In the words of Rick Law, "If you work with your marketing assistant to plan two or three marketing contacts a week, by the end of a year you'll have made a hundred to a hundred and fifty marketing contacts. If that many marketing contacts a year won't stimulate new business, nothing will!" I couldn't agree more. If you are too busy to initiate client development activities, don't despair – delegate.

Quick Tips:

- Hire a young intern - preferably a college student with some experience in marketing - to rejuvenate your practice.
- Meet with your new assistant frequently with several projects - it will be his or her job to "lighten your load" and help you market your practice.
- "Newspapers are the single greatest source of public relations." Study the content filling the pages of your local newspaper. Make contacts with the staff of the local paper, and regularly submit newsworthy articles to them.
- Have your marketing assistant organize an event for your top referral sources. Determine your top referral sources by listing all of your files ranked by fees - from highest to lowest - for the last year. Read through the list and attribute each case to a referral source. This exercise will point you to your top referrers.

Mark Powers, President of Atticus, Inc., co-authored "The Making of a Rainmaker: An Ethical Approach to Marketing for Solo and Small Firm Practitioners," is a featured marketing writer for Lawyers, USA and a number of other publications. To learn more about the work that Atticus does with attorneys or the Atticus Rainmakers(tm) program, please visit www.atticusonline.com or call 352-383-0490 or 888-644-0022.



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Orange County Bar Association



YLS on the Move!

The Heat isn't Slowing Down the YLS



Taylor C. Kessel

Summer is back and in full swing. The days seem to be flying by as we enter the dog days of 100-degree heat indexes and happy hours galore. June and July's events kicked off the summer in great style with activities ranging from the Florida Bar 5k to the annual Law Clerks' Reception. Many thanks to **Liz McCausland** for promoting the Florida Bar 5k. The race coincided with the Florida Bar's annual convention here in town at the Marriott World Center. Congrats to all those who were up bright and early to run the race!

On June 23, the Young Lawyers Section held its annual Great Oaks Village Fun Day. The event was a huge success and we are already looking forward to next year. Thanks to **LaShawnda Jackson** and **Lory Nazry** for organizing such a great and worthwhile event.

The annual Law Clerks' Reception was held on July 11 and brought a record turnout of more than 300 guests, the majority of whom were the summer law clerks working here in Central Florida. We were also graced with the presence of many members of the judiciary, along with several elected officials from both the City Commission and the County Commission. This year the reception was held at the newly redesigned CityArts Factory in the heart of downtown and included numerous new sponsors such as First-Choice Reporting, Esquire Litigation Solutions, IKON and Eagle Legal Services. Thanks to all the law firms who continued the tradition of sponsoring the reception. The party continued after the reception at Vintage Lounge until late that evening. I would like to personally thank the co-chair, **Karen Persis**, last year's chair, **Lauren Heatwole**, and all the members of the planning committee who helped make this event a great success. We hope the clerks and summer associates temporarily calling Orlando home were able to see the lighter side of our close-knit legal community, and we look forward to seeing them all back here on a permanent basis!

The YLS Backpacks Service Project is set for August 18 beginning at 9:00 a.m. Keep an eye out for more info on this event or contact **Mary Musette Stewart** at

marymusettestewart@hotmail.com. Also, you will want to save September 13 for the Fall Joint Happy Hour with the OCBA, PCPBar and HBA!

New this month to the YLS are the Guardian *ad Litem* lunchtime training sessions sponsored by the Legal Aid Society. If you are handling a GAL case, please join us

for informative training sessions from 12:00 p.m. to 1:30 p.m., now through December. Training will be held at the First Presbyterian Church of Orlando, Eddington Ministry Center, Room 310A, 106 E. Church Street. The next GAL training is August 28, and the topic is "Advocating for Your (GAL) Child's Special Education Needs," presented by **Sarah Wallerstein Koren**, EJW Education Attorney (future dates are: Sept. 18; Oct. 9; Nov. 13; and Dec. 11). An RSVP is required for those who wish to have lunch and is requested for those who simply wish to attend the session. For details, please e-mail or call Misha Vanderhorst at mvanderhorst@legalaidocba.org or 407-841-8310, ext. 3176.

On October 6, YLS will be working with Habitat for Humanity. Anyone interested can contact **Shane Fischer** at shane@fischer-law.com or 407-650-5509.

