



the BROWARD BARRISTER

General Meeting

Thursday, September 25, 1986

Marriott's Harbor Beach Resort

3030 Holiday Drive / Fort Lauderdale, Florida

Cocktails 6:30 P.M. (cash bar)

Dinner 7:15 P.M.

\$25.00 per person

Program: Roast of Ray Ferrero, Jr.

Reservations are necessary. Please use the enclosed card to make reservations. Reservations must be made by September 22, 1986. Reservations made and not cancelled by September 22 must be paid if guarantee is not met and the Bar is charged.

President's Message

View from the Top

At the most recent meeting of the Board of Governors of The Florida Bar, the following action was taken:

1. Approved the appointment of a special committee to study the issues and impact raised by the Florida Patient's Compensation Fund vs. Rowe case. The essence of part of the holding of the case was that, except for contingency fees, the "lodestar" in determining attorney fees would be essentially the number of hours involved \times the attorney's hourly rate. Board member Buck Bryant of Fort Pierce pointed out that this was a far greater problem than the contingency fee issue since it affected probably 95% of the lawyers in Florida—a much larger number than would be affected by a contingency fee cap.

2. Approved the Program Evaluation Committee's recommendation to recede from the Bar's previous position of *not* publishing individual client security fund claim payments. Ed White of Jacksonville (Chairman of the Client Security Fund Committee) felt the Bar could and should let the public know that we do *some* good things as lawyers. He felt we

could accomplish this in part by publicizing the distribution of client security fund payments to aggrieved members of the public.

3. Appointed a three man committee to study the Ellis Rubin contempt order to determine if the Bar should intervene on his behalf. (I think the public's perception that the court's order encourages perjury is deadly. It certainly doesn't enhance our image as officers of the court.)

4. Renewed the contract of Jack Harkness as Executive Director of The Florida Bar for another year.

Orchids and Dandelions

Orchids to Norma Howard who began her 23rd year as our Executive Director on August 20. She has done an outstanding job and is a real asset to the legal community in Broward County.

Dandelions to Senator Ted Kennedy for taking Justice Rehnquist to task for having purchased property subject to racial deed restrictions. It's unlikely that Rehnquist was even remotely aware of such restrictions—and the property lawyers know that such restrictions were declared unenforceable by the Fair Housing portion of the Civil Rights Act of 1968.

Orchids to all of you who participated in the recent Bar judicial poll. The Bar received 1,040 ballots of over 3,346 mailed—or over a 30% return. While this is not outstanding, it is a far better percentage than the citizens that usually vote in general elections.

Dandelions to the lawyers who have not supported Leonard Robbins and Arch Thomas in their efforts for United Way. Len is chairman of the professional section and Arch heads the lawyer division. Len pointed out that the average contribution last year from attorneys was only \$12.81. Let's get behind Len and Arch and show our appreciation for their good work by making our pledges now.

Orchids to Joann Burrell, administrative aide to Bob Lockwood, who is heading up a campaign to assist one of the clerk's employees who recently lost her husband to cancer and now faces the same problem with an eleven year old son. Anyone wishing to help can send contributions payable to Jason Sarno Trust Fund Account No. 3501596812 and mailed to NCNB, P.O. Box 7501, Fort Lauderdale, FL 33338-9981, Attention: Mail Tellers.

(Continued on Page 4)

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County Bar Association

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Executive Director

Judicial Poll

The results of the Broward County
Judicial Poll for 1986 are published for
your information in an insert in this issue
of the *Barrister*.

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**Designation of Judicial
Officers For Weekend First
Appearance Proceedings**

<i>Date</i>	<i>Judge</i>
September 6, 7	Louis Weissing
September 13, 14	Zebedee Wright
September 20, 21	Robert C. Abel, Jr.
September 27, 28	Robert L. Andrews
October 4, 5	Irwin Berkowitz

**Bruce M. Lyons Installed
as President of NACDL**



Bruce M. Lyons of Fort Lauderdale, Florida, was installed as the twenty-eighth President of the National Association of Criminal Defense Lawyers at the Association's annual meeting in Monterey, California. A member of NACDL since 1972, Lyons was elected to the Board in 1976 and has served as Chairperson of the Membership and Long Range Planning Committees.

Lyons' career encompasses all aspects of criminal law. His prior experience includes both service in the Broward County (Florida) prosecutor's office as well as four years as a municipal judge. He is also on the faculty of the National Criminal Defense College.

