

BROWARD COUNTY BAR ASSOCIATION BARRISTER

MARCH 2015

Women Leaders in the Law: A National Perspective



Hilarie Bass
Co-President
Greenberg Traurig



Christine Pallesen
Vice President
Dale Carnegie South Florida



Mary R. Grealy
President
Healthcare Leadership Council

SERVING THE CITIZENS AND LEGAL COMMUNITY OF BROWARD COUNTY SINCE 1925



**RICE
PUGATCH
ROBINSON
& SCHILLER**
Attorneys At Law



Arthur H. Rice

Chad P. Pugatch | Kenneth B. Robinson

Lisa M. Schiller

Craig A. Pugatch

Ronald J. Cohen | Richard B. Storf

Ronald J. Lewittes

George L. Zinkler III

Riley W. Cirulnick | Brent J. Chudachek

Christian Savio | Richelle B. Levy

- Lender/ Creditor Rights
- Bankruptcy & Insolvency
- Commercial Foreclosure Litigation
- Business Litigation
- Asset Recovery
- Labor Relations
- Employee Benefits
- Civil Rights Defense
- Employment Litigation
- Discrimination Litigation
- Employment Contracts
- Arbitration, Trial, and Appellate Practice

101 N.E. Third Avenue, Suite 1800,
Ft. Lauderdale, FL 33301
954-462-8000 · 305-379-3121
www.rprslaw.com

BROWARD COUNTY BAR ASSOCIATION

Recognizes 100% Membership Club



****For firms with 5 attorneys or more****

Abramowitz, Pomerantz, & Morehead, P.A.

Berman, Kean & Riguera, P.A.

Billing, Cochran, Lyles, Mauro & Ramsey, P.A.

Brinkley Morgan

Broad & Cassel

Buchanan Ingersoll & Rooney PC - Fowler White Boggs

Catri, Holton, Kessler & Kessler P.A.

Chimpoulis, Hunter & Lynn, P.A.

Coast to Coast Legal Aid of South Florida

Cole, Scott, and Kissane

Colodny Fass

Cooney Trybus Kwavnick Peets, PLC

Doumar, Allsworth, Laystrom, Voigt, Wachs, Adair, & Bosack, LLP

Ferencik, Libanoff, Brandt, Bustamante, & Goldstein, P.A.

Fowler, White, Burnett, P.A.

Gladstone & Weissman, P.A.

Goldstein Law Group

Gray Robinson, P.A.

Haliczer, Pettis & Schwamm, P.A.

Johnson, Anselmo, Murdoch, Burke, Piper & Hochman, P.A.

Keller Landsberg

Kelley Uustal

Kim Vaughan Lerner LLP

Kirschbaum, Birnbaum, Lippman & Gregoire, PLLC

Law Firm of Gary M. Singer, P.A.

Law Offices of Sheldon J. Schlesinger, P.A.

Legal Aid Service of Broward County

MacLean & Ema

May, Meacham & Davell, P.A.

McIntosh, Sawran & Cartaya, P.A.

Moraitis, Cofar, Karney & Moraitis

Rogers, Morris & Ziegler, LLP

Roig Lawyers

Walton, Lantaff, Schroeder & Carson, LLP

Wicker, Smith, O'Hara, McCoy and Ford, P.A.

United We Stand... For the Accused All Courts, All Charges, All Day Long



**Over 100 Combined
Years Experience**



Attorney
John Musca

Selected 'Super
Lawyer' '12

15 Year Veteran
Defense Attorney



A+

**Rated A+
by The Better
Business Bureau**



Attorney
Marquin Rinard

Death Qualified
to Handle
Capital Cases

30 Year Veteran
Defense Attorney

MUSCA LAW

954 **302-5391**

523 S. ANDREWS AVE. SUITE 1
FT LAUDERDALE, FL 33301



Staff Box

PUBLISHER

Broward County Bar Association
954.764.8040

PUBLICATIONS & PUBLICITY COMMITTEE

Edwina V. Kessler, Co-chairperson
Kimberly Gessner, Co-chairperson
Chris Traina, Editor

EXECUTIVE EDITOR

Braulio N. Rosa
braulio@browardbar.org

LAYOUT AND PRINTING

Park Row Printing

MANAGING EDITOR

Bonnie H. Ross
bonnie@browardbar.org
954.832.3621

CONTRIBUTING WRITERS

James D. "Jim" Camp Jr.
Brian R. Dolan
Stephen Duane
Andrea Gundersen
Assad S. Mirza
Nancy Little Hoffman
Sara M. Sandler
Christian Savio
Sasha Stauffer

BILLING INQUIRIES

954.764.8040 Ext. 204

The *Barrister* is published monthly by the Broward County Bar Association. All editorial, advertising and photos may be submitted for consideration through email to bonnie@browardbar.org. We reserve the right to reject any ad for any reason.