Don't forget that the 16th Annual Young Lawyers Golf Tournament will be held on Friday, October 12, 2007, at the International Course at Champions Gate. The format this year will be a shotgun start beginning at 8:00 a.m. Breakfast and lunch are included in the registration fee. For more information, please contact committee chairs **Elizabeth J. Anderson** at eanderson@sctlaw.com or **Sunny Lim** at slim@sctlaw.com. If you are interested in helping to plan this great event, the committee will be holding its meetings the first Tuesday of each month at 5:30 p.m. at Room Three Nine, and all YLS members are welcome to attend.

Try to remember to stay cool out there in the Florida heat! In the meantime, if you have any questions or want to find out more about our section, please contact me, **Taylor Kessel**, at tck27@dbksmn.com or 407-422-2454.

Taylor C. Kessel is an associate at deBeaubien, Knight, Simmons, et al. He has been a member of the OCBA since 2005.



The YLS Summer Law Clerks' Reception was a huge success. Mingling with OCBA attorneys and judges was a highlight for the law clerks!

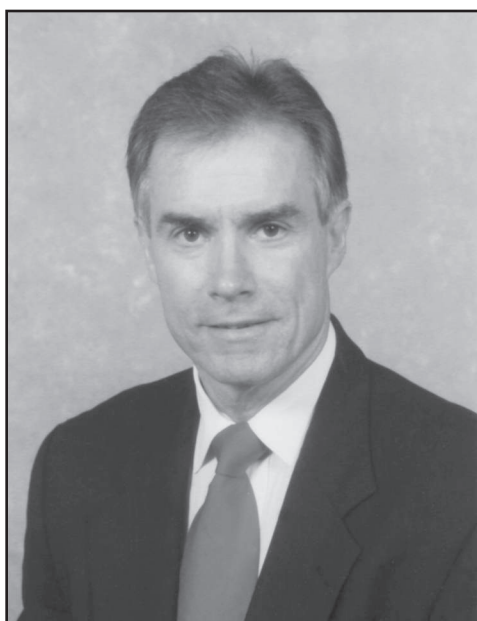
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Presentation Skills for Lawyers

The Importance of Listening

Elliott Wilcox



When you think about presentation skills, you probably focus on how to plan, prepare, and deliver your message. But effective communication isn't a one-way street. To present persuasively, you also need to master your listening skills.

The importance of effective listening was driven home for me while I was watching a motion to suppress hearing. The case was a serious DUI accident, and the issue was whether or not the jury would be allowed to hear the results of the defendant's blood alcohol level test. If the blood test results were deemed inadmissible, the prosecution's case would be significantly weakened, so both sides were extremely well prepared for the hearing.

The defense was the moving party, so they bore the initial burden of persuasion. For their first witness, they called a toxicologist and started with the routine questions about his background. If you've ever called a witness to the stand, you've gone through a similar process. You've asked witnesses where they went to school, what they majored in, when they graduated, etc. In fact, if you've tried cases for any significant period of time, you've probably posed those types of questions to dozens, maybe even *hundreds* of different witnesses.

But let me ask you an important question: ***Do you listen to the answers?***

Surprisingly, many lawyers don't. During direct examination, many lawyers are so busy thinking about their next question that they don't bother listening to the witness. After all, you already know what the answer is *supposed* to be, don't you?

The problem with not listening to the witness is that you can ask stupid questions and appear foolish. In this motion hearing, it was obvious that the attorney was prepared. It was obvious that he'd spent a significant amount of time rehearsing with the expert witness. It was obvious that he knew what the witness was expected to say. But it was also obvious that he wasn't listening to the witness. And that's what prompted this exchange:

Defense attorney: Mr. Expert, what degree did you receive from the University of California - San Francisco?

Judge: He received a Master's degree in Chemical Engineering from UC-SF in 1972, just as he said earlier. Don't waste our time by re-asking questions that the witness has already answered, counselor. You have a limited amount of time to present your evidence and your arguments. How you choose to use it is up to you, but in three hours,

this hearing ***will*** be concluded, and you won't get any additional time.