Lyons graduated from the University of Miami School of Law in 1967. Today he practices criminal defense law with the Fort Lauderdale firm of Lyons and Sanders.

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**Schedule of Circuit Court
Civil Division and Criminal
Division Duty Judges**

The following assignments are for Circuit Court Civil Division Duty Judge:

<i>Week Commencing</i>	<i>Judge</i>
September 5	Gene Fischer
September 12	Frank A. Orlando
September 19	W. Herbert Moriarty
September 26	Paul M. Marko, III
October 3	Patricia W. Cocalis

The following assignments are for Circuit Court Criminal Division Duty Judge:

<i>Week Commencing</i>	<i>Judge</i>
September 5	Patti Englander Henning
September 12	Harry G. Hinckley, Jr.
September 19	Arthur J. Franza
September 26	Mark A. Speiser
October 3	Robert W. Tyson, Jr.

New Phone Number

The new telephone number for Broward County Law Library is 357-6226.

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BROWARD COUNTY BAR ASSOCIATION
JUDICIAL POLL - 1986

JUDICIAL ABILITY

JUDICIAL TEMPERAMENT

17th Judicial Circuit Judges	Total Ballots	Insufficient Informatn		Not Qualified		Qualified		Extremely Qualified		Insufficnt Informatn		Not Qualified		Qualified		Extremely Qualified	
		Total	%	Total	%	Total	%	Total	%	Total	%	Total	%	Total	%	Total	%
* Robert C. Abel, Jr.	1040	235	22.6	72	6.9	544	52.3	189	18.1	279	26.8	62	5.9	472	45.3	227	21.8
Robert L. Andrews	1040	203	19.5	98	9.4	514	49.4	225	21.6	240	23.0	107	10.2	480	46.1	213	20.4
Stephen R. Booher	1040	167	16.0	85	8.1	478	45.9	310	29.8	210	20.1	139	13.3	443	42.6	248	23.8
Barbara Bridge	1040	216	20.7	138	13.2	552	53.0	134	12.8	260	25.0	99	9.5	500	48.0	181	17.4
Miette K. Burnstein	1040	168	16.1	60	5.7	501	48.1	311	29.9	215	20.6	69	6.6	411	39.5	345	33.1
* Robert B. Carney, III	1040	760	73.0	27	2.6	174	16.7	79	7.6	769	73.9	32	3.0	166	15.9	73	7.0
Patricia W. Coccalis	1040	284	27.3	73	7.0	517	49.7	166	15.9	317	30.4	55	5.2	477	45.8	191	18.3
Thomas M. Coker, Jr.	1040	575	55.2	29	2.7	318	30.5	118	11.3	600	57.6	36	3.4	293	28.1	111	10.6
John G. Ferris	1040	251	24.1	42	4.0	374	35.9	373	35.8	291	27.9	41	3.9	347	33.3	361	34.7
Gene Fischer	1040	273	26.2	122	11.7	480	46.1	165	15.8	313	30.1	250	24.0	366	35.1	111	10.6
J. Leonard Fleet	1040	536	51.5	36	3.4	284	27.3	184	17.6	564	54.2	49	4.7	258	24.8	169	16.2
Arthur J. Franza	1040	364	35.0	187	17.9	396	38.0	93	8.9	386	37.1	335	32.2	263	25.2	56	5.3
- M. Daniel Futch, Jr.	1040	168	16.1	176	16.9	561	53.9	135	12.9	208	20.0	298	28.6	420	40.3	114	10.9
Eugene S. Garrett	1040	314	30.1	69	6.6	517	49.7	140	13.4	338	32.5	86	8.2	469	45.1	147	14.1
Melvin B. Grossman	1040	212	20.3	154	14.8	501	48.1	173	16.6	241	23.1	197	18.9	441	42.4	161	15.4
Raymond J. Hare	1040	344	33.0	40	3.8	498	47.8	158	15.1	375	36.0	39	3.7	436	41.9	190	18.2
