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Braulio N. Rosa braulio@browardbar.org

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## **MANAGING EDITOR**

Bonnie H. Ross bonnie@browardbar.org 954.832.3621

# **CONTRIBUTING WRITERS**

Juan Carlos Arias Victor P. DeBianchi Jared Guberman Assad S. Mirza Nancy Little Hoffman Jonathan Pollard

## **BILLING INQUIRIES**

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### ON THE COVER:

The BCBA Family Law Section will host its annual Raising the Bar seminar on Friday, April 17, 2015 at the Renaissance Hotel in Fort Lauderdale. Section Co-chairs, Stacy Weissman (pictured left) and Lauren Alperstein (pictured right) have organized a comprehensive day of legal seminars followed by a networking reception. For more information see page 20.

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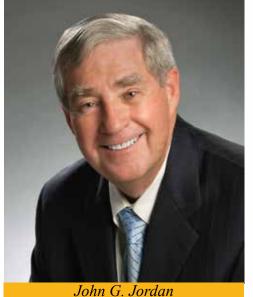
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# letter from the president



# MAGNA CARTA - RUNNYMEDE, ENGLAND - 1215

KING JOHN of England was a reluctant participant to the assemblage of English Barons and their armies in the meadow of Runnymede in June, 1215. Feudal landowners asked their monarch to agree to major changes to the absolute power of the Crown.

Among the new and advanced ideas demanded was the notion that "no free man shall be seized or imprisoned, or stripped of his rights or possessions... except by the lawful judgment of his equals or by the law of the land."

King John never signed the Magna Carta, but he did affix his seal on the document.

Years later, in 1535, Saint Thomas More, a

lawyer, author, statesman and lord chancellor of England, and Saint John Fisher, a Catholic bishop, were put to death by King Henry VIII because they refused to acknowledge this king's absolute authority.

Over the centuries, the Magna Carta has become the embodiment of the principle that no person, no matter how powerful, is above the law. Colonists brought to America the idea that the sovereign must recognize and respect the rights of the individual. During the American Revolution, the Magna Carta was cited for its symbolic significance by Thomas Paine, Benjamin Franklin and Thomas Jefferson, among many others. Since then, the United States Supreme Court has referenced the Magna Carta 170 times in its opinions.

"We must never cease to proclaim in fearless tones the great principles of freedom and the rights of man which are the joint inheritance of the English-speaking world and which through the Magna Carta, the Bill of Rights, the Habeas Corpus, trial by jury and the English common law find their most famous expression in the American Declaration of Independence"

(Winston Churchill, "Sinews of Peace", March 5, 1946). Winston Churchill was the Prime Minister of the United Kingdom during WWII (1940-1945).

"The Magna Carta, Petition of Rights and the Bill of Rights are documents which are held in veneration by democrats throughout the world." "Nelson Rolihlahla Mandela, Opening Defense Statement from the Dock in the Rivonia Trial, 20 April 1964, Pretoria Supreme Court." Attorney, Nobel Peace Prize Winner (1993) and State President of South Africa (May, 1994 to June, 1999).

Now, 800 years after Runnymede, the BCBA and American Bar Association honor the Magna Carta as an enduring worldwide symbol of liberty and the rule of law. Join us at our Law Day Lunch on May 1, 2015, at the Renaissance Hotel on 17th Street Causeway, Fort Lauderdale, Florida.

On the home front, the BCBA is organized and is running well. Braulio Rosa, our executive director, has assembled a staff who works as a team toward the association's goals. Bonnie Ross, our assistant executive director, manages the office and the Barrister magazine. Lauren Riegler coordinates our seminars and events. Patricia Hernandez coordinates our membership. Kysha Rodriguez-Chomat is our new bookkeeper. Our Lawyers Referral Section is coordinated by Lyssette Bedon and staffed by Malaine Moran and Ana Balcazar.

It is important that the BCBA operates in a business-like manner and that the staff is helpful to the members. I have received many compliments about our most excellent staff both at our events and at the office. The staff is happy to assist our members.

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Wendy J. Stein Former Clerk to the Honorable Nikki Ann Clark Appellate practice in multiple District Courts of Appeal in Florida and the Eleventh Circuit Top Lawyer of South Florida 2012-2014 AV rated -Martindale-Hubbell in Commercial Law, Litigation, and Professional Liability Admitted to Eleventh Circuit Court of Appeals



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# letter from the young lawyers' president



Liza Smoker Faw

Whether it is the Young Lawyers' Boot Camp CLE Series, a committee, an event, or even a position on the Board of Directors, the Young Lawyers Section of the Broward County Bar Association ("YLS") wants you to get involved!

On Thursday, April 9, the section kicks off the month with a social co-hosted with the Broward County Women Lawyers Association to benefit the YMCA Youth in Government Program. This free event will take place at American Social on Las Olas Boulevard at 6 p.m. and includes a free drink and appetizers. Voluntary donations of any amount will be accepted at the door to benefit the students at Boyd H. Anderson High School who participate in this program. For more information about this program or volunteer opportunities, please

contact Todd Baker at baker@ellsleysobol.com.

Our April Luncheon, presented by CopyScan, is titled "Legal Technology Made Easy - New, Cost Effective and Simple Ways to be More Effective." This luncheon will take place at the Tower Club in downtown Ft. Lauderdale on Thursday, April 16 at noon. CLE approval is pending.

Our section's annual elections will also be held at the April luncheon. Section members in good standing who will be younger than 36 years old on July 1 or have been admitted to practice in any state less than six years are eligible to run for the section's board of directors. All section members in good standing are eligible to vote in this election. Members interested in running for a position on the board are also encouraged to attend our board meeting on Wednesday, April 15 at 5:30 p.m. at the BCBA Center to introduce yourself the night before the election.

The third Young Lawyers' Boot Camp of the series will take place at the BCBA Center on the topic "Game Over: Dispositive Motions" with our distinguished panel of speakers, Circuit Court Judge William Haury, Robert Vaughan, and Alison Smith. This one-hour CLE seminar takes place on Tuesday, April 28 at 6 p.m. and includes a networking cocktail reception.

Next, our Annual Judicial Reception will take place on Thursday, May 14, at the New River Center Rotunda. The reception is a signature event that is free for the Broward County judiciary. Complimentary hors d'oeuvres, cocktails, and desserts will be served. For information regarding tickets or sponsorship opportunities, please contact Eric S. Rosen at judicialreception@kulaw.com or 954-522-6601.

Lastly, YLS is looking for nominees for our annual Paul May Professionalism in Practice award. A nomination application is posted on our website which provides all the qualifications and details for the award.

If you are interested in running for the YLS Board of Directors, joining a committee, or partnering with YLS on an event, please feel free to contact me at Rogers, Morris & Ziegler LLP at 954-462-1431 or via email at LFaw@rmzlaw.com.

# Defending Florida Non-Compete Claims: Tough but not Impossible

by Jonathan Pollard

Florida is the most aggressively pro non-compete state in the entire country. Consider all of the states along a spectrum as it pertains to employee non-compete agreements: In California and North Dakota, employee non-compete agreements are entirely unenforceable. In Oklahoma, such agreements are generally unenforceable. In some states, non-compete agreements are enforceable but subject to significant limitations and a litany of defenses. Some states – such as North Carolina - refuse to engage in blue penciling. In other words, unreasonable temporal or geographic terms are struck from the contract. This leaves a restraint of trade that lasts forever or has no geographic limitation. As a result, the restraint is unenforceable.

And then, there is Florida. In Florida, courts routinely enforce non-compete agreements through issuing preliminary injunctions. The general landscape of non-compete law is overwhelmingly in favor of enforcement. For example, by statute, courts may not construe restrictive covenants against the drafter, as required by traditional contract law principles. Instead, courts must construe a restrictive covenant in favor of providing reasonable protection to a legitimate business interest. In addition, rather than refuse enforcement of a

non-compete agreement with unreasonable temporal or geographic restrictions, courts must reform those terms to make them reasonable. Also, Florida does not require additional consideration. In certain other states, continued employment is not enough when an existing employee signs a non-compete agreement in the middle of his employment. But in Florida, continued employment alone is sufficient. A prior breach of an employment contract by the employer – such as failure to pay bonus compensation - may not discharge non-compete obligations. Next, courts are required to presume irreparable harm in the face of a valid and enforceable noncompete agreement. Finally, courts routinely reject any sort of appeal to the public welfare. In short, Florida is aggressively pro-non-compete and defending non-compete cases in Florida is more difficult than in any other state.

Despite the generally unfavorable cli mate described above, it is possible to successfully defend non-compete cases in Florida and under Florida law. Although not always applicable, there are two Florida cases that often serve as the bedrock of any noncompete defense. These cases are Anich and Shields. Collectively, these cases stand for the following propositions: A non-compete agreement is

only enforceable to the extent necessary to protect a legitimate business interest. Otherwise, an agreement not to compete is an unlawful restraint of trade and is unenforceable. Many non-compete cases ultimately are about customers. In markets where there is fierce competition, customers are publicly identifiable and customer relationships are not exclusive, there is a strong likelihood that non-compete and non-solicitation agreements are unenforceable.

Remember: There are two layers of non-compete analysis. The first involves establishing a legitimate business interest and the second involves a breach of contract. Without a legitimate business interest, the contract does not matter. **B** 



Jonathan Pollard is a trial lawyer and business litigation attorney based in Fort Lauderdale. He focuses his practice on non-compete and trade secret litigation and can be reached at 954-332-

# CLE and BOOK SIGNING RECEPTION

# What to do When the Feds Come Knocking?

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The Worker's Compensation Section of the Broward County Bar Association has created the Vance Moore Professionalism Award to recognize Vance Moore's dedication to the community and to carry on his memory through the actions of others. Dianna Castrillon (pictured right), Section Chair, awarded the Honorable Daniel A. Lewis (pictured left) as the first award recipient at the February 27 Annual Workers' Compensation Conference. The award reads, "In recognition of your dedication and commitment to Professionalism and for exemplifying and encouraging the highest level of competence, integrity and ethical conduct in the legal community."

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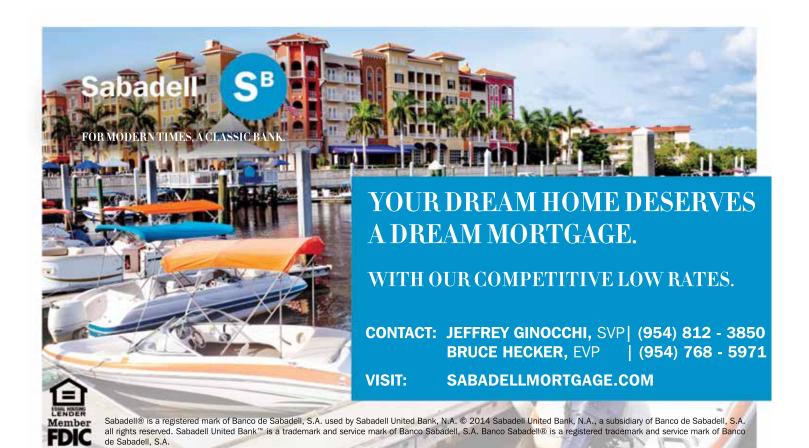
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# Do's and Don'ts When Dealing With Advance-Funding Companies

by Juan Carlos Arias

The relationship between attorneys and advance-funding companies remains an area of confusion in the practice of personal injury law. It is important for attorneys to understand that The Florida Bar discourages the use of loans from non-recourse advance funding companies because, in many instances, the terms of the funding agreements may not serve clients' best interest and may cause them to stop cooperating in the case. The bar's position is that an attorney may provide information about funding companies only when due to the unique circumstances of the client renders such loans beneficial to the client's best interest. In such limited cases, the attorney must walk a thin line to comply with ethical requirements.

The basic bar rule is that an attorney may not advance funds or assist others in doing so. This is why an attorney may not directly initiate contact with a funding company on behalf of a client. The attorney should only provide clients with the names of several funding companies and allow the clients to contact the funding companies and make a selection on their own. What follows is a summary of what attorneys can and cannot do when a personal injury client needs funding for personal expenses unrelated to the litigation:

# DO

•Advise a client that funding compa-

nies exist if the attorney also discusses whether the costs of the

loan transaction outweigh the benefits of taking the loan. Only after this discussion, may the attorney

provide the names of funding companies

- Upon the client's request, provide information about the case to a funding company.
- •Honor, at the client's request, a client's valid and written assignment of a portion of the recovery to the funding company.

# DON'T

- •Loan personal or business money to clients in connection with pending litigation.
- •Indirectly loan funds to client in connection with pending litigation through a business entity in which the attorney has a financial interest.
- •Recommend the client's matter to a funding company or initiate contact with the funding company on behalf of the client.
- •Provide the funding company with an opinion regarding the worth of the client's case or likelihood of success.
- •Co-sign or otherwise guarantee the financial transaction between the client and the funding company.
- •Become involved in a financing agreement that requires the attorney to become guarantor or trustee of settlement funds for the benefit of the advance

funding company.

•Provide a Letter of Protection to the funding company signed by the attorney.

One point of caution. In recent years, funding companies have become very sophisticated and instead of calling letters of protection by their name, they are using misleading titles such as "Acknowledgment." Read very carefully any documents provided by a funding company requiring your signature.

Juan Carlos Arias is a partner at Velasquez Dolan Arias, P.A., and is a former bar counsel of The Florida Bar. He practices in the areas of lawyer regulation defense, advertising, commercial litigation, and personal injury. Mr. Arias can be reached at jarias@VDAtriallawyers.com.



Juan Carlos Arias is a partner at Velasquez Dolan Arias, P.A., and is a former bar counsel of The Florida Bar. He practices in the areas of lawyer regulation defense, advertising, commercial litigation, and personal injury. Mr. Arias can be reached at jarias@ VDAtriallawyers.com.

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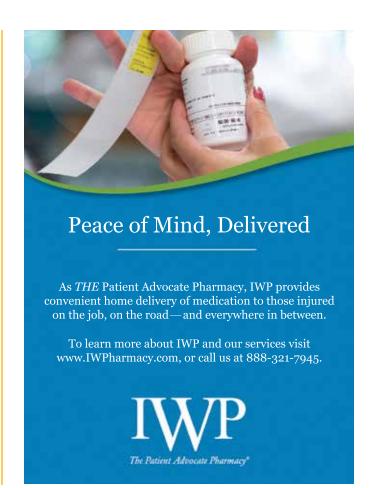


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Professionalism Seminar - Date to be announced.

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# Elder Law: Signals of Dementia and Caregiving Decisions

by Victor P. DeBianchi, Jr.

It is my honor to serve this year again as the cochair of the Elder Law Section with Arlene Lakin; my thanks and appreciation go to her and our section members. In describing my fellow section members, once again I quote a phrase by Sir Isaac Newton: "If I have seen a little further it is because I stand on

the shoulder of giants." Again this year I had the honor and pleasure of volunteering and participating with the Nova Southeastern University Shepard Broad Law Center Class of 2015 as mentor for their elder law and probate class assignment. I continue to serve them and other members of the Broward County Bar Association in that role, and now many times I become their mentee. There is always so much to learn.

The movie "Still Alice" stars Julianne Moore as a 50-year-old suffering from early onset Alzheimer's disease. We think of our clients, loved ones and even ourselves in her character. Often it is hard to distinguish typical memory loss or simple signs of dementia from the dreaded disease. Experts tell us that once



we reach middle age there are warning signals to give us clues. For example, when my middle aged neighbors (most in their 50s and 60s—I am happy to say I am still in my 50s), and I watch a football game together, we will talk about certain players and coaches from years ago and invariably forget their names. Eventually, usually within minutes, the four or five of us gathered together put it all together and then are so proud we collectively remembered. This seems to be normal. However if one of us blanked out altogether, actually forgetting what it was we were trying to remember, that would constitute a warning signal.

Experts tell us that it is not an issue if we forget someone's name after being introduced; however, a real trouble would be not remembering being introduced

at all. Misplacing items, no matter if as many as a few times in a day, is not concerning. However, inability to retrace one's steps to find these items, or worse yet not remembering they are missing, are warning signals. The same would go for entering a room and wondering why it is we went in there to begin with.

Driving is a particularly sensitive issue with individuals blessed to live long enough to reach advanced years, even if dementia is not involved. Getting lost is common, but not even remembering why we began driving may be a warning sign. It is difficult to give up something as much a part of us as anything in life, but sometimes it comes down to what is best for the individual and other drivers. My 94-year-old father (Victor, Sr.) volunteered to stop driving this past summer. Our family told him there was no reason to stop, as he was driving fine, and he responded, "I'm going out on top. I never had an accident nor a ticket and I want to end it that way." After he and my mother announced I would receive their car, I was all for it because

I have four teenage children who are driving and we could use an extra car. So now I officially have my place as a middle aged man of Italian descent driving a 2007 Cadillac!!

The choice between home health care and nursing home care can be the toughest decision a family has to make, especially if there is no long-term-care insurance in place. This decision is even more problematical if both parents are alive and have to be separated. It is equally as hard with second or third marriage, and the spouse, even if married for many years, is of a different opinion than other family members as to the course of action.

If home health care is the answer, be certain the agency is licensed and insured. Usually, the company provides for the employee's taxes, social security and in-

surance. If family member or friend is designated to be caregiver, take out the proper social security and taxes from their paycheck and verify with your insurance carrier if a special endorsement is needed to your homeowner's policy. When living outside the home is the only option, consider independent living or assisted living before a full scale nursing facility. Consider the option of a large facility with many amenities but perhaps less personal care against a smaller facility, typically referred to as an Adult Living Facility, with fewer residents and perhaps more personal attention. These major life decisions should be made as a group with the individual, family members, close personal friends, the attorney, doctor and religious leader so as to personalize the best course of action.

Dorothy Kearns Goodwin, narrator in

the recent television special, "The Roosevelts", quoted Ernest Hemingway in describing how Theodore, Franklin and Eleanor Roosevelt overcame their disabilities: "The world breaks everyone, and afterward some become strong in the broken places." Although we may have clients, friends, and loved ones suffering from Alzheimer's disease, dementia or physical ailments due to advanced years, there is hope that with each closing door another opens, and eventually we all become strong in our broken places.



Victor P. DeBianchi, Jr. Co-Chair Elder Law Section, 35 year member of the Florida Bar and BCBA. BCBA Past President and former Chair of Probate of the Broward County Bar Association. Mr. DeBianchi can be reached at his office Victor P.DeBianchi, Jr., P.A., vdebianchi@aol.com or 954-929-6666.

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# legal health corner

# **Quick Lower Back Stretches for the Office**

by Assad S. Mirza

Have you ever had back pain so bad that your law partner had to drive you to the courthouse so you could argue your motion? I have. Don't let your lower back slow you down. I have learned over the years certain stretches that help tremendously.

**Cost Benefit Analysis:** We are all too busy, but are you too busy to stretch? If your back goes out, there goes at least a few days of productivity. So think again... spend 20 minutes during the day. Otherwise, pay for it when your back goes out and you are out of commission for several days with pain meds and loss of business. The benefit is that you avoid downtime, avoid injury and feel great after your stretch.

**Best time to Stretch:** At night before bed; first thing in the morning; before lunch; and a couple of hours after lunch. I stretch even with my suit on.

**Best Muscles to Stretch:** Hamstrings, glutes, lower back discs, stomach, shoulders and your love handles. There are many types of stretches you can do, and the following are a few of my favorites:

**Cobra** – This is a targeted back stretch. Start by lying face down and then stretch your feet back, and then slowly change position to push your upper body up. Take 5 deep breaths.





**Child's Pose** – Sit back on your heels, and stretch forward as you stretch your lower back. Reach with your hands forward and elongate your upper back and lower back. Take 5 deep breaths.

**Pigeon Pose** – Stretch hip rotors and flexors. Stretch your one leg behind you and your other foot in front near your pelvic bone with toes pointed back. Take 5 deep breaths and repeat with the other side.



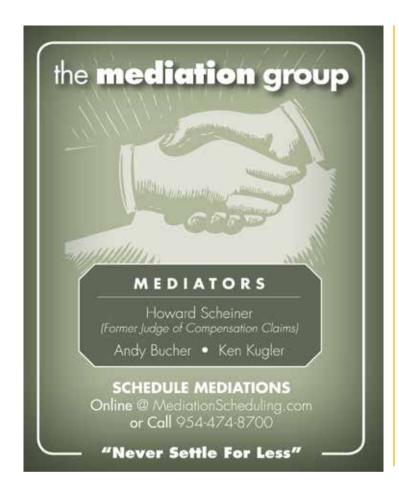
**Forward Bend** – Exhale and bend forward. Keep your legs straight and use a block or a low bench or chair for support. Don't strain your back, bend only as much as you can, and use support to provide balance. Take 5 deep breaths, coming up and then bending back down each time.



Try these out in your office, you will not regret it.



Assad S. Mirza, Esq., LLM, Member of AICPA, is a managing partner at Mirza Basulto & Robbins, LLP. The firm focuses its practice on Community Association Law. He may be reached at (954)641-9600 or via email at amirza@MBRlawyers. com



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# 2015 Pro Bono Service Award Recipient Russell E. Carlisle

Recognizing a lifetime of extraordinary commitment to equal justice, the Legal Services Corporation presented Russell E. Carlisle, Esq., with a Pro Bono Service Award on January 23, 2015, at a ceremony held at the University of Miami School of Law. Carlisle was nominated for the award by Coast to Coast Legal Aid of South Florida in recognition of his dedication to assisting their clients and the thousands of pro bono hours he has contributed to the agency over the years.



Thursday, May 14, 2015 5:30 p.m. – 7:30 p.m.

New River Center Rotunda 200 East Las Olas Boulevard • Fort Lauderdale

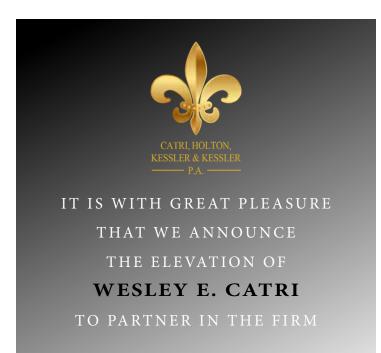
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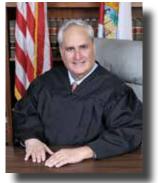
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# CHIEF JUDGE WEINSTEIN RE-ELECTED TO TWO YEAR TERM



Peter M. Weinstein was re-elected to lead the 17th Judicial Circuit for a third term as Chief Judge of the state's second-largest circuit. Voted in by a majority of the 88 active judges serving Broward County, Judge Weinstein officially begins his new term July 1, 2015.

First elected as Chief in February 2011, Judge Weinstein brings a wealth of experience and leadership to his role. "I know that it is imperative we take steps to move forward in a positive direction, and as Chief Judge, I pledge to work with all the Judges in the circuit to make that happen," he says. Chief Judge Weinstein says, "I am truly honored to once again lead the distinguished judges and magistrates of this circuit. The many accomplishments this court has seen is a clear reflection of their dedication to our justice system."

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# Broward Lawyers Care Congratulates Steven A. Mason as the January 2015 Attorney of the Month!



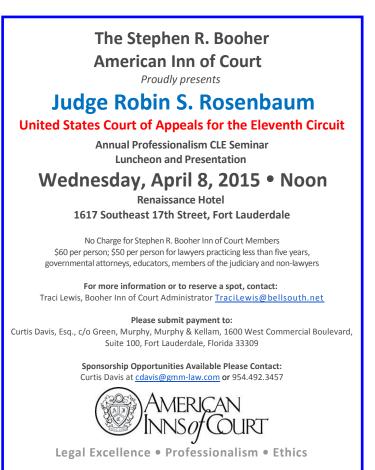
In 2014, Steven A. Mason took on two pro bono cases dealing with an obscure area of law and recreational leases. In the 1960s, some condominium associations charged residents monthly rent payments for use of the associations' recreational facilities through a "recreational lease," some of which had a lease term of 99 years. Florida outlawed this practice in the 1970s, but the legislature could not cancel the existing contracts.

The first client was a disabled senior who has resided in a paid-off condo since 1983. He was being foreclosed on for unpaid lease rent, plus the accelerated balance of all monthly payments that would be due on the 99-year lease through 2068. Mr. Mason located the title company and persuaded them to defend the case for his client.

The second client was a single father with two young daughters who has resided in a paid-off condo since 2011. The client had limited knowledge of English and absolutely no knowledge of the lease. He was being sued for foreclosure for unpaid rent plus accelerated rent through 2068. Mr. Mason sued the Association in federal court for violating the Fair Debt Collection Practices Act, and helped the client negotiate a settlement and recover damages.

Mr. Mason concentrates on family law and military divorces and has been taking pro bono cases from Legal Aid since 1999. He is with the Law Offices of Steven A. Mason in Hollywood.





# Raising the Bar Event by Jared Guberman

Raising the Bar is a must-attend event geared toward attorneys eager to learn about new and cutting trends in family law. Raising the Bar Seminar is the premier family law event in South Florida. Each year the event has the most current and trending topics in the field of family law coupled with renowned judges and attorneys as speakers. The event concludes with a networking reception. Get your tickets now - this event will sell out.

The event will be held Friday, April 17 at the Renaissance Hotel on 17th Street Causeway at 1617 SE 17th St., Fort Lauderdale, check-in begins at 8:30 a.m. Included in the price of admission, attendees will receive 7 CLE credits, will have the opportunity to network with fellow attorneys and judges, breakfast, lunch, snacks, and a reception.

Lauren Alperstein and Stacy Weissman are the masterminds behind this amazing event. They are in their third year co-chairing this event. Ms. Alperstein and Ms. Weissman are also on the board of directors of the Young Lawyers Section of Broward County and are the co-chairs of the section's 28th Annual Charity Golf Tournament.

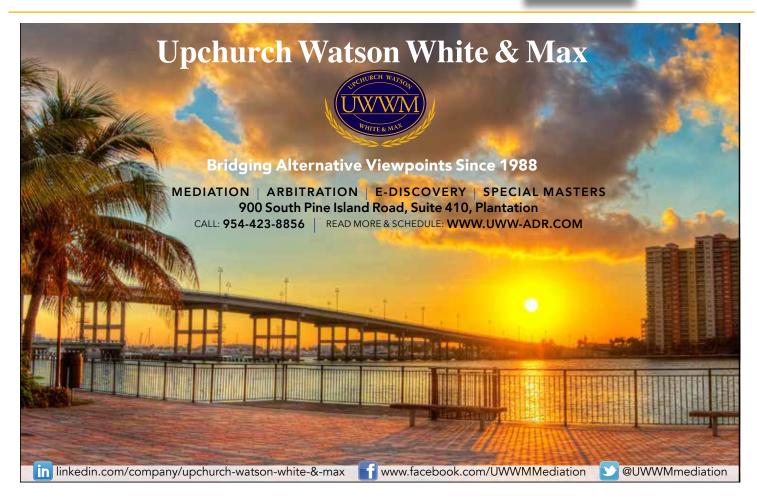
Ms. Alperstein is a senior associate with Boies, Schiller & Flexner, LLP, in Hollywood, Fla where she practices family law exclusively. Ms. Weissman is a senior associate with the Harold Weissman, PA, in Plantation, Fla where she practices family law and bankruptcy law. They are both graduates

of the University of Florida, Levin College of Law.

For more information or to register for this event, visit www.browardbar.org/calendar. Sponsorship opportunities are still available! For more information contact Lauren Riegler at 954.832.3618 or by email at lauren@browardbar.org.



Jared Guberman is a civil and commercial litigation attorney with GPG Law in Fort Lauderdale. He may be contacted at 954-533-5530 or by e-mail at jared@gpglawfirm.com.





by Nancy Little Hoffman

SUPREME COURT: ERRONEOUS JURY INSTRUCTION ON LESSER INCLUDED OFFENSE REQUIRED REVERSAL OF MURDER CONVICTION EVEN THOUGH DEFENDANT'S SOLE DEFENSE WAS MISIDENTIFICATION.

Charged with second-degree murder, the defendant alleged that another man was the one who shot the victim. The jury was correctly instructed that seconddegree murder did not require a finding that the defendant intended to cause death, only that his act was imminently dangerous to another and demonstrated a depraved mind. However, the instruction on the lesser included offense of manslaughter by act, given with no objection, stated that the State must prove that the defendant "intentionally caused the death" of the victim, even though the Supreme Court had previously held that intent was not an element of that offense. The defendant appealed his conviction of second-degree murder, arguing that the erroneous manslaughter instruction was fundamental error.

The Second District affirmed, concluding that by claiming misidentification, the defendant failed to place any of the other elements of the offense in dispute, including the element of intent. Quashing that decision, the Supreme Court held that the erroneous instruction was fundamental error because the defendant did not concede the intent by which the

homicide was committed, and that the jury was essentially foreclosed from finding him guilty of the lesser offense even though they found he had no intent to kill. Griffin v. State, 40 Fla. L. Weekly S135 (Fla. March 12, 2015).

BY PLACING PROCEEDS OF SALE OF HOMESTEAD IN SECURITIES ACCOUNT, DEBTOR DID NOT DESTROY THEIR PROTECTED STATUS.

Due to their recent divorce, a debtor and his wife sold their marital home and divided the proceeds. The debtor segregated his share of the proceeds in a brokerage account, investing in mutual funds and unit investment trusts. A creditor served garnishment writs on those accounts, claiming that the funds had lost their protected homestead status. On the debtor's motion, the trial court dissolved the writ, and the creditor appealed. After discussing the purpose of homestead protection, the Fourth District affirmed, finding that the investment in securities was "not so inconsistent with the purposes of homestead" that the funds lost their protected status as a temporary form of the homestead, to be converted back into real-property homestead within a reasonable time period. The DCA noted that if the proceeds had been used for speculative trading, it might have reached a different result. JBK Associates, Inc. v. Sill, 40 Fla. L. Weekly D616 (Fla. 4th DCA March 11, 2015).

FOURTH DISTRICT REVERSES SUMMARY JUDGMENT OF FORE-CLOSURE BECAUSE PLAINTIFF DID NOT FILE ORIGINAL NOTE UNTILAFTER SUIT COMMENCED.

A party seeking to foreclose must prove that it had standing to foreclose at the time the lawsuit was filed. It was thus error for the trial court to grant summary judgment in favor of the plaintiff, where it did not file the original note until after it filed suit, and the undated blank endorsement on the note was insufficient to prove standing at the time the suit was filed. Moreover, an assignment of the mortgage was insufficient to prove standing, since there was no proof as to when the plaintiff took possession of the note itself or that it was entitled to enforce the note when it filed the initial complaint. Tilus v. As Michai LLC, 40 Fla. L. Weekly D618 (Fla. 4h DCA March 11, 2015). **B** 



Nancy Little Hoffmann is a Board-Certified Appellate Lawyer practicing in the Fort Lauderdale area since 1974. She may be contacted at 954-771-0606 or by e-mail at NLHappeals@aol.com. For more information, see NancyLittleHoffmann.com.



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# **April**

## 9 West Broward Section Networking Event

**Time:** 5:30 – 7:30 p.m. **Venue:** The Whole Enchilada –

**Plantation** 

# 10 Masters of Trial Series: Session 1-Jury Selection

Time: 12:00 – 2:00 p.m.

Venue: BCBA Conference Center

Cost: \$90 BCBA Member Series (\$25
persession); \$145 Non-Member Series

(\$40 per Session)

# **14** North Broward Bar Luncheon

Time: 12:00 – 1:00 p.m.

**Venue:** Champps Americana, 6401 N. Andrews Avenue, Fort Lauderdale **Cost:** \$20 BCBA Member; \$25 Non-Member; No Charge for BCBA Judiciary

# 15 CLE: False Claims Act Nuts & Bolts

Time: 12:00 – 1:30 p.m. Venue: BCBA Conference Center Cost: No Charge for BCBA Members; \$25 Non-Member

# 16 YLS Luncheon and Election Meeting

Time: 12:00 – 1:00 p.m. Venue: Tower Club (28th Floor) Cost: \$25 General Admission

# 17 Raising the Bar (Family Law) & Reception

Time: 8:30 a.m. – 5:30 p.m. Venue: Renaissance Hotel (17th St.) Cost: \$125 BCBA Member; \$150 Non-Member

# 22 CLE: Data Protection and Cybersecurity

**Time:** 11:30 a.m. – 1:30 p.m. **Venue:** Fort Lauderdale Chamber of

Commerce

Cost: \$20 BCBA Member; \$30 Non-

Member

# 22 CLE: Bankruptcy Section

Time: 12:00 – 1:30 p.m. Venue: BCBA Conference Center Cost: \$15 BCBA Member; \$25 Non-Member

# 23 West Broward Section CLE Luncheon

**Time:** 12:00 – 1:30 p.m.

Venue: Deicke Auditorium (Plantation,

FL

Cost: \$20 BCBA Member; \$30 Non-

Member

# **28** Young Lawyers' Boot Camp #3 "Game Over: Dispositive Motions"

**Time:** 6:00 – 8:00 p.m.

**Venue:** BCBA Conference Center **Cost:** \$25 BCBA Member; \$35 Non-

Member

# 29 CLE: A Litigator's Guide to Fourth DCA Appeals

**Time:** 3:00 – 5:00 p.m. **Venue:** BCBA Conference

**Venue:** BCBA Conference Center Cost: \$15 BCBA Member; \$25 Non-

Member

# What to do When the Feds Come Knocking?

Seminar, Book Signing Reception

**Time:** 5:30 – 7:30 p.m.

**Venue:** BCBA Conference Center **Cost:** No Charge BCBA Member; \$20

Non-Member

# Upcoming Special Events May Special Events

calendar of events

# May 1

**2015 Law Day** 

Speaker: David Prodger, British Consul General in

Miami

**Time:** 12:00 – 1:30 p.m.

**Venue:** Renaissance Cruise Port

Hotel

Cost: \$35 Member; \$45 Non-

Member

# May 14 YLS Judicial Reception

Time: 5:30 – 7:30 p.m. Venue: New River Center

Rotunda

Cost: \$40 BCBA Member; \$45

Non-Member

# May 22

# Masters of Trial Series: Session 2 – Opening Statements

**Time:** 12:00 – 2:00 p.m.

**Venue:** BCBA Conference Center **Cost:** \$90 BCBA Member Series; \$145 Non-Member Series; per session registration available

Register for BCBA Events at www.browardbar.org or call 954.832.3618

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