Ouch! It stings to get called on the carpet like that, doesn't it? The worst thing about hearing those types of comments is knowing that the comments are true. The only good thing about this exchange was that it didn't happen while a jury was watching. Luckily, these situations are easily avoidable. The two most common reasons attorneys ask questions that have already been answered are:

1. Relying too much on your notes. When you write out every question word-for-word, it becomes difficult to escape from your "script." Here's an example of what happens when you're tied to your notes:

- Q.** Detective Steele, please introduce yourself to the jury by telling them your name and where you work.
- A.** Sure. Hello, my name is Jack Steele, and I've worked as a Detective with the Capitol City Police Department for the past 16 years. I'm currently assigned to the Celebrity Crimes division, which handles all of the cases that end up on TV or in the newspaper. Whenever a celebrity is involved with a crime, it's my job to conduct the investigation, get "doubles" of all the paparazzi photos, and handle all of the press conferences.
- Q.** Could you please tell the jury what you do for a living?
- A.** ***Again?!?***

Don't get so attached to your notes that you can't escape. Rather than writing out questions word-for-word, use bullet points or an outline. Yes, it requires thinking on your feet to formulate your questions, but it also forces you to listen to the witness, so you'll ask **better** questions.

2. Not caring what the witness has to say. When you work on a case for months or years, you'll hear witnesses' stories over and over *and over* again. After a while, the novelty of their stories begins to wear off. The problem with that arises when you get to court. Since you know *exactly* what your witnesses are going to say, you aren't as fascinated by their stories as you were the first time you heard them. As a result, you "hear" what the witnesses say, but you aren't "listening" to what they say.

Here's a clue: If ***you*** aren't interested in what the

Continued on page 30

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Mr. John F. Doe has practiced in the area of business litigation, with an emphasis in construction litigation, real estate litigation and commercial litigation since 1993. He has represented numerous large and middle-market companies, general contractors, government entities, developers, financial institutions, small businesses and individuals in cases involving contract disputes, business torts, government bid protests, intellectual property rights, bankruptcy and creditor's rights. Mr. Doe has also represented several well known musical artists/entertainment groups concerning enforcement of trademarks and disputes with business torts, government bid protests, intellectual property rights, bankruptcy

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Financial Planning

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The whole idea behind 401(k)s is to help people save for retirement. These employer-provided programs are supposed to be reasonably run and “in the best interest of the employee.” Yet, if you were to look at the typical 401(k) plan and unbundle all of its moving parts, you would find anything *but* efficiency, low cost, simplicity and service.

Let’s start with hidden fees. Employees are being shown one thing as to cost and performance while the truth is something different. And the truth is that the combination of all costs that employers opt to have paid out of employees’ plan assets – that is, taken out of their investment performance – can produce an “all-in” (all included) expense ratio as high as 3%.

So, say you earn an average of a 9% return for 20 years and the “all-in” expense ratio on your 401(k) plan is 3%. That means that one third of your total return earned every year would disappear because of plan costs. One third! A 2% “all-in” expense ratio is only marginally better; thousands of dollars are still being lost to plan expenses. My goal is less than 1%.

Consider this:

- a) In most cases a financial advisor on the plan is earning *asset-based* commissions every year.
- b) Record-keeping expenses are being assessed as an *asset-based* charge rather than being based on numbers of participants.
- c) Profit margins charged by the plan sponsoring insurance company or investment firm range from .50% to over 1%.
- d) Most 401(k) plans offer only the more expensive, actively managed mutual funds instead of providing lower-cost index funds. Active funds charge investment management fees that can be well over 1% annually, while index funds are in the .20% to .30% range.

Add it all up and you have “all-in” expense ratios that would make even Donald Trump blush. The amount of lost wealth as a result of these excessive 401(k) costs should be cause for alarm and should cause employees to learn exactly what their “all-in” 401(k) expense ratio is. Do you know yours?

Enter “fiduciary responsibility.” As the employees’ plan trustee, an employer who makes decisions on what investments and services are offered, as well as what the costs are is serving in a legal fiduciary capacity to the employees. Companies could choose to hire independent consultants who are knowledgeable about 401(k)s, are fee-only and also are serving in a fiduciary capacity. With such an expert, attention is sure to be focused where it should be – on the employee’s best interests. All 401(k) options could

be on the table for discussion and vetting.

Instead, these plans are being “sold” to companies, mostly by insurance-licensed advisors who have a relationship with a company owner or decision maker. Think the “good ole boys” network. The process used to pick a plan is, generally speaking, a sales process. Insurance agents and brokers aren’t likely to fully disclose the significance of passive, low-cost investing or of new lower-cost “open-architecture” 401(k) administrative technologies.

I believe that being a fiduciary is a huge responsibility and these issues could very well present a huge legal liability to employers. Too often plan trustees do not go through an independent fiduciary review process that seeks to do “what is in the best interests of plan participants” when choosing a 401(k) plan and service provider. How could someone using a fiduciary process opt for a plan that has “all-in” costs in excess of 2% or 3%; pays asset-based record-keeping charges for what is a fixed service; pays asset-based commissions to insurance agents who rarely show up to serve the employees, educate and advise (and who can’t legally provide investment advice anyway); and in which there are no low-cost investment funds to choose from? Yet the majority of plans out there look exactly like what I have just described.

