

The BROWARD BARRISTER

NOVEMBER, 1979

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

GENERAL MEETING THURSDAY, NOVEMBER 15, 1979

PIER 66, SUITE 66

2301 S.E. 17th Street Causeway
Fort Lauderdale, Florida

6:30 P.M. — Cocktails 7:15 P.M. — Dinner

Price — \$15.00

SPEAKER: The Honorable Richard A. Pettigrew, Past Majority Leader of the Florida House of Representatives and a member of President Carter's staff in charge of reorganizing the administrative agencies. He is of counsel to the firm of Arky, Freed, Stearns, Watson and Greer in Miami.

PROGRAM: HOW DO WE COPE WITH 90 FEDERAL REGULATORY AGENCIES?

The Broward County Bar Association will honor the Broward Legislative Delegation at this meeting. You are urged to attend this meeting and meet your Representatives in Tallahassee. Come and bring a guest.

RESERVATIONS MUST BE MADE BY NOVEMBER 13, 1979. Please use the enclosed card or call 764-8040.

The December meeting will be on Wednesday, December 12, 1979, at Pier 66 in the Panorama Room. The Speaker will be Dr. James H. Boren of Washington, D.C. — author of "WHEN IN DOUBT, MUMBLE". He is President and founder of the National Association of Bureaucrats and is a well known author and lecturer. Spouses are invited. Mark your calendars now.

YOUNG LAWYERS SECTION MEETING

Thursday, November 29, 1979

12:00 Noon

Stouffer's Anacapri Restaurant
1901 North Federal Highway
Fort Lauderdale, Florida

Luncheon: \$5.00 — Members
\$6.00 — Non-Members

Speaker: Judge Sidney M. Weaver

Topic: "The New Federal Bankruptcy Code, Effective October 1, 1979"

At the November meeting of the Young Lawyers Section, an amendment to the By-Laws of the Section will be considered to provide for annual elections in April, rather than in May, of each year.

Reservations and checks made payable to "Young Lawyers Section" should be sent to:

Jesse S. Faerber
Post Office Box 11022
Fort Lauderdale, Florida 33339

Corporation, Banking And Business Law Section Seminar

Friday, December 7, 1979

8:30 a.m. — 1:00 p.m.

Nova Law Center
3100 S.W. 9th Avenue
Fort Lauderdale, Florida

(See enclosed flyer for detailed information).

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JUDICIAL VACANCY

With the confirmation of Judge Hastings' appointment to the Federal Bench, the vacancy on the 17th Judicial Circuit will probably be announced in November. Anyone who wishes to apply for the position may obtain an application from the Court Administrator, Broward County Courthouse.

EMERGENCY AID FOR THE HEART ATTACK VICTIM

If you feel an uncomfortable pressure, fullness, squeezing or pain in the center of your chest (possibly spreading to the shoulders, neck or arms) which lasts for two minutes or more, you could be having a heart attack. Sharp, stabbing twinges of pain are usually *not* signals of a heart attack. The natural reaction is to deny what is happening or take a wait and see attitude. But before deciding to wait, remember this: 350,000 heart attack victims died before reaching the hospital last year, many because they refused to believe that they were having a heart attack. Obviously, the first thing to do is to call your local emergency medical service (EMS) immediately. This is all well and good, except for the fact that by the time the emergency services reach you, it may be too late. Many of us within this profession work in build-

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the Fifteenth Judicial Circuit

ings in which it would take five minutes or more just to get in and out of the elevator. By that time, if you have had a heart attack, your chances of survival have been greatly diminished. If you discover a heart attack victim, I can assure you that most of you will be extremely excited, totally confused and highly upset. And yet, if you discover someone who has collapsed chances are you can try to save that person, if you can perform cardio-pulmonary resuscitation (CPR). CPR is designed to keep a cardiac arrest victim alive with mouth to mouth ventilation and closed chest cardiac compression until competent medical help arrives. Many of the major corporations in our area have already held CPR training programs for their employees. The legal community has been too busy, too ignorant and too involved in other activities to exercise proper concern over your most precious gift, your health. Take a look at yourself; your life may depend on it! Think about high blood pressure, smoking, obesity and inactivity, diabetes and stress. Then think about your friends and family and co-workers. Then think about CPR.

Within the next six months, the legal community is going to be made aware of the benefits of CPR, the practice of CPR and how to become involved (both you and your office staff and families) in CPR. It is as easy as ABC. You'll learn

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more by reading future issues of *The Barrister*.