* Harry G. Hinckley, Jr.	1040	518	49.8	71	6.8	342	32.8	109	10.4	542	52.1	83	7.9	312	30.0	103	9.9
Patti L. Henning	1040	586	56.3	183	17.6	223	21.4	48	4.6	601	57.7	158	15.1	223	21.4	58	5.5
William Clayton Johnson	1040	381	36.6	36	3.4	467	44.9	156	15.0	409	39.3	33	3.1	433	41.6	165	15.8
Stanton S. Kaplan	1040	520	50.0	17	1.6	334	32.1	169	16.2	552	53.0	60	5.7	300	28.8	128	12.3
Lawrence L. Korda	1040	313	30.1	135	12.9	495	47.6	97	9.3	335	32.2	108	10.3	463	44.5	134	12.8
J. Carl Lee	1040	186	17.8	19	1.8	390	37.5	445	42.7	228	21.9	45	4.3	331	31.8	436	41.9
* John T. Luzzo	1040	331	31.8	47	4.5	517	49.7	145	13.9	354	34.0	26	2.5	467	44.9	193	18.5
Paul M. Marko, III	1040	222	21.3	184	17.6	512	49.2	122	11.7	258	24.8	203	19.5	457	43.9	122	11.7
John A. Miller	1040	454	43.6	26	2.5	391	37.6	169	16.2	485	46.6	15	1.4	340	32.6	200	19.2
Leroy H. Moe	1040	452	43.4	44	4.2	438	42.1	106	10.1	483	46.4	73	7.0	387	37.2	97	9.3
* Estella M. Moriarty	1040	200	19.2	79	7.6	527	50.6	234	22.5	228	21.9	106	10.1	492	47.3	214	20.5
W. Herbert Moriarty	1040	207	19.9	31	2.9	496	47.6	306	29.4	247	23.7	29	2.7	446	42.8	318	30.5
+ A. J. Musselman, Jr.	1040	779	74.9	18	1.7	143	13.7	100	9.6	799	76.8	13	1.2	123	11.8	105	10.1
* Constance Nutaro	1040	409	39.3	133	12.7	404	38.8	94	9.0	441	42.4	175	16.8	322	30.9	102	9.8
Frank A. Orlando	1040	323	31.0	56	5.3	487	46.8	174	16.7	358	34.4	37	3.5	425	40.8	220	21.1
* Mark E. Polen	1040	211	20.2	24	2.3	411	39.5	394	37.8	253	24.3	21	2.0	374	35.9	392	37.6
Joseph E. Price, Jr.	1040	229	22.0	94	9.0	509	48.9	208	20.0	268	25.7	109	10.4	440	42.3	223	21.4
James M. Reasbeck	1040	257	24.7	251	24.1	470	45.1	62	5.9	300	28.8	186	17.8	480	46.1	74	7.1
Robert C. Scott	1040	308	29.6	85	8.1	470	45.1	177	17.0	351	33.7	101	9.7	417	40.1	171	16.4
Russell E. Seay, Jr.	1040	449	43.1	38	3.6	394	37.8	159	15.2	480	46.1	33	3.1	342	32.8	185	17.7
George A. Shahood	1040	358	34.4	29	2.7	477	45.8	176	16.9	388	37.3	19	1.8	394	37.8	239	22.9
Mark A. Speiser	1040	604	58.0	52	5.0	323	31.0	61	5.8	627	60.2	68	6.5	287	27.6	58	5.5
George W. Tedder, Jr.	1040	224	21.5	54	5.1	505	48.5	257	24.7	265	25.4	42	4.0	423	40.6	310	29.8
Robert W. Tyson, Jr.	1040	481	46.2	153	14.7	356	34.2	50	4.8	510	49.0	185	17.7	301	28.9	44	4.2
* Linda L. Vitale	1040	209	20.1	291	27.9	460	44.2	80	7.6	259	24.9	239	22.9	452	43.4	90	8.6
Louis Weissing	1040	233	22.4	84	8.0	538	51.7	185	17.7	274	26.3	87	8.3	469	45.1	210	20.1

JUDICIAL ABILITY

JUDICIAL TEMPERAMENT

Circuit Court Judicial Candidate	Total Ballots	Insufficient Informatin		Not Qualified		Qualified		Extremely Qualified		Insufficient Informatin		Not Qualified		Qualified		Extremely Qualified	
		Total	%	Total	%	Total	%	Total	%	Total	%	Total	%	Total	%	Total	%
Group 1 Judge Irwin A. Berkowitz	1040	398	38.2	214	20.5	333	32.0	95	9.1	426	40.9	190	18.2	316	30.3	108	10.3

County Court Judges

Paul L. Backman	1040	646	62.1	50	4.8	268	25.7	76	7.3	666	64.0	35	3.3	250	24.0	89	8.5
*Arthur M. Birken	1040	424	40.7	50	4.8	403	38.7	163	15.6	445	42.7	50	4.8	383	36.8	162	15.5
*George A. Brescher	1040	492	47.3	54	5.1	385	37.0	109	10.4	521	50.1	41	3.9	354	34.0	124	11.9
J. Bart Budetti	1040	419	40.2	49	4.7	454	43.6	118	11.3	455	43.7	44	4.2	423	40.6	118	11.3
Geoffrey D. Cohen	1040	614	59.0	141	13.5	251	24.1	34	3.2	639	61.4	158	15.1	209	20.1	34	3.2
*Harvey S. Ford	1040	372	35.7	94	9.0	458	44.0	116	11.1	407	39.1	77	7.4	427	41.0	129	12.4
*William Herring	1040	432	41.5	42	4.0	391	37.6	175	16.8	454	43.6	57	5.4	373	35.8	156	15.0
*June Lakan Johnson	1040	468	45.0	194	18.6	298	28.6	80	7.6	495	47.6	156	15.0	285	27.4	104	10.0
+ Brian P. Kay	1040	417	40.1	141	13.5	357	34.3	125	12.0	443	42.6	180	17.3	295	28.3	122	11.7
Susan Lebow	1040	582	55.9	84	8.0	305	29.3	69	6.6	613	58.9	58	5.5	278	26.7	91	8.7
Thomas M. Lynch, IV	1040	581	55.8	15	1.4	274	26.3	170	16.3	600	57.6	13	1.2	248	23.8	179	17.2
Rose E. Mowry	1040	367	35.2	82	7.8	438	42.1	153	14.7	399	38.3	107	10.2	372	35.7	162	15.5
*Dale Ross	1040	422	40.5	77	7.4	407	39.1	134	12.8	451	43.3	86	8.2	375	36.0	128	12.3
*Larry Seidl	1040	376	36.1	127	12.2	414	39.8	123	11.8	409	39.3	82	7.8	403	38.7	146	14.0
*Steven G. Shutter	1040	285	27.4	37	3.5	407	39.1	311	29.9	326	31.3	51	4.9	345	33.1	318	30.5
Alfred J. Skaf	1040	399	38.3	65	6.2	433	41.6	143	13.7	423	40.6	66	6.3	411	39.5	140	13.4
*Leonard L. Stafford	1040	652	62.6	53	5.1	260	25.0	75	7.2	680	65.3	46	4.4	232	22.3	82	7.8
Zebedee W. Wright	1040	479	46.0	192	18.4	317	30.4	52	5.0	513	49.3	144	13.8	309	29.7	74	7.1

County Court
Judicial Candidates

Group 4 John P. Gaudiosi	1040	760	73.0	158	15.1	92	8.8	30	2.8	792	76.1	123	11.8	90	8.6	35	3.3
Group 10 Linda Raspolich Pratt Phillip G. Schlisserl	1040 1040	757 809	72.7 77.7	70 70	6.7 6.7	144 116	13.8 11.1	69 45	6.6 4.3	784 832	75.3 80.0	64 54	6.1 5.1	127 105	12.2 10.1	65 49	6.2 4.7

* Unopposed
 + Has Opposition

Young Lawyers Section Golf Tournament

Neither PGA champ Bob Tway nor runner-up Greg Norman will be participating in this year's Young Lawyers Golf Tournament, to be held at 8:00 A.M. on Saturday, September 27, 1986, at the Jacaranda Country Club. The reason for their absence? Quite simply, they're not permitted to play. The tournament is open to attorneys, judges and their spouses.

The tournament is a "scramble" event, which is an enjoyable format for the scratch golfer as well as the duffer. The cost for this year's tournament will be \$35.00 per person, which includes greens fees, tax, electric cart, beverages, food and prizes.

Make your reservations by sending in the enclosed card, complete with the players' names and scores, along with a check for \$35.00 per player. Deadline for registration is September 23, 1986. Those individuals who wish to play but are not part of a particular foursome should submit their names and they will be matched with other individuals.

Terrence P. O'Connor

Circuit Civil Caseload Report As of August 18, 1986

Submitted by the Court Administrator's Office

DIVISION	SETTING TIME		MOTIONS (30 minutes or less) excluding motion calendar
	JURY TRIALS (5 days or less)	NON-JURY TRIALS (2 days or less)	
	months	months	weeks
Circuit Court Judges			
James M. Reasbeck	7	4	8
Paul M. Marko III	5	3	4
J. Cail Lee	8	6	6
Gene Fischer	6	3	14
Barbara Bridge	5-6	2	14
George Shahood	5	2	4
Eugene S. Garrett	2	3	3
Robert C. Abel, Jr.	4	4	6
Linda Vitale	2-3	1	1
John T. Luzzo	4	3	5
Robert L. Andrews	2	2	8
Robert C. Scott	3	3	3-4

SUPPORT OUR ADVERTISERS

Young Lawyers Section Miami Dolphins vs. L.A. Raiders Charter Bus Trip

The Young Lawyers Section is sponsoring its fourth annual trip to see the Dolphins. The Miami Dolphins will be taking on the L.A. Raiders on Sunday, October 19, 1986, at 1:00 P.M. Seventy block tickets on the sidelines have been reserved.