The Department of Labor attempts to caution employers and employees about the nature of 401(k) plans:

You should be aware that your employer also has a specific obligation to consider the fees and expenses paid by your plan. ERISA requires employers to follow certain rules in managing 401(k) plans. Employers are held to a high standard of care and diligence and must discharge their duties solely in the interest of the plan participants and their beneficiaries. Among other things, this means that employers must:

- Establish a prudent process for selecting investment alternatives and service providers.
- Ensure that fees paid to service providers and other expenses of the plan are reasonable in light of the level and quality of services provided.
- Select investment alternatives that are prudent and adequately diversified.
- Monitor investment alternatives and service providers once selected to see that they continue to be appropriate choices.

In my view, these guidelines are good but there is little ERISA enforcement unless an employee makes a phone call to complain. Not knowing the true nature of their plan

Continued on page 30

witness has to say, what are the chances that your *jury* will care about what the witness has to say?

To avoid that problem, pretend that you're hearing your witnesses' stories for the very first time. Demonstrate a genuine interest in what the witnesses are saying. Lean forward, make eye contact, and actively **listen** to the testimony. Don't look at your notes or think about what question you'll ask next. Just focus on the witnesses, treating them as if they're the most important people in the entire world.

Why? Because for that brief span of time while you're speaking with them, the witnesses *are* the most important people in your world and in the jury's world. Treat them like that, and you'll never again get caught asking questions that have already been answered. Listen to your witnesses, listen to your opponents, and listen to your audience. Once you master the skill of effectively listening, you'll become one of the most effective presenters inside (and outside) the courtroom.

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costs, not to mention the fact that plan providers sometimes bury costs in hard-to-find places, most employees never do make that call. And wealth continues to be lost as a result.

Another twist – many 401(k) providers are also jumping on the “fiduciary” bandwagon, offering fiduciary toolkits to their 401(k) customers. Yet, plan trustees should beware. These providers are subject to review as all service providers should be but, if they are guiding the fiduciary review process, a conflict can exist. It's a bit like the fox guarding the henhouse.

Employees need “all-in” expense ratios of less than 1%, sound low-cost investment choices to pick from, and clarity in understanding plan costs. Lack of understanding is a big part of the problem and that goes hand in hand with the role employers have in providing employee financial education. From my experience, most employees need comprehensive education combined with actual investment advice. This information must be delivered by experienced, credentialed fee-only advisors, and they must commit to showing up many times each year. The information that agents and brokers pass along is skimpy at best, when it's done at all.

Employers need to take their role as plan trustee, as well as their fiduciary duty to their employees, very seriously in independently choosing the best 401(k) plan. Employees are losing significant amounts of money and it may be that the only ones reaching their retirement goals are the providers of these plans.

To send feedback or to find out your “all-in” 401k expense ratio, contact me at andrew@orrgroup.com.

Andrew C. Orr, CFP®, CLU, ChFC, AIF®, is an independent, fee-only financial planner located in Orlando. He is President of ORRGROUP, a registered investment adviser and financial life planning firm providing comprehensive financial management services to individuals and businesses. For more info, visit: www.orrgroup.com.



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10/10/07	Chinua Achebe	<i>Things Fall Apart</i>	Dottie Green
11/14/07	Khaled Hosseini	<i>A Thousand Splendid Suns</i>	Jules Cohen
12/12/07	Kingsley Amis	<i>Lucky Jim</i>	Stuart Bernstein
01/09/08	Evelyn Waugh	<i>Brideshead Revisited</i>	Karen Jennemann
02/13/08	Richard Wright	<i>Native Son</i>	Robert Mansbach
03/12/08	Kurt Vonnegut	<i>Breakfast of Champions</i>	Robert Hoofman
04/09/08	Graham Greene	<i>The Quiet American</i>	Meredith Cohen
05/14/08	Edith Wharton	<i>The Age of Innocence</i>	David Falstad
06/11/08	Cormac McCarthy	<i>The Road</i>	Maria Hinds

Meetings are held at 12:00 p.m. (with the exception of June's meeting, which begins at 11:30 a.m.) at the offices of Zimmerman, Kiser & Sutcliffe, One Landmark Center, Ste. 600
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Thomas F. BROWN, ESQ
Wicker, Smith, O'Hara, et al.
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Orley B. BUREY, ESQ
State Attorney's Office
425 S. Orange Ave.
Orlando FL 32801
(unlisted)