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FLAG FOOTBALL

The Young Lawyers Section of the Broward County Bar Association will once again be sponsoring a flag football league open to all lawyers of Broward County. Play will begin the first week of January at Holiday Park. If you are interested in playing please contact Philip J. Morgan, Post Office Box 11022, Fort Lauderdale, Florida 33339.

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**YOUNG LAWYERS SECTION
SPONSORS BOY SCOUT POST**

The Young Lawyers Section of the Broward County Bar Association has announced that it will sponsor an Explorer Law Post in cooperation with the Boy Scouts of America. The Executive Committee of the Section will act as the Executive Committee for the post.

Law Exploring is a nationwide program designed to acquaint interested male and female high school students with various aspects of the legal profession. Projected activities of the post will include research projects, guest speakers, trips to County and Federal Court and law enforcement facilities, as well as the more traditional exploring and social activities.

This will be the only law post in Broward County, The other post in South Florida is sponsored by the Homestead Bar Association. Members of the Broward County Bar Association, regardless of age, are needed to insure the success of this volunteer program. It is anticipated that not more than a few hours per month will be required. Those interested should contact the officers of the Young Lawyers' Section, William C. Davell (462-3301), James B. Davis (565-0501), or Jesse S. Faerber (566-0600).

The Fourteenth Annual Institute On Estate Planning

January 7-11, 1980

Sponsored by the University of
Miami Law Center

Americana Hotel
Bal Harbour, Florida

For further information, please write to:
Professor Philip E. Heckerling, Director
Institute on Estate Planning
University of Miami Law Center
Post Office Box 248087
Coral Gables, Florida 33214

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ATTENTION Delta Theta Phi Members

The Broward County Alumni Chapter
of Delta Theta Phi Law Fraternity is

updating and verifying its membership
roster. In approximately one month, no-
tice of a Fall social event will be an-
nounced. All Alumni desiring to be on
the mailing list should furnish their cur-
rent mailing address by calling Terry at
772-8222.

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Twelfth Medical Institute For Attorneys

March 27-29, 1980

American Hotel
Bal Harbour, Florida

Inquiries should be made to:

Twelfth Medical Institute for Attorneys
University of Miami Law Center
Post Office Box 248087
Coral Gables, Florida 33124

ADMINISTRATIVE ORDER 79-25

The Family Conciliation Unit


October 5, 1979

Administrative Order 79-25 establishes
a Family Conciliation Unit. The pur-
poses set forth in the order are:

- A. The Family Conciliation Unit shall
have as its primary functions:
 1. The mediation of marital and di-
voice conflicts.
 2. The prevention of needless marri-
age dissolutions where possible, and
if not possible, the reduction of the
negative effects and after effects of
divorce on husbands, wives, and
children.
- B. The conciliation procedure is not
designed to effectuate delay in legiti-
mate proceedings before the Court
or to require parties to participate
in the mediation process where no
useful purpose can be served; nor is

NOTICE OF BAR GROUP MEETINGS

Date	Organization	Location	Time
11/16/79	Federal Bar Assn.	Riverside Hotel 620 E. Las Olas Blvd. Ft. Lauderdale, FL	12:00 Noon
11/20/79	Christian Lawyers Assn. (For reser- vations, call Larry Larche - 764-7777)	Cafe de Geneve 1519 S. Andrews Avenue Ft. Lauderdale, FL	12:15 P.M.
12/5/79	Broward County Trial Lawyers Assn.	Galt Ocean Mile Hotel 3200 Galt Ocean Drive Ft. Lauderdale, FL (Board Room A-B)	5:00 P.M. —Case Evaluation 6:30 P.M. Cocktails 7:00 P.M. Dinner
12/20/79	Broward County Legal Secretaries Assn.	Holiday Inn-Oceanside 3000 E. Las Olas Blvd. Ft. Lauderdale, FL	7:00 P.M. Cocktails 8:00 P.M. Dinner



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NOTICE OF PENDENCY OF CLASS ACTION AFFECTING MEDICAL DOCTORS AND ATTORNEYS IN BROWARD COUNTY, FLORIDA

This Notice is being given pursuant to Court Order in Case No. 78-18645 "J" Richardson, currently pending in the 17th Judicial Circuit, Broward County, Florida.

The basis for suit concerns the alleged unconstitutionality of Broward County Ordinance 72-13. The ordinance permits the imposition of an occupational license tax on medical doctors and attorneys at law practicing within the county, amongst others. The ordinance also provides for an *additional tax on the same professionals who are organized in the form of a professional association pursuant to Florida Statutes No. 621.01 et seq.*

The class plaintiff for attorneys is Fromberg, Fromberg & Roth, P.A. and the class plaintiff for medical doctors is Dermatology Associates, Green, Wilentz and Arena, P.A. The Fromberg firm, together with the firm of Di Giulian, Spellacy & Meyer, P.A., are acting as co-counsel and attorney of record for the plaintiffs.

Any professional association comprised of medical doctors or attorneys that desires to be represented by the class plaintiffs and their attorneys must opt into the class. Failure to opt in will preclude participation in any recovery of back taxes.

To opt into the class, return the following information to Fromberg, Fromberg & Roth, P.A., 19 West Flagler Street, Miami, Florida 33130, Attention: Class Action Notice.

Name of Professional Association

Address for all future correspondence

Type of professional association (lawyers or M.D.'s)

Date P.A. commenced doing business in Broward County

Years which P.A. paid occupational license tax (circle all applicable):

1976 1977 1978

Signature of Corporate Secretary or Assistant Secretary:

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the service designed to force the continuance of a marital relationship against the desires of either spouse; nor is the Family Conciliation Unit authorized to conduct, prepare, or submit evaluations.

The process is designed for the benefit of the parties and their counsel, to present an alternative to the traditional adversary system, and to assist in the mediation of contested issues and the amicable settlement thereof. The service is further designed to assist parents who are ending their marital relationship in preserving their roles as parents and to prevent unnecessary disruption in the lives of their children. The Family Conciliation Unit shall always op-

erate with these principles as primary responsibilities.

Judge Frank A. Orlando is the Supervising Judge and the Executive Director is O. J. Coogler.

For further information, write to:

O. J. Coogler
210 Las Olas Building
305 South Andrews Avenue
Fort Lauderdale, Florida 33301
765-4012

* * * * *

DESIGNATION CREDITS

The following Broward County Bar Association seminars have been approved

under the Florida Designation Plan for credit:

Real Property Seminar —

February 16, 1979

Administrative & Governmental Law	4 hrs.
Corporation & Business Law	4 hrs.
General Practice	4 hrs.
Real Property Law	4 hrs.
Taxation	1 hr.

Criminal Law Seminar —

March 30, 1979

Appellate Practice	5 hrs.
Criminal Law	5 hrs.
General Practice	5 hrs.
Marital & Family Law	1 hr.
Trial Practice—General	5 hrs.

Trial Lawyers Section Seminar—

June 1, 1979

Appellate Practice	4 hrs.
General Practice	4 hrs.
Marital & Family Law	1 hr.
Trial Practice—General	4 hrs.
Trial Practice—Commercial	1 hr.
Trial Practice—Personal Injury & Wrongful Death	1 hr.

Family Law Section Seminar—

April 27, 1979

Appellate Practice	5 hrs.
General Practice	5 hrs.
Marital & Family Law	5 hrs.
Real Property	2 hrs.
Trial Practice—General	5 hrs.

* * * * *

NOTICE

A full time position as Police Legal Advisor for the City of Fort Lauderdale Police Department will be available January 1, 1980. Salary is negotiable — (available range \$24,000/\$32,000) depending on prior experience. Experience with a State Attorney or a Public Defender's Office is preferred. Applications and resumes should be sent before November 30, 1979 to Office of City Attorney, City of Fort Lauderdale, Post Office Box 14250, Fort Lauderdale, Florida 33302.

NOTICE OF VACANCY — U. S. DISTRICT COURT

Title of Position:

Bankruptcy Judge

Official Station:

Southern District of Florida

Term:

Date of appointment thru
March 31, 1984

Closing Date:

Applications must be received no
later than midnight, Nov. 15, 1979

Salary:

\$50,000.00 per annum

Members in good standing of The Florida Bar desiring to apply must do so by filing a comprehensive resume detailing qualifications and experience with the:

Clerk, U. S. District Court
Room 112 — Flagler Station
Post Office
300 Northeast First Avenue
or

P. O. Box 010669
Miami, Florida 33101

Applications may be obtained by writing or calling the Clerk's Office (350-5212).

JOSEPH I. BOGART
CLERK OF COURT

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WELCOME NEW MEMBERS

GARY E. DeCESARE, a native of Bridgeport, Conn., received his undergraduate and law degrees from Ohio Northern University. He is associated with James M. Henderson & Associates in Fort Lauderdale.

BURT EDMOND EISENBERG, a native of Miami, Florida, received his undergraduate degree from the University of Florida and his law degree from the University of Miami. He is associated with the firm of Friedman & Rosenberg in Hollywood.

STEVEN A. HIRSCH, a native of Chicago, Illinois, received his undergraduate and law degrees from DePaul Uni-

versity. He is associated with the firm of Patterson, Maloney, Blyler & Fiege in Fort Lauderdale.