Two charter buses (with facilities) will pick up game goers at 10:30 A.M. at the west side of the City Parking Garage in downtown Fort Lauderdale (at S.E. 1st Avenue and S.E. 2nd Street) and deliver them to the stadium. During the trip down, fried chicken, beer and cold drinks will be served. The \$36.00 cost per person includes the trip, a game ticket, fried chicken, beer and cold drinks.

This was a very popular event last year and due to the limited seating, those interested are urged to reserve their tickets early. This event is open to everyone, so feel free to bring a friend, spouse, etc.

Check should be made payable to "Young Lawyers Section" and checks or inquiries should be sent to:

Lynn Futch Cooney, Esquire
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Catri, Holton & Doublerley, P.A.
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CALENDAR OF EVENTS

Date	Group & Event	Time & Place	Reservations
9/12/86	Christian Lawyers Assn. Monthly Meeting	Holiday Inn, State Road 84 (just west of I-95) Ft. Lauderdale, 12:00 Noon	Alice Allen 475-1139
9/18/86	Young Lawyers Section Monthly Meeting	Cafe de Paris, 715 E. Las Olas Blvd. Ft. Lauderdale, 12:00 Noon, \$9.00	Melanie G. May 761-8600
9/18/86	South Broward Bar Assn. Installation Dinner	Hemmingway Restaurant, 219 N. 21st Ave. Hollywood, 6:30 P.M.	Marcie 920-7014
9/23/86	Legal Aid Service of Broward County, Inc. Board of Directors Meeting	609 S.W. 1st Ave., Ft. Lauderdale 5:30 P.M.	
9/25/86	Broward County Bar Assn. General Meeting, "Roast of Ray Ferrero, Jr."	Marriott's Harbor Beach Resort 3030 Holiday Dr., Ft. Lauderdale Cocktails 6:30 P.M., Dinner 7:15 P.M.	BCBA 764-8040
9/26/86	North Broward Bar Assn. Installation Banquet	Harris Imperial House Restaurant 50 N. Ocean Blvd., 7:00 P.M.	Leona 941-4920
9/27/86	Young Lawyers Section Golf Tournament	Jacaranda Country Club 9200 W. Broward Blvd. Plantation, 8:00 A.M., \$35.00	Terrence P. O'Connor 565-0501
10/19/86	Young Lawyers Section Charter Bus Trip Miami Dolphins vs. L.A. Raiders	Departure at 10:30 A.M. at west side of City Parking Garage, S.E. 1st Ave. & S.E. 2nd St. \$36.00	Lynn Futch Cooney 707 S.E. 3rd Ave. Suite 100, Ft. Lauderdale, FL 33316 463-8593

President's Message

(Continued from Page 1)

Note of Note

August 21 was the birthday of the American Bar Association. It was founded on August 21, 1878, by a group of lawyers, judges and law professors at Saratoga, New York.

Gee—I Wish I'd Said That!

In discussing the growth of law firms around the state, I recently asked John Arthur Jones, a senior partner in the ever growing law firm of Holland & Knight, how many lawyers he now had working for him. John Arthur thought for a minute and then replied, "About half!"

Till next time . . .

Roger Staley

Public Notice

The Fourth District Court of Appeal Judicial Nominating Commission is accepting applications to fill a newly created post for a new Deputy Commissioner of the Department of Labor and Employment Security (Worker's Compensation), Division "N," which will be located in Jupiter, Florida. It will cover Glades, Indian River, Martin, Okeechobee and St. Lucie Counties.

All applications must be received by 5:00 P.M., Monday, September 15, 1986, at the office of the Chairman, David H. Krathen, Suite 203 North, 524 South Andrews Avenue, Fort Lauderdale, Florida 33301. Application forms are available at the above address or by calling Karen Pittman at (305) 467-6400.

Bench Bar Conference

Plans are being formulated for the Bench Bar Conference. Any resemblance between the conference and a roast of the judges is purely intentional.

Robert M. Curtis
Chairman

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."

Broward County Bar Association
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