

# The BROWARD BARRISTER

JUNE, 1977

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

## NO GENERAL MEETING IN JUNE

The June meeting of the general membership will not be held because of the conflict with the annual meeting of The Florida Bar at Innisbrook. You are encouraged to attend that meeting.

For those of you who did not attend the annual meeting of BCBA in May, your officers and executive committee members for the coming year are:—

★ ★ ★ ★ ★

### Highlights of the Board of Governors Meeting May 12-14, 1977 at Key Biscayne

The Board of Governors took the following actions at its regular meeting:

(1) Appropriated \$75,000 for a study by Frank B. Hall & Co., as insurance consultant and analyst, to determine the feasibility of The Florida Bar's sponsoring a self-insurance program for attorneys. The Board heard a report by Larry Kuvin, Chairman of the Bar's insurance committee that the present insurer, Gulf Insurance Company, had become more amenable to working out solutions to our problem than was previously announced. While the individual coverage for Florida lawyers is substantially higher than it was last year, it is still substantially below the cost for comparable coverage in other parts of the United States. The company recommended approaching the matter on a two-prong basis: (a) To continue with Gulf for one more year; (b) to proceed with a study to see if The Florida Bar can sponsor its own self-insurance program.

(2) Heard a report of a Special Committee to study admission to the Federal Courts. Federal Courts are following the lead of the Second Circuit in adopting stringent rules to permit attorneys to practice. The Board's Special Committee recommended a modified rule that an applicant certify his familiarity with the Federal Rules of Procedure, Evidence and jurisdictional provisions of the Judicial Code and a CLE course in Federal practice as prerequisite for maintaining his certificate at least each five years. The report will be forwarded to the Fifth Circuit as a

(Continued on Page 2)

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#### Executive Committee Members:—

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James H. Walden  
Angeline G. Weir

Past President ..... Ray Ferrero, Jr.  
President, Young Lawyers Section ..... Michael McNerney

### BROWARD COUNTY TRIAL LAWYERS ASSOCIATION MEETING

Wednesday, July 6, 1977

5:00 p.m. Case Evaluation  
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

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Speaker: Charles M. Prince  
Topic: Non Medical Expert Witness

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P.O. Box 14604

Fort Lauderdale, Florida 33302

PLEASE MAKE CHECK PAYABLE TO:

Broward County Trial Lawyers Association

#### DUES NOTICE — DUES PLEASE

If you have not mailed your dues for the year June 1, 1977 — May 31st, 1978, please do so. This will be very much appreciated.

### YOUNG LAWYERS SECTION MEETING

Thursday, June 23, 1977

— 12:00 Noon —

Cafe de Paris  
715 -A East Las Olas Blvd.  
Ft. Lauderdale, Florida  
Lunch — \$5.00

Speaker to be announced  
Please send reservation with check to: William C. Davell  
P.O. Box 14723  
Fort Lauderdale, Florida  
Phone: 462-5500

#### OPERATION:

#### UPDATE/TRANSITION

Sponsors: BCBA, BCTLA and Nova Law School

June 15, 1977

— 4:30 p.m. —

“Defenses in Mortgage Foreclosure Proceedings Including Usury and Other Defenses”

Speaker: Bruce Wiehe  
Room 250, Broward County Courthouse

July 20, 1977

Legislative Update

Speakers: to be announced

(\$1.00 printing donation requested)

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

**OFFICERS**

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Norma Howard \_\_\_\_\_ *Executive Secretary*

guide to a reasonable solution to the problem.

(3) The Board approved suggested standards for cameras in the Courtroom and implementation of the Supreme Court's opinion authorizing a one year trial period to determine whether trials can be filmed without disturbing the proceedings.

(4) Approved the Amendments to the By-Laws of Florida Legal Services, Inc. to conform to the Federal guidelines. This will allow The Florida Bar to appoint at least 40% of the members of the Board and maintain some input in this area of legal aid service.

(5) Heard a lengthy report on legislation indicating great activity on the part of the Florida Bar in many areas.

