

The **BROWARD** **BARRISTER**

PUBLISHED BY THE BROWARD COUNTY BAR ASSOCIATION

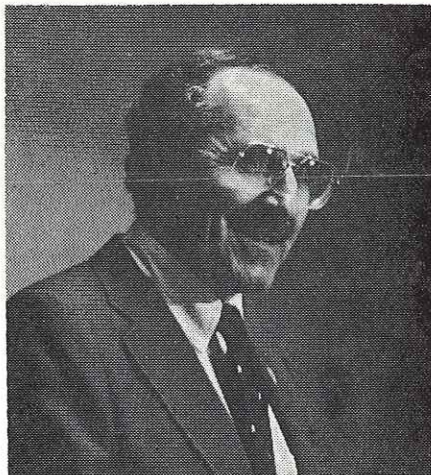
Executive Office: 733 Northeast Third Avenue, 305/764-8040, Fort Lauderdale, Florida 33304

SEPTEMBER 1983

Volume 12

Number 9

BROWARD COUNTY BAR ASSOCIATION GENERAL MEETING



SAM JANKOVICH

Director of Athletics, Univ. of Miami

Wednesday, September 14, 1983

12:00 Noon — Price \$10.00

GIBBY'S STEAKS & SEAFOOD RESTAURANT

2900 N.E. 12th Terrace • Oakland Park, Florida

SPEAKER: Sam Jankovich — Athletic Director, University of Miami

(See the August **Barrister** for more information)

If you have not made your reservation, please do so immediately

Call 764-8040 for reservations.

RESERVATIONS ARE NECESSARY. Please return the enclosed reservation card by September 9, 1983. Deadline for reservations and cancellations, Friday September 9, 1983. Reservations made and not cancelled in time must be paid if guarantee is not met and the Bar is charged for lunches.

PRESIDENT'S MESSAGE

The committee selections are printed in this issue of the *Barrister*, and I have attempted to appoint members based on their interests, abilities, and geographical areas, and those requesting to be on specific committees; however, it was impossible to fulfill each person's choice. For those who have not been appointed to a committee, or a committee they desired, please communicate with me or Norma Howard, as we will call upon you during the year to assist in various functions presented by the Bar Association.

With the new committees we intend to accomplish better relationship with the members of the Bar Association and urge those selected to attend the meetings and participate in all committee functions.

As always, I welcome any suggestions or recommendations you may

have in order to increase our membership; present programs of interest; and accomplish our goals for the future.

ANGELINE G. WEIR
PRESIDENT

CRUISE SHIP CONVENTIONS ARE AGAIN DEDUCTIBLE

The cost of a convention or meeting aboard a cruise ship is again at least partly deductible . . . up to \$2,000 a year . . . after a total ban on such deductions since 1981. The new rules (in the Highway Revenue Act of 1982) require that (1) the cruise ship be registered in the U.S., (2) all ports of call be located in the U.S. or its possessions (thus, Hawaii and Puerto Rico qualify) and (3) the convention or meeting be directly related to business or to an income-producing activity (such as an investment seminar).

BAR-BENCH CONFERENCE

November 18, 1983

1:00 P.M. - 5:00 P.M.
Nova Law Center

Mark your calendar. More information in October.

American Bar Foundation Study Finds Unified Bar Movement Is Losing Steam; Recommends Terminating Unified Bars

Since 1913 lawyers in every state have at one time or another debated whether they should all have to belong and pay dues to an official statewide bar organization. These "unified" bars

(Continued on Page 2)

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

OFFICERS

Angeline G. Weir *President*
Terrence Russell *Pres.-Elec*
Patrick L. Bailey *Sec.-Treas.*
Norma Howard *Exec. Dir.*

(Continued from Page 1)

have come to exist in 31 states. But according to a new American Bar Foundation study, what once seemed like an unstoppable trend toward bar unification everywhere has not only been arrested but may — and should — be reversed as well.

With many of the unified bars now embroiled in legal and political disputes, "even the natural defenders of the unified bar have to lose faith," according to Theodore J. Schneyer. A former Visiting Scholar at the American Bar Foundation and a law professor at the University of Wisconsin-Madison, Schneyer has looked into the sources of the unified bar's troubles and has reappraised the case for a unified bar. His findings appear in the current issue (No. 1) of the 1983 *American Bar Foundation Research Journal*.

