

The BROWARD BARRISTER

SEPTEMBER, 1976

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Executive Offices, 733 Northeast Third Avenue, 365/764-8040, Fort Lauderdale, Florida 33304

GENERAL MEETING, THURSDAY, SEPTEMBER 16, 1976—12:00 NOON

→ LUNCH: \$3.75 ←

THE GOVERNORS' CLUB

236 S. E. First Avenue — Fort Lauderdale, Florida

PROGRAM: COMMUNITY INVOLVEMENT —
A DUTY OF THE LAWYER AND HOW TO DO IT
by Bill Colson, Miami, Florida
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BROWARD COUNTY TRIAL LAWYERS ASSOCIATION MEETING WEDNESDAY, OCTOBER 6, 1976

5:00 p.m. Case Evaluation Committee
6:00 p.m. Workshop: Problem Solving
Clinic.

(Bring your own cases and
questions)

6:30 p.m. Cash Bar
7:00 p.m. Dinner — \$10.00

THE SHERATON HOTEL
303 N. Atlantic Blvd. (A1A)
Fort Lauderdale, Fla.

Speaker: Charles M. Prince, Esquire
Topic: "Practical Aspects of Florida's
New No-Fault Personal Injury Act."

RSVP BEFORE SEPTEMBER 30, 1976

Please send reservation with check to:

Dale Sanders, Esquire
1500 Landmark Building
One Financial Plaza
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Phone: 764-4646

PLEASE MAKE CHECK PAYABLE TO:
BROWARD COUNTY TRIAL LAWYERS
ASSOCIATION

YOUNG LAWYERS SECTION MEETING

THURSDAY, SEPTEMBER 23, 1976

— 12:00 Noon —

GOVERNORS' CLUB
236 S.E. First Avenue
Fort Lauderdale, Florida

Lunch: \$3.75

Program to be announced.

Reservations: William Quisenberry
Suite 1500, One Financial Plaza
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Phone: 764-4646

OPERATION: UPDATE/TRANSITION

Sponsors: BCBA, BCTLA and Nova
Law School

Wednesday, September 15, 1976

4:30 P.M.

Personal Injury —
Edward Middlebrooks

Selection of Jury —
Joseph A. Varon

Room 250, Broward County
Courthouse

October 20, 1976

Pitfalls in Circuit Court — To be
announced

Preserving the Record —
Robert Orseck

(\$1.00 printing donation requested)

Highlights of Board of Governors Meeting July 8th At Crystal River

The Board of Governors took the following actions at their recent meeting:

1. Approved a Legislative program funded by a minimum appropriation of \$125,000 for the ensuing fiscal year of The Florida Bar. An opinion is being sought from the Supreme Court to permit a general counsel to be employed to direct the legislative efforts, working in conjunction with Staff members of

The Florida Bar. This represents a major step forward for Florida lawyers who will be represented adequately before the Florida legislature with ample funds to employ specialists in different lobbying fields, and adequate staff time devoted to analyzing and handling the various legislative problems facing The Florida Bar. A new legislative approach, under the leadership of President Atkins and President-elect Troutman will place the Bar in a more effective posture to handle legislation.

Our own President of the Broward

County Bar, Ray Ferrer, was honored by a number of speakers who addressed the Board of Governors, including Duane Anderson, of the Florida Academy of Trial Lawyers, for Ray's diligent efforts in supporting the Bar's legislative programs. The directors of the Florida Academy of Trial Lawyers were also praised, along with all of the other lawyers who spent their time in Tallahassee protecting our interests.

2. Trust accounting By-Laws were approved which track the Intergration Rule requiring minimum trust account-

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 Seventeenth Judicial Circuit*

ing procedures for Florida lawyers. These By-Laws do not extend the requirements beyond the Intergration Rule, which was a criticism leveled at the initial draft published in The Florida Bar News. The revised By-Laws will be published in the next issue of The Bar News.

3. The Board of Governors approved two pre-paid legal service plans for The Orlando Federal Credit Union and the Escambia County Teachers Credit Union. These pre-paid legal service plans fully comply with the Bar's By-Laws in this regard and should afford legal representation to the lower-middle income groups which will be served by them.

4. The Bar referred the Defense of Habitation Committee Bill to a committee for study. A report will be rendered later this year as to the posture the Bar should take in light of the Governor's veto of this Bill after it was adopted by the legislature.

5. The Board heard a report that because of re-insurance rate increases, lawyers' liability insurance will be going up in the future.

6. The Board heard a proposal by Supreme Court Justice Arthur England which would implement a plan to have attorneys' trust accounts earn interest

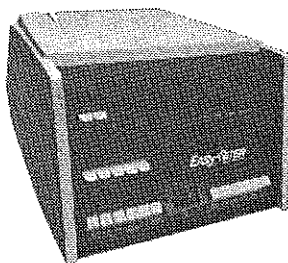
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which would be given to the Bar for various public interest programs such as client security fund, fellowship and the like. Patterned after the British Columbia Plan which has been operating successfully for some years, changes in legislation and in the Intergration Rule which would be required to allow trust accounts, which currently bear no interest, to earn funds for The Bar's support. At the heart of the proposal is the consent of the client to permit his funds to generate interest for the public good. Since the amount which would be earned by any specific client's funds would be generally very small, it is hoped that most clients would give their consents

to permitting such a use of funds. The matter was referred to a Bar committee for appropriate study.

7. The Florida Board of Bar Examiners is studying both a residency requirement and a clerkship to adequately protect the public in admission of new lawyers to practice in Florida. The new ethics questions on the Bar examination have come as a direct result of the efforts of the Florida Bar to upgrade the requirement for admission to practice in Florida. If an applicant fails to pass the ethics section, he will not be admitted to practice regardless of his grade on the other substantive sections.

Don Norman, Board Member
17th Judicial Circuit

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Expert Testimony — Land Surveys

The Broward County Chapter of the Florida Society of Professional Land Surveyors would like to remind the members of the Broward County Bar Association of the restriction placed on testimony on land surveys by the Florida State Board of Professional Engineers and Land Surveyors.

Chapter 471 of the Florida Statutes authorized the Board to adopt Rules of Professional Conduct binding upon every person holding a Certificate of Registration. Rule number 3 of the Board states: "A Professional Engineer may perform land surveying work incidental to his engineering profession, provided he prepares no plats for record and does not

attempt to testify in court on land survey matters."

Since the public in general and attorneys in particular frequently think of surveying as a branch of engineering, we invariably find ourselves being referred to in court and otherwise as engineers. We would, of course, prefer being called by our correct professional designation of land surveyor.

More importantly, as has happened in our courts, (City of Plantation vs. City of Sunrise), if an attorney retains an engineer to testify on a land survey he may suddenly find himself in the embarrassing position of having his witness disqualified on the witness stand.

Bruce F. Small
Bar Liaison Chairman
The Broward County Chapter
of the Florida Society of
Professional Land Surveyors

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Broward Circuit Court Judge L. Clayton Nance is the recipient of a plaque for being the first Public Defender in the State of Florida. He was honored at a luncheon sponsored by the Florida Public Defender's Association held at the Galt Ocean Mile Hotel, Ft. Lauderdale during their convention. Public Defender Warner S. Olds presented Judge Nance with the plaque.



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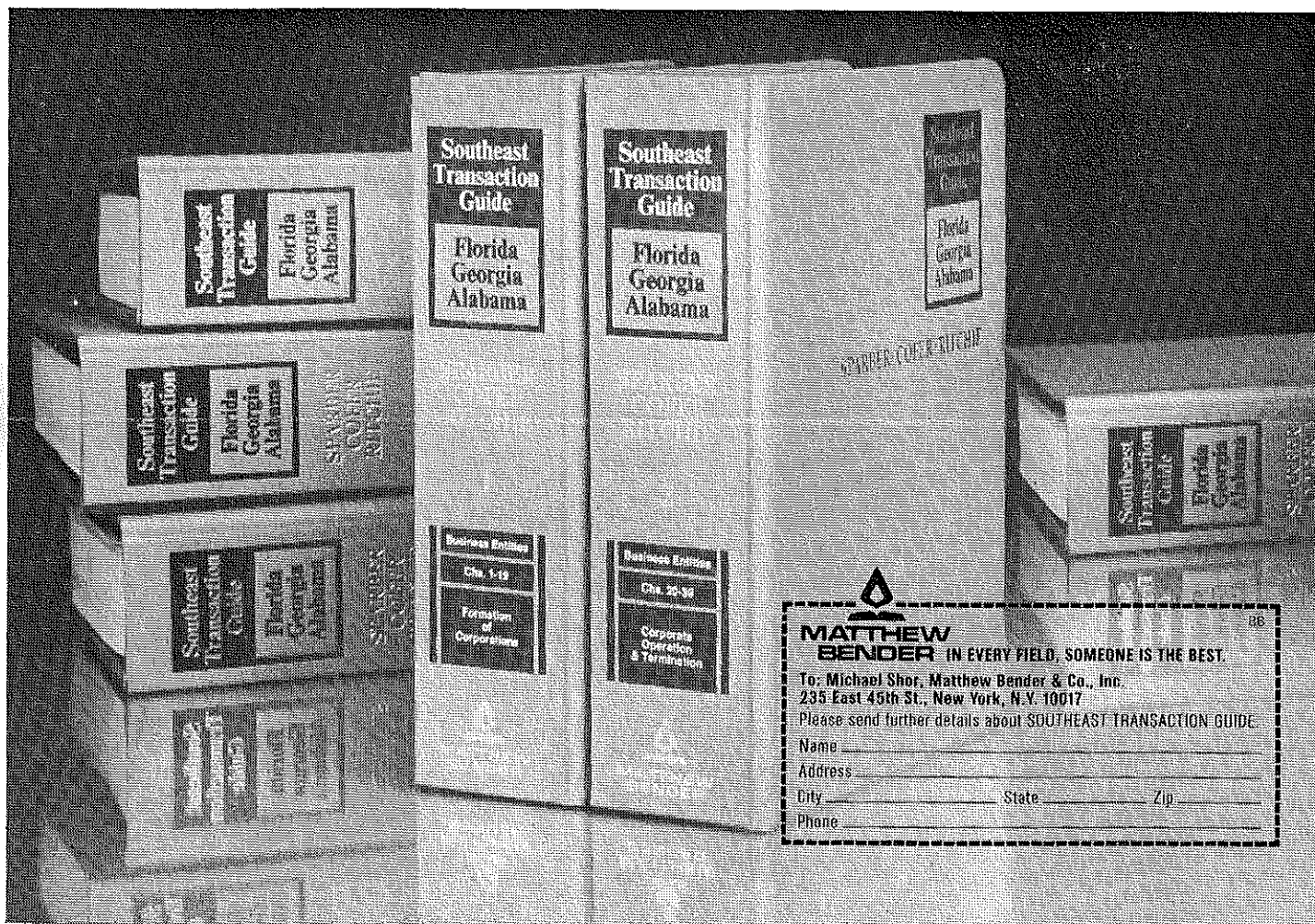
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