Andrea L. CAIN, ESQ
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Lisa Y. GONG, ESQ
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Yolanda Y. GREEN, ESQ
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David S. MESSINGER, ESQ
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Orlando FL 32801
407-836-2400

Stacey R. MORRIS, ESQ
Alvarez, Sambol, Winthrop, et al.
100 S. Orange Ave.,
Orlando FL 32801
407-210-2796

Sage MORRIS-WEBSTER, ESQ
Stump, Webster Law
719 Peachtree Rd., Ste. 200
Orlando FL 32804
(unlisted)

Diane K. MURPHY, ESQ
State Attorney's Office
2000 E. Michigan St.
Orlando FL 32806
(unlisted)

Anthony M. NARDELLA, ESQ
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Chad A. SHIMEL, ESQ
Cramer, Price & De Armas, P.A.
1411 Edgewater Dr., Ste. 200
Orlando FL 32804
407-843-3300

Marlene WELLS, ESQ
State Attorney's Office
415 N. Orange Ave.
Orlando FL 32801
407-836-2400

Jayson T. ZORTMAN, ESQ
Law Offices of Jayson T. Zortman, P.A.
1370 Ridgewood Ave.
Winterpark FL. 32789
407-841-1901

Affiliate

Elizabeth A. DUTTON
Amber Jade F. Johnson, P.A.
1201 S. Orlando Ave., Ste. 350
Winter Park FL 32789-1755
407-786-2388

Michelle C. LYLES
The Florida Bar Foundation
250 S. Orange Ave., Ste. 600P
Orlando FL 32801
407-843-0045

Robert B. STORRS
Legal Aid Society of OCBA
100 E. Robinson St.
Orlando FL 32801
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Law Student

Michele A. RODON-CARVER
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215 N. Eola Dr.
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Speaking Engagements

Gregory A. Chaires, managing partner of Chaires Hammond, P.L., lectured at the Second Annual Legal Issues in Nursing Conference at the University of Florida on April 27, 2007. His presentation was on disciplinary investigations and actions by the Florida Department of Health.

Mark P. Rabinowitz, Family Law shareholder at Carlton Fields, spoke at the Florida Association of Private Investigators Annual Conference on July 28, 2007, in Orlando, Florida. Rabinowitz is Board Certified in Marital and Family Law.

Dennis Wall of Orlando moderated and spoke at the seminar, Survey of Insurance Issues That EVERYONE Should Know, sponsored by the OCBA on June 21, 2007. His topics were New Cases of Interest and Hurricane Catastrophe Claims.

Richard D. West, senior partner at West, Green & Associates, P.L., was a featured speaker at the Florida Chapter of the American Academy of Matrimonial Lawyers (AAML) 29th Annual Institute on May 4 in Tampa. More than 600 marital and family law practitioners from throughout the state attended the Institute. West's presentation focused on the most accurate and efficient system to address financial affidavits and mandatory disclosure in a divorce case.

Seminars

The Legal Aid Society continues its free **Lunchtime Trainings for Pro Bono Attorneys** series on the following dates: **Tues., Aug. 28** - *Advocating for Your (GAL) Child's Special Education Needs*; Sarah Wallerstein Koren, EJW Education Attorney. **Tues., Sept. 18** - *Domestic Violence and Dissolution of Marriage Cases* (1.0 CLE pending); Tenesia Connelly Hall, Domestic Violence Attorney. Seminars are held from 12:00 p.m. to 1:30 p.m. at the First Presbyterian Church, 106 E. Church St., Orlando, FL 32801. Pre-registration is **required** for the free lunch and requested for training. For details, visit the OCBA website or e-mail Misha Vanderhorst at mvanderhorst@legalaidocba.org.

ABA Tort Trial & Insurance Practice Section (TIPS) presents the symposium, Defending the Rule of Law in America: Countering Attacks on Judicial Institutions, **Thurs., Oct. 4, 2007**, from 3:30 p.m. to 5:45 p.m., at The Breakers Hotel & Resort, Palm Beach, FL. CLE available. For information and to register, please go to www.abanet.org/tips, or visit the OCBA website at www.orangecountybar.org.

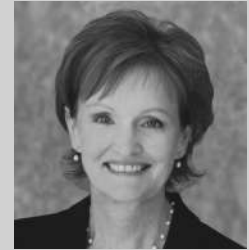


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2007

August - September Calendar

OCBA Luncheon • Tuesday, Aug. 21, 2007

**Senator Bob Graham &
Congressman Lou Frey, Jr.**

RSVP by August 14th to reservations@ocbanet.org

August

- 7 Criminal Law Committee**
12:00 p.m. • Bar Center
- OCALSS**
5:30 p.m. • Bar Center
- 8 Estate Guardianship & Trust Committee**
12:00 p.m. • Bar Center
- International Law Committee**
12:00 p.m. • Bar Center
- Workers' Compensation Seminar**
The Employment Relationship During a Workers' Compensation Case: Issues and Answers
3:00 p.m. • Bar Center
- 9 Legal Aid Executive Meeting**
8:00 a.m. • 100 E. Robinson St.
- Real Property Law Committee**
12:00 p.m. • Bar Center
- CFPA Luncheon**
12:00 p.m. • Café Annie's
- Social Security Committee**
12:00 p.m. • Bar Center
- 10 Workers' Compensation Committee**
11:45 a.m. • Smokey Bones
- 13 CFFLAIOC**
5:30 p.m. • TBA
- 14 Executive Council Meeting**
11:30 a.m. • Bar Center
- OCBA Paralegal Committee**
5:30 p.m. • Bar Center
- 15 Solo & Small Firm Committee**
12:00 p.m. • Bar Center
- Insurance Law Committee**
12:00 p.m. • Bar Center
- 16 YLS Luncheon**
11:45 a.m. • Citrus Club
- Paul C. Perkins Bar**
12:00 p.m. • Bar Center
- Social Committee Meeting**
5:30 p.m. • TBD

- 17 Family Law Committee**
8:00 a.m. • 425 N. Orange Ave.
- 18 YLS Backpacks Service Project**
9:00 a.m. • Rock Lake Elementary
- 21 Legal Aid Society Board Meeting**
11:45 p.m. • 100 E. Robinson St.
- OCBA Monthly Luncheon**
Senator Bob Graham &
Congressman Lou Frey, Jr.
Reenlisting for Democracy
11:30 a.m. • Ballroom at Church Street
- 22 CFACDL**
11:45 a.m. • Sorosis Club
- Labor & Employment Committee**
12:00 p.m. • Bar Center

- 27 CFAWL Board Meeting**
12:00 p.m. • Bar Center
- 28 Technology Committee**
12:00 p.m. • GrayRobinson
- 29 Business Law Committee**
12:00 p.m. • Baker & Hostetler
- 31 Bankruptcy Law Committee**
12:00 p.m. • Bar Center

September

- 3 LABOR DAY**
Bar Closed
- 4 Criminal Law Committee**
12:00 p.m. • Bar Center
- OCALSS**
5:30 p.m. • Bar Center
- 6 Elder Law Committee**
12:00 p.m. • Bar Center
- Federal Judicial Relations Committee**
12:00 p.m. • Hon. Conway's Chambers
- 7 CFWAL Luncheon**
11:30 p.m. • Citrus Club
- 11 Executive Council Meeting**
11:30 a.m. • Bar Center

- OCBA Paralegal Committee**
5:30 p.m. • Bar Center
- 12 Estate Guardianship & Trust Committee**
12:00 p.m. • Bar Center
- International Law Committee**
12:00 p.m. • Bar Center
- Judicial Relations Committee**
12:15 p.m. • Courthouse
- 13 Legal Aid Executive Meeting**
8:00 a.m. • 100 E. Robinson St.
- Real Property Law Committee**
12:00 p.m. • Bar Center
- Social Security Committee**
12:00 p.m. • Bar Center
- OCBA Joint Happy Hour**
5:30 p.m. • Doc's Restaurant
- 14 Workers' Compensation Committee**
11:45 a.m. • Smokey Bones
- 18 Legal Aid Society Board Meeting**
11:45 a.m. • 100 E. Robinson St.
- Professionalism Committee**
12:15 p.m. • Bar Center
- 19 Insurance Law Committee**
12:00 p.m. • Bar Center
- 20 Paul C. Perkins Bar**
12:00 p.m. • Bar Center
- YLS Oath of Admissions**
6:00 p.m. • Orange Co. Regional History Center
65 E. Central Blvd., Orlando
- Social Committee Meeting**
5:30 p.m. • TBD
- 21 Family Law Committee**
8:00 a.m. • 425 N. Orange Ave.
- 24 CFWAL Board Meeting**
12:00 p.m. • Bar Center

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