Schneyer's study gives special attention to the unified bar experience in Wisconsin, where a sharply divided

state supreme court recently decided to retain the unified bar. Schneyer believes that decision was a mistake and that unresolvable problems like those that have emerged in governing the Wisconsin State Bar will continue to plague all the unified bar states.

Schneyer analyzes all the "key legislative and judicial decisions affecting state bar governance" as "skirmishes in war" between three contradictory images of the unified bar. One widely held image of the unified bar, as a private voluntary association, is linked with the public policy of respecting associational autonomy. A competing image, the unified bar as a public agency, is closely tied to the promotion of state bar accountability to the public, "a policy in obvious tension with the preservation of bar autonomy," Schneyer observes. The other competing image regards the unified bar as a "closed shop" or compulsory membership organization and has the protection of the rights of captive members as its dominant policy. "Since this protection may require government intervention in state bar affairs," Schneyer explains, "the closed shop, like the public agency image, tends to undercut state bar autonomy." But the closed shop image invites intervention in behalf of dissident lawyers rather than the general public.

Schneyer argues that since clear choices among these three images have not been possible, the unified bar has proven to be an "inherently awkward" institution to govern. And he finds that

traditional arguments in favor of bar unification fail to justify unified bar retention under present-day conditions. He rejects both the claim that a unified bar has an advantage in carrying out regulatory and other programs as well as the claim that every lawyer has an ethical duty under the Code of Professional Responsibility to support one particular bar organization. For Schneyer, "the unified bar is more a matter of political science than of ethics."

In his conclusion Schneyer recommends that the unified bars be terminated in favor of a combination of private voluntary state bar associations and administrative agencies independent of the organized bar.

Schneyer's work is offered as valuable scholarship but not as the statement of any position taken by the American Bar Association.

WELCOME NEW MEMBERS

NATILEENE W. CASSEL, a native of Greenwood Mississippi, received her undergraduate degree from Mississippi State University and her law degree from Mississippi College of Law. She is a sole practitioner in Fort Lauderdale.

★ ★ ★ ★ ★

MARK DAVID COHEN, a native of Miami, Florida, received his undergraduate degree from University of Florida and his law degree from South Texas College of Law. He is associated with Britton, Cohen, Kaufman & Schantz in Miami.

(Continued on Page 5)

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FLAG FOOTBALL

The sixth season of the Broward County Bar Association Flag Football League, sponsored by the Young Lawyer's Section, will get under way on Saturday, September 24, 1983.

Players must be members of the bar or a law student. Individuals who merely claim to be an attorney, know an attorney or can spout such phrases as "tied up in litigation" are not eligible.

Teams are allowed seven (7) players on the field at any one time (except when "high-fiving" it after a touchdown). If you, your firm or legal cliche can field 7-15 players, please submit a roster and designate a team representative.

If you are a free agent please submit your name and telephone number. A team needing your special talents will be assigned subject to your approval.

All games will be played Saturday mornings at Holiday Park on the field adjacent to King Oldsmobile. The games will be officiated to minimize oral arguments.

In a closing and challenging note, as captain of the Mr. Meanors — don't just talk a good game, come out and play.

With returning veterans Romney Rogers, John Wilkes, Archie Ryan, Bill Karney, Marc Darling, Ed McGee, Tim Ryan, Dale Geisler, Pat O'Neal and Phil Morgan, the Mr. Meanors have built a dynasty (40-5 over five years). Undefeated in the last fifteen games (10-0 last season), they have won the Y. L. Superbowl for the last two years. However, with the loss of their quarterback (Chip Peterson, now practicing in Melbourne) and a year to the aging process, this may be the season for a new championship team.

For information, signing-up or ticket reservations, contact:

John P. Wilkes, P.O. Drawer
11088, Ft. Lauderdale, Florida
(563-4803)

THE YOUNG LAWYERS SECTION LUNCHEON

The September meeting of the Young Lawyers Section of the Broward County Bar Association will be held on Thursday, September 22, 1983

at 12:00 Noon at:

PATRICIA MURPHY'S
BAHIA MAR
801 Seabreeze Boulevard
Ft. Lauderdale, Florida

Hon. James C. Adkins, Florida Supreme Court Justice, will be our guest speaker.

PLEASE MAKE YOUR RESERVATION by mailing your check in the amount of \$7.00, payable to YOUNG LAWYERS SECTION to: Frederick C. Heidgerd, 4901 N. Federal Highway, Suite 400, Ft. Lauderdale, Fl 33308, or telephone 771-1850 (ask for Helen), no later than Monday, September 19, 1983.

YOUNG LAWYERS SECTION PRESIDENT'S MESSAGE

In these times of federal budget cuts which have drastically affected public service programs, it has become increasingly difficult to obtain funds to sponsor public service projects and volunteer programs for low income individuals.

In an attempt to provide "seed money" for such projects, the Young Lawyers' Division of the American Bar Association is sponsoring a Sub-grant

Competition for Young Lawyer affiliates, such as the Young Lawyers' Section of the Broward County Bar Association.

The first round of this competition is aimed at providing grants ranging from \$500 to \$2,000 to develop or implement programs designed to provide services to the public that are not currently being provided by the Bar Association and to establish volunteer legal service programs to low income individuals. In order to qualify for this grant competition, applications must be submitted to the Young Lawyers' Division of the American Bar Association by September 30, 1983.

The Young Lawyers' Section of the Broward County Bar Association is interested in entertaining suggestions for such projects from any member of the Bar or co-sponsoring projects with other Sections or Committees of the Bar which need grants to begin or partially fund public service projects. If you are interested in exploring these possibilities further or need any further information, please contact me or any of the members of the Executive Committee of your local Young Lawyers' Section.

E. STEVEN LAUER, President
Young Lawyers' Section

YOUNG LAWYERS SECTION HIGH SCHOOL EDUCATION PROJECT

The Young Lawyers Section of the Broward County Bar Association will again be sponsoring a High School Education Project for the 1983-84 school year. The program arranges with the local high schools to have attorneys speak to classes on various areas of the law or participate in mock trial programs.

If you would be available to participate, please so indicate by filling out and returning this form, designating your areas of preference. Also, if you would participate in a mock trial (2-3 hours — mock trial kits are available), also make that designation.

Those who have been involved in the program in the past have found it to be enjoyable and worthwhile. Please let me hear from you.

JERRY MORRIS (525-0531)

Name: _____
Firm: _____
Address: _____
Phone: _____
Preferred topics to discuss:
Criminal Law _____ Family Law _____
Business Law _____ Trial Practice _____
Real Estate Law _____ Appellate Practice _____

Available to participate in mock trial? _____ Yes _____ No.
Please mail completed form to:

Gerald M. Morris, Esquire
Saunders, Curtis, Ginestra & Gore
Post Office Drawer 4078
Fort Lauderdale, Florida 33338

RACQUET BALL

TOURNAMENT

For those of you who chose not to participate in or attend the racquetball tournament on August 20, 1983, you missed a dazzling display of courtroom prowess and theatrics. A good time was had by all — even the non-winners.

Many of the players may have wished that the Tannen family had stayed home. Marc Tannen won the Men's A division, while Ricki Tannen led the ladies'. David Fee finished second in the Men's A, while Harris Solomon was a close third. Joann Richards captured second in the ladies' division, and Karen Coleman was third.

Perhaps out of protocolic deference, the judiciary was well represented among the finalists of the Men's B division. General Master, Michael Carbo, "A" skillful racqueteer, finished first, defeating Judy Frank Orlando in the final match. Bruce Toland finished third by beating Judge Jack Luzzo in a consolation match.

Trophies were awarded to the first winners in each division at the Young Lawyer's luncheon at Cafe de Paris. While no trophy was available for Judge Luzzo for finishing fourth, he was permitted to keep the used racquetballs as a consolation prize.

MOTION CALENDAR SUSPENDED

JUDGE	FROM	THROUGH
Joseph E. Price, Jr.	Sept. 16	Oct. 17
H. Mark Purdy	Sept. 19	Sept. 21
Robert L. Andrews	Sept. 19	Sept. 21
Bobby W. Gunther	Sept. 19	Sept. 21
Gene Fischer	Sept. 19	Sept. 22
Paul M. Marko, III	Sept. 19	Sept. 22
Barbara Bridge	Sept. 19	Sept. 23
Louis Weissing	Sept. 19	Oct. 10

Designation of Judicial Officers For Weekend First Appearances

September 10, 11	Judge Bobby W. Gunther
September 17, 18	Judge Raymond Hare
September 24, 25	Judge William Herring
October 1, 2	Judge Harry Hinckley
October 8, 9	Judge June Johnson

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(Continued from Page 2)

STEPHEN J. COHEN, a native of Newark, New Jersey, received his undergraduate degree from Rutgers University and his law degree from Nova University Law Center. He is associated with Conrad, Scherer & James in Fort Lauderdale.

★ ★ ★ ★ ★

STEVEN W. DEUTSCH, a native of Miami, Florida, received his undergraduate and law degrees from University of Florida. He is associated with Britton, Cohen, Kaufman & Schantz in Fort Lauderdale.

★ ★ ★ ★ ★

JAMES J. GALLAGHER, a native of Gary, Indiana, received his undergraduate degree from Indiana University and his law degree from University of Miami. He is associated with Welsh & Telander in Fort Lauderdale.

★ ★ ★ ★ ★

MICHAEL C. MATTSON, a native of State College, Pennsylvania, received his undergraduate degree from Dickenson College and his law degree from University of Miami. He is associated with Conrad, Scherer & James in Fort Lauderdale.

★ ★ ★ ★ ★

PAUL PLATTE, a native of Waverly, Iowa, received his undergraduate degree from University of Iowa and his law degree from University of Florida. He is associated with Fisher & Phillips in Fort Lauderdale.

★ ★ ★ ★ ★

CHRISTOPHER D. ROBINSON, a native of Brooklyn, New York, received his undergraduate and law degrees from University of Miami. He is associated with Fisher & Phillips in Fort Lauderdale.

ARTHUR R. ROSENBERG, a native of Bronx, New York, received his undergraduate degree from State University of New York at Binghamton, and his law degree from Loyola University. He is associated with Bernstein, Bernstein, Bernstein, Stein & Rush in Fort Lauderdale.

JUDICIAL EVALUATION COMMITTEE NEEDS YOUR RESPONSE

The Florida Bar News of August 15, 1983, carries a survey on judicial evaluation. The survey is on pages 19 and 20. If you have not completed this survey, please help the committee by answering the questions and returning to the address on the survey.

Designation Of Entertainment And Sports Law As An Area Of Practice

The Florida Bar's Committee on Entertainment and Arts Law has petitioned for a new area of designation in entertainment and sports law.

The Board of Certification, Designation and Advertising would like to hear from at least thirty (30) members of the Bar who are willing to designate in this area. Entertainment and sports law must constitute approximately 25% of your practice, you must have 30 hours of CLE credits over the last three years that reasonably relate to this area, and you must be willing to pay the \$50 application fee.

If you have any questions, please direct them to:

Elliot Zimmerman 305-565-6996
or
Rayford H. Taylor, The Florida Bar, Tallahassee, FL 32301

ON THE HUMOR SIDE

"You're a cheat!" shouted the first lawyer to his opponent.

"And you're a liar!" retorted the opposition.

The judge banged his gavel and said, "All right. Now that the attorneys have been identified, let's proceed with the case."

★ ★ ★ ★ ★

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.

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American Bar Association
Clerk of The Circuit Court

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CALENDAR OF EVENTS

Date	Group	Event	Time & Place	Reservations
9/9/83	Broward Christian Lawyers Assn.	Monthly Meeting	Cafe De Geneve 1519 S. Andrews Avenue Fort Lauderdale — 12:00 Noon —	Paul May 524-6800
9/14/83	BCBA	General Meeting \$10.00	Gibby's Restaurant 2900 N.E. 12th Terrace Oakland Park — 12:00 Noon —	BCBA 764-8040
9/22/83	YLS	Monthly Meeting \$7.00	Patricia Murphy's Bahia Mar 801 SeaBreeze Boulevard Fort Lauderdale, Florida	Helen 771-1850
9/24/83	BCBA-YLS	Flag Football	Holiday Park Fort Lauderdale, Florida Morning	John F. Wilkes 563-4803
9/27/83	Legal Aid Service Board of Directors Meeting		609 S.W. First Avenue Fort Lauderdale, Florida 5:00 P.M.	
10/14, 15, 1984	U of M Law Center	The Eighth Institute on Condominium and Cluster Development	Sheraton Bal Harbour Hotel Miami Beach	Univ. Of Miami Law Center P.O. Box 248087 Coral Gables, FL 33124
2/(24-25), 1984	U of M Law Center	Conference on Mental Health Law: Developments In The 1980's	Eden Roc Hotel, Miami Beach	Univ. of Miami Law Center P.O. Box 248087 Coral Gables, FL 33124

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