**PROSECUTING ATTORNEYS**

The School Board of Broward County, Florida is desirous of receiving resumes from lawyers who are interested in the capacity of Prosecuting Attorney on behalf of the Board in personnel and student disciplinary cases at an hourly rate of \$50. The resumes should be addressed to:

The School Board of Broward  
County, Florida  
1320 Southwest 4th Street  
Fort Lauderdale, Florida 33312  
Attn.: Personnel Dept.

A few of the more important ones are as follows: (a) support of bills increasing judicial compensation. It would appear that pay raises from 11-16% have been proposed, with an excellent chance of an increase somewhere in this range. (b) Substantial support for a defeat of the repeal of the sales tax exemption on professional services during this legislative session. The sales tax may be increased to 5 cents with professional services still exempt. This is an area of continuing concern. (c) Support of a reasonable revision of No-Fault. Some modification of No-Fault is a certainty. (d) Certification of new judges including three County judges for Broward County appears to be in good position.

(6) The Resolutions Committee recommended against the resolution on a referendum for re-apportionment of the Board of Governors on a one-man one-vote basis. This was no surprise. The matter will be heard before the Convention at Innisbrook in the middle of June.

Late in the meeting the Board decided that Reapportionment should be studied and a special committee was appointed.

(7) After a lengthy two-hour debate, punctuated by sharp disagreement, the Board approved an amendment to the

Integration Rule granting absolute immunity to complainants in grievance matters. The basis for the Board's decision was a series of lawsuits filed by attorneys against complainants to discourage them from disclosing unethical conduct to the Florida Bar. The proponents of this amendment feel that this will permit clients to be able to file grievance complaints without fear of a defamation or malicious prosecution action on behalf of an unscrupulous attorney who would use this as a tool to deter future complaints.

(8) The Board had a stimulating discussion with John McMullen, Executive Editor of the Miami Herald which resulted in a good exchange which will lead to a better relationship between The Bar and the press.

(9) The Board approved a negative recommendation by a committee which reviewed appellate settlement conferences as a procedure in the Supreme Court of Minnesota. After thorough analysis, the committee recommended against adopting such procedure for Florida.

*Respectfully submitted,*  
Don Norman, Board member  
17th Judicial Circuit


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**Re: NEW PROPOSED  
GRADUATE TAXATION  
PROGRAM AT FLORIDA  
ATLANTIC UNIVERSITY**

Dear Members:

I am writing on behalf of Florida Atlantic University to acquaint you with a new proposed Graduate Taxation Program to be offered at Florida Atlantic University in Boca Raton and Ft. Lauderdale, Florida, to commence in the Fall, 1977.

The program will be for practicing attorneys and C.P.A.'s and will lead to the degree of Master of Applied Science in Taxation. The program will contain a wide variety of Tax Courses including the following:

- Estate & Gift Taxation.
- Estate Planning.
- Corporate Taxation.
- Partnership Taxation.
- Tax Problems of Corporate Reorganization.
- Income Taxation of Estates & Trusts.
- Deferred Compensation (Pension & Profit Sharing Plans).
- State and Local Prosecutions.
- U.S. Taxation of Foreign Income and Foreign Persons.

The courses will be offered in the evening and perhaps on Saturday mornings.

The Faculty will include outstanding Tax Practitioners all with significant backgrounds in their individual areas of interest and responsibility.

I believe that this Program will be the first of its kind in South Florida which would be open to both accountants and lawyers. It represents a unique opportunity for members of the Broward County Bar Association with backgrounds in taxation to acquire addi-

tional tax knowledge on relevant subjects of current interest as well as an opportunity for general practitioners to acquire a working knowledge in the important areas of Federal, Estate, State and Local Taxation of Individuals, partnerships and corporations.

All responses may be sent directly to Florida Atlantic University, Graduate Taxation Program, c/o the undersigned before June 15, 1977.

Thomas N. Silverman  
Adjunct Professor Taxation  
Florida Atlantic University  
Boca Raton, Florida

**LAWYERS FIND  
GREATEST PRESTIGE IN  
BIG BUSINESS LAW**

Chicago, April 7 — A sociologist and law professor who are doing a study of the legal profession have found that lawyers serving big business clients enjoy greater prestige among their colleagues than do those serving individuals.

Edward O. Laumann, professor of sociology and director of the Center for Social Organization Studies at the University of Chicago, and John P. Heinz, professor of law at Northwestern University, are conducting the study for the American Bar Foundation. As with all works published by the bar foundation, the analysis and conclusions are those of the authors and not necessarily those of the foundation.

Laumann and Heinz found prestige to be related also to the degree of intellectual challenge presented by the subject matter of a field. Surprisingly, prestige was not related to income.

The two scholars base their findings on interviews with 777 Chicago lawyers who were asked to indicate what percentage of their professional time they devoted to each of 30 types of legal work. A randomly selected, one-in-four subsample was also asked to rate the general prestige within the legal profession of each of these 30 specialties.

Laumann and Heinz then sought to discover what accounts for the differences in prestige.

They found high on the prestige ladder such fields as securities, tax, anti-trust, patents, banking, public utilities, and general corporate law. Low prestige fields were criminal law, general family law, consumer law, personal injury law, and divorce.

Of the 30 legal specialties presented to the respondents, the least prestigious was judged to be poverty law.

Laumann and Heinz also found prestige to be inversely related to the degree to which a lawyer's work tends to be done for altruistic or reformist motives.

"The clarity of pattern here is striking," according to sociologist Laumann. "Securities, ranked highest in prestige, is perhaps the purest form of corporate law. On the other hand, the higher the proportion of blue collar clients being served by a specialty, the lower its prestige standing. That correlation is .86. Social science seldom gets them that high."

"The top of the prestige ladder is quite clearly dominated by specialties that might be characterized as 'big business' law," Laumann and Heinz emphasize.

They point out that an important consequence of the prestige structure may well be its effects on the recruitment of lawyers into specialized areas of practice.

"To the extent that lawyers making career choices are concerned with their prestige within the legal profession," they say, "they will tend to choose service to big business rather than to poor people."

"Specialization and Prestige in the Legal Profession: The Structure of Deference," by Edward O. Laumann and John P. Heinz, 1977 *American Bar Foundation Research Journal* 115-216 (No. 1). Reprints: \$3.25.

"Diversity, Representation, and Leadership in an Urban Bar: A First Report on a Survey of the Chicago Bar," by John P. Heinz, Edward O. Laumann, Charles L. Cappell, Terence C. Halliday, and Michael H. Schaalman, 1976 *American Bar Foundation Research Journal*, 717-785 (No. 3). Reprints \$2.50.

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## WELCOME, NEW MEMBERS

JOHN A. AUNER, a native of Cleveland, Ohio, received his undergraduate degree and his law degree from University of Miami. He is an auditor for the State of Florida.

JOHN RICHARD GILLESPIE, JR., a native of Franklin, Kentucky, received his undergraduate degree from the University of Florida and his law degree from University of Miami. He is associated with English, McCaughan & O'Bryan, Fort Lauderdale.

PHILIP J. GOUZE, a native of Amityville, N.Y., received his undergraduate degree from University of Florida and his law degree from the University of Florida School of Law. He practices alone in Fort Lauderdale.

MICHAEL L. KOBOLKA, a native of Buffalo, N.Y., received his undergraduate degree from S.U.N.Y. at Buffalo, N.Y., and his law degree from University of Miami. He practices alone in Lauderdale Lakes, Florida.

C. EDWARD McGEE, a native of Atlanta, Georgia, received his undergraduate degree from Florida Atlantic University and his law degree from Florida State University. He is associated with the State Attorney's Office in Broward County, Florida.

DENNIS M. O'HARA, a native of Al-

lertown, Pa., received his undergraduate degree from Muhlenberg College and his law degree from Villanova University. He is associated with Wicker, Smith, Blomqvist, Davant, McMath, Tutan and O'Hara, Fort Lauderdale.

DAVID R. THOMPSON, JR., a native of West Palm Beach, Fla., received his undergraduate degree from the his undergraduate degree from the U.S. Naval Academy and his law degree from the University of Florida. He is associated with Jones and Morcroft, Fort Lauderdale.

WILLIAM ZEI, a native of Chicago, Illinois, received his undergraduate degree from Biscayne College and his law degree from University of Miami. He is associated with Gibbs & Itkin, P.A., Fort Lauderdale.

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