CARL PETERSON III, a native of Wilmington, Delaware, received his undergraduate degree from the University of Florida and his law degree from Cumberland School of Law. He is associated with E. Louis Fields in Ft. Lauderdale.

YVONNE E. REED, a native of Baton Rouge, Louisiana, received her undergraduate degree from the University of Alabama and her law degree from Louisiana State University. She is associated with the firm of Walton, Lantaff, Schroeder & Carson in Ft. Lauderdale.

LAURENCE A. SCHWARTZ, a native of Elizabeth, New Jersey, received degrees from Moravian College and New York University, and received his law degree from New York Law School. He is associated with the firm of Houston, Faircloth, Cooper, Easthope & Kelley in Fort Lauderdale.

ALEXANDER M. SIEGEL, a native of New York, N.Y., received his undergraduate degree from Adelphi University and his law degree from St. John's University. He is associated with Jerome Siegel in Margate.

DENNIS DUSTIN SMITH, a native of Oceanside, New York, received his undergraduate degree from the University of Pennsylvania and his law degree from Villanova University. He is associated with the firm of Tripp and Conklin in Fort Lauderdale.

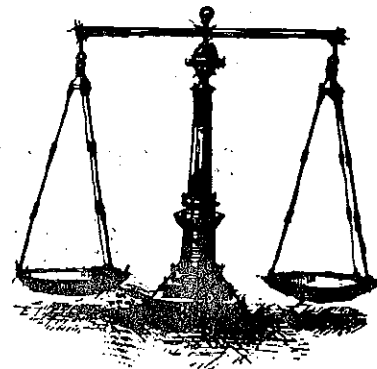
BARTON S. STROCK, a native of New York City, received his undergraduate degree from Brooklyn College and his law degree from Brooklyn Law School. He is associated with Mark S. London in Hollywood.

JOHN B. TODOROVICH, a native of New York, N.Y., received his undergraduate degree from Duke University and his law degree from Stetson University College of Law. He is associated with the firm of Peschio, Rockwood, Edelstein & Duffy in Pompano Beach.

BARRY A. WILEN, a native of Pittsburgh, Pa., received his undergraduate degree from Northwestern University and his law degree from the University of Miami. He practices alone in Hollywood.

PAUL G. WRIGHT, a native of Tampa, Florida, received his undergraduate degree, his J. D., and his L.L.M. from the University of Florida. He is associated with Tworoger & Asher in Fort Lauderdale.

ARNOLD YABLIN, a native of Philadelphia, Pa., received his undergraduate degree from New York University and his law degree from New York Law School. He practices alone in Hallandale.



Have You Moved?

There have been many moves of offices in the past two months. If you have *not* notified the following of your correct address and telephone number PLEASE DO SO NOW.

Broward County Bar Association
The Florida Bar
American Bar Association
Clerk of The Circuit Court

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LEGAL ETHICS COMMITTEE

Each month the Legal Ethics Committee will contribute to the *Barrister* opinions of The Florida Bar Professional Ethics Committee recently supplied to the local committee. Only opinion headnotes will be supplied, the full opinion may be found at the County Law Library.

or at the office of the Broward County Bar Association.

OPINION 77-2
November 8, 1977

If an attorney undertakes the representation of a client in an insurance claims matter and the attorney subsequently is unable to locate the client, the attorney must continue to protect the client's interests so as to avoid neglect of a matter entrusted to him. Failure to take reasonably available steps to protect the client may appear to constitute *de facto* withdrawal from employment.
CANONS: 6

C.P.R.: DR 2-110(A)(1), DR 6-101 (A)(3)

OPINIONS: 76-9, ABA Informal Opinion 1273

Chairman Lehan stated the opinion of the committee.

OPINION 77-8
October 5, 1977

It is improper for an attorney to allow an heir-hunting service to advise potential heirs of his services and improper for the attorney to contact potential heirs through names provided by the heir-hunting service. This would amount to both indirect and direct solicitation of

clients.

INTEGRATION RULES: 11.02(5)
CASES: *Sullivan v. Committee on Admissions and Grievances*, 395 F. 2d 954, 956-857 (D.C. Cir; 1968)
The Florida Bar v. Heller, 247 So.2d 434 (Fla. 1971)
C.P.R.: DR 2-103(A) and (D), DR 2-104

OPINIONS: 73-32, 74-15; ABA Formal Opinion 173

MISC.: Wise, *Legal Ethics* (2nd Ed. 1970), p. 216
Chairman Lehan stated the opinion of the committee.

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