We make every effort to ensure the accuracy of the information published, but cannot be held responsible for any consequences arising from omissions or errors. Opinions expressed by our writers and advertisers are not necessarily opinions shared by the BCBA or the *Barrister*.

ON THE COVER:

The BCBA in partnership with the BCWLA has expanded on its Woman in Leadership seminars with a half day conference on March 11, 2015. The speakers pictured left to right are Hilarie Bass, Co-President Greenberg Traurig, Christine Pallesen, Vice President Dale Carnegie, and Mary R. Grealy, President Healthcare Leadership Council. For more information see page 13.

5 Letter from the President

John G. Jordan

7 Young Lawyers' Section Letter from the President

Liza Smoker Faw

8 Setting A Strategic Direction

Assad S. Mirza

10 Is Homestead Property Ever a Probate Asset?

*James D. "Jim" Camp Jr. and
Brian R. Dolan*

15 Discharging Student Loans is Possible... For Some!

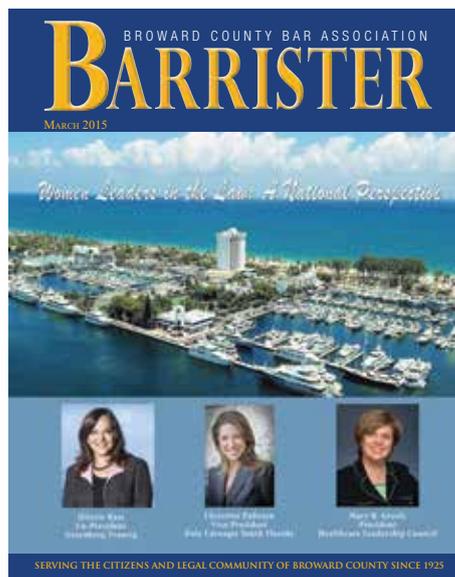
Christian Savio

17 Recent Developments in The Law

Nancy Little Hoffman

23 Calendar of Events

inside this issue



www.browardbar.org

letter from the president

2014 - 2015 BCBA Officers

John G. Jordan - President
Robin Moselle - President Elect
Charles A. Morehead, III - Treasurer
Thomas D. Oates - Secretary
Alan Fishman - Past President

BOARD OF DIRECTORS

NORTHEAST

Michael Kean
M. Ross Schulmister
Jerome R. Siegel

NORTHWEST

Gary Landau

WEST

Donald E. Fucik
Gary M. Singer
Russell M. Thompson

CENTRAL

William R. Clayton
Michael A. Fischler
Jeffrey Harris
Jose Izquierdo
Edwina V. Kessler
Jay Kim
Michael Leader

SOUTHEAST

Anita Paoli
Jeffrey Solomon
Laura Varela

SOUTHWEST

Kimberly A. Gilmour

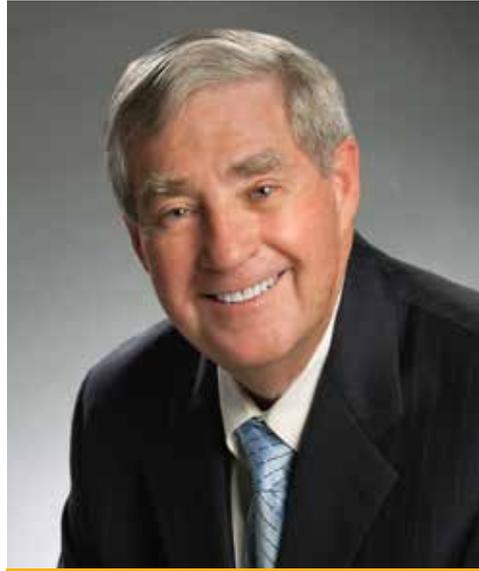
JUDICIAL REPRESENTATIVE

The Honorable Martin J. Bidwill

EXECUTIVE DIRECTOR

Braulio N. Rosa

Broward County Bar Association
1051 SE 3rd Avenue
Fort Lauderdale, FL 33316
954.764.8040



John G. Jordan

“Ask Not What Your Country Can Do for You”

John Fitzgerald Kennedy was sworn in as the 35th president of the United States on January 20, 1961. He was assassinated on November 22, 1963. He brought a youthful vigor to the Presidency and a call to all citizens to get involved.

He graduated from Harvard University. He served in WWII as a Navy commander of motor torpedo boat PT 109. After his boat was cut in two by a Japanese destroyer, he swam all night to a safe shore while carrying one of his injured crew. He was a real war hero. In 1956, he published his book Profiles in Courage which profiled eight U. S. senators and their great courage under enormous political pressure. He was awarded the Pulitzer Prize for this book.

He represented Massachusetts in the U.S. House of Representatives from 1947 to 1953 and in the U.S Senate from 1953 to 1960. In 1960, he was the youngest man elected president at age 43. He was the first president to be born in the 20th century.

He campaigned as the leader of a new frontier, an identified set of challenges to be met. In a land founded on freedom of religion, he overcame a religious prejudice against Roman Catholics. He was proud of his Irish heritage in a country where businesses displayed signs declaring the “Irish need not apply.”

In his inaugural address, he challenged all Americans to act, saying: “Ask not what your country can do for you—ask what you can do for your country.” To counter the Soviet Union’s advanced space program, he promised to put an American on the moon by the end of the 1960s—a promise that was fulfilled when an American walked on the moon in 1969. He won the confrontation of the Cuban missile crisis with a naval quarantine of Cuba, causing the Soviet Union to back down and remove intermediate-range ballistic missile sites from Cuba.

The Broward County Bar Association has a new vigor. Last year BCBA reorganized with new staff, new goals and a new direction. The BCBA is now reaching out and getting involved in the community. The officers and staff have attended functions at various voluntary bar associations, including the Broward Association of Criminal Defense Lawyers, Legal Aid Services of Broward County, Coast to Coast Legal Aid of Broward County, the Caribbean Bar Association, T. J. Reddick Association, the Broward County Justice Association and Broward County Woman Lawyers Association. BCBA assists other voluntary bar associations with planning, promoting and managing joint events. BCBA will be sponsoring a team in the Broward Corporate Run on Thursday, April 2. BCBA has expanded its Legislative Affairs Reception and its Fourth District Court of Appeal Reception. Our section chairpersons have presented new and topical seminars. BCBA is taking on new challenges in the legal community while preserving the events that have worked well for us in the past, like the family law section’s Raising the Bar seminar.

Much of this vision has come from our Braulio Rosa, BCBA’s executive director. BCBA’s officers and directors stand firmly behind his plan of action. The BCBA is an umbrella organization under which other legal associations should feel comfortable and supported. Both BCBA and the other voluntary bar associations benefit greatly from this cooperation. We all work towards a common goal to better the legal community in Broward County. BCBA is making a big difference. As a member, ask what can you do for your Broward County Bar Association. **B**

Nurse Expert Analysis Medical Legal Cases

Medical Malpractice • Negligence • Mass Tort Litigation
• Criminal



*Linda Waidelich, RN, MSN,
Certified Legal Nurse Consultant*

32 years Professional Healthcare Experience
Pre-Hospital • Hospital Critical & Emergency Care
• Home Health • Nurse Education

30 Case Development Services Available
Plaintiff or Defense

Call to discuss a case at no charge



My Legal Nursing

SERVICES™

NURSING NAVIGATING HEALTHCARE™

954.476.9081

www.MyLegalNursingServices.com

THE BROWARD COUNTY BAR ASSOCIATION

thanks its Annual Sponsors

Alpine Jaguar

Bob Coury

Broad & Cassel Attorneys at Law

CopyScan • recordSHRED

Ellsley Sobol Attorneys at Law

Empire Executive Offices

The Eppy Group

Fiske and Company

Florida Lawyers Mutual Insurance Company

Florida Power and Light

Fowler White Burnett

Keller Landsberg, PA

LAN Infotech

Morgan & Morgan

MyMotionCalendar.com

Orange Legal

Personnel Management Solutions, Inc.

Sabadell Bank

Upchurch Watson White & Max

Are you frustrated with
a judge's ruling,
jury verdict, or
defending a
frivolous
appeal?



Our attorneys
are here to help
you pinpoint the key
issues, weigh the
strengths and weaknesses of
an appeal and provide you with a
compelling well-written brief which
succinctly identifies the issues and
supporting case law.

Let us take your hard-fought case to
the next level.

Appellate practice areas include Family Law,
Professional Malpractice Defense, Commercial Litigation,
and Insurance Coverage



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



Raymond L. Robin

Former Clerk to the Honorable Joseph Nesbitt of
the Third District Court of Appeal of Florida
Appellate practice in all Florida State Appellate
Courts and the United States Supreme Court
Admitted to practice in the United States Supreme
Court and Eleventh Circuit Court of Appeals

Keller Landsberg PA

Broward Financial Centre
500 E. Broward Boulevard, Suite 1400
Fort Lauderdale, FL 33394
P: 954.761.3550
F: 954.525.2134

www.kellerlandsberg.com

D. David Keller
Alan L. Landsberg
Wendy J. Stein
Raymond L. Robin
James E. Mitchell
Ana Laura Olman
Dena B. Sacharow
Emily G. Romano
Stephanie M. Michel
Maria N. Vernace, Of Counsel
Charles B. Morton, Jr., Of Counsel

2014-2015 BCBA Young Lawyers' Section

OFFICERS

Liza Smoker Faw - President
Jeffrey M. Wank - President Elect
Kelly M. Vogt - Treasurer
Todd Baker - Secretary
Marissa Pullano - Past President

BOARD OF DIRECTORS

Jamie D. Alman
Lauren M. Alperstein
Todd L. Baker
Renita F. Henry
Lindsay Massillon
Brent Reitman
Eric S. Rosen
H. Seth Rosenthal
Sara M. Sandler
Anthony H. Quackenbush
Cherine Smith Valbrun
Drew Vogt
Stacy R. Weissman

JUDICIAL REPRESENTATIVES

The Honorable Robert Diaz
The Honorable Stacy Ross

Florida Bar Board of Governors 17th Judicial Circuit

Walter G. "Skip" Campbell
954.763.8181

Lorna E. Brown-Burton
954.463.8322

Jay Cohen
954.763.6939

Adam Glenn Rabinowitz
954.764.7060

Diana Santa Maria
954.434.1077

Broward County Bar Association
1051 SE 3rd Avenue
Fort Lauderdale, FL 33316
954.764.8040

letter from the young lawyers' president



Liza Smoker Faw

The Young Lawyers Section of the Broward County Bar Association ("YLS") is focusing on pro bono service this March and has many opportunities for our members to get involved.

On March 5, YLS kicks off the month with a joint social with NEXT to benefit Legal Aid Service of Broward County and Coast to Coast Legal Aid of South Florida. Donations of any amount will be accepted at the door in furtherance of these worthy pro bono organizations. This event will take place in downtown Ft. Lauderdale at the Tilted Kilt at 5:30 p.m. and includes a free drink and appetizers.

Also this month, YLS will support the Legal Hotline, Legal Aid Service of Broward and Coast to Coast Legal Aid of South Florida's pro bono telephone legal advice hotline. The YLS section will provide volunteers to staff the hotline. If you

are interested in serving at the hotline on a Tuesday in March from 2 p.m. to 5 p.m., please contact our pro bono co-chair Lindsay Massillon at lmassillon@icelawfirm.com or (954) 990-6923 to sign up. No experience or prior training is necessary.

In addition, Florida Bar President Gregory Coleman will speak at our March 19 luncheon on the topic of "Technology and Access to Justice." This luncheon will take place at noon at the Tower Club in downtown Ft. Lauderdale. Please register in advance on our website as this event will fill up fast.

YLS has many other great events coming up, further details of which can be found on our online calendar at www.browardbar.org/YLS as well as our Facebook page. Here are two upcoming highlights:

• **YLS Boot Camp CLE #2 (March 3):** The second YLS Boot Camp CLE of the series will take place on March 3 at the Broward County Courthouse on the topic "I Thought my Argument/ Deposition was Great, but What Did the Judge Think? A Perspective from the Bench." Speakers will include Judge Arthur Birken, Judge Sandra Perlman, Judge Raag Singhal, Brent Reitman, Sara Sandler, Jeffrey Wank, and Todd Baker. The event will take place from 4 p.m. to 7 p.m. and includes a networking reception.

• **Quarterly Breakfast with the Judiciary (March 27):** The Breakfasts with the Judiciary are a wonderful opportunity for young lawyers and our judges to discuss the practice of law in a more casual setting. Our next breakfast is on Friday, March 27 at 8:15 a.m. in the Broward County Courthouse, and includes a catered hot breakfast. Please RSVP online as this is an event you will not want to miss.

Lastly, YLS thanks all who celebrated Black History Month with us in February, and especially those who supported our joint social with the T.J. Reddick Bar Association and Caribbean Bar Association to benefit Kids in Distress. Through your generous donations, \$1,500 was raised to benefit children in after school programs at Kids in Distress.

If you are interested in joining a committee, partnering with YLS on an event, or have any questions, please feel free to contact me via email at LFaw@rmzlaw.com. 



SETTING A STRATEGIC DIRECTION



by Assad S. Mirza

According to various business and industry surveys, it is estimated that only about four percent of businesses make more than \$1 million of revenues per year, and only about 0.4 percent make more than \$10 million per year. This series of articles is dedicated to providing business practice pointers and tools for attorneys who are responsible for the management of their firms.

It is true in business that which is true in life: set your direction or you will suffer the consequences of indecision. Set a direction, set a few rules, and act consistent to that which you have set. So have you done that for your firm? Here are the basics:

Brain Storming: In this world of an enormous supply of lawyers, what will you do, what will you stand for? Before putting things on paper, come to a decision and ask yourself questions like: 1) What area of law practice do I or would I “love” to be in? 2) What will I be known for? 3) Does that area of practice suit my personal and financial needs? Do not practice door law or be a generalist in law, otherwise you will not be known for anything.

Laser Focus Your Practice: Narrow your practice area. As counter intuitive as it may sound; practicing in one area of law is more effective, less stressful, and more profitable than practicing in two. People who

practice in one area get really, really good at it over time. Here are some focused examples (notice the underlined words): residential real estate transactions, commercial real estate transactions, small business transactions, large business transactions, securities transactions, asset protection for the rich, asset management for the poor and elder who need governmental benefits, auto injury, medical malpractice, DUI criminal law, felony criminal law. There are a multitude of specialties and sub-specialties one can choose or even create. The point is, dig into your inner being and find your calling.

Branding is Important: If you practice in two areas of law, you will take twice the energy, twice the resources and twice the time to brand your firm. The narrowly focused firms know their law and know their clients extremely well. Their knowledge of law and management of clients gets stronger and easier over time. For example, my firm practices community association law. Within that narrow band of client type, my partners and I focus on specific type of work: corporate governance, collections, and business & construction litigation. Conversely, diversification of practice areas equals dilution of branding.

Making the Key Strategic Decision: In finding your firm’s identity and purpose you must ask yourself: 1) What type of clients will my firm

work with? (be specific about who your target client is); 2) What benefit or value will my firm obtain for the client? (what does that client want); 3) What services will my firm provide to deliver those benefits? (how will you deliver those benefits).

Your Calling Card: Once you answer the above three questions, it readily translates into a short and succinct statement (you fill in the blanks): “I work with (specific type of client); in their effort to (attain a certain benefit); by providing them (your particular and unique services).” This is your calling card. This statement is your brand promise to the world. This statement will give your firm the direction it needs.

Our next upcoming articles include setting goals and key initiatives, establishing core values and firm metrics, getting your firm into a production rhythm, effective time management techniques, do’s and don’ts of marketing. **B**



Assad S. Mirza, Esq., LL.M., 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

GRAY | ROBINSON

ATTORNEYS AT LAW

Relationships. Resources. Results.

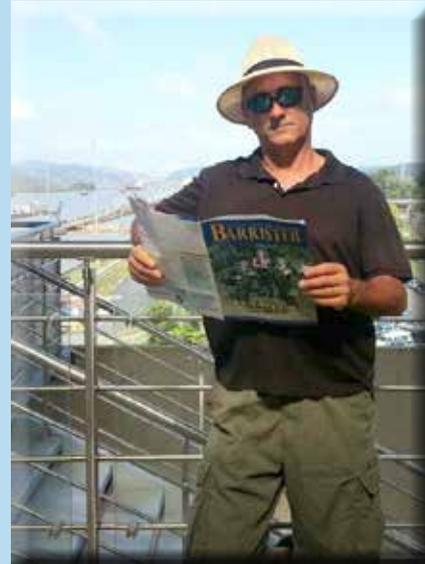
At GrayRobinson, we're not just a law firm, we're your friends, neighbors and family, working together to make our community a better, healthier place to live. As a law firm with statewide reach, we're responsible not only to our clients' needs, but also to the needs of our growing community.



BOCA RATON | FORT LAUDERDALE | GAINESVILLE | JACKSONVILLE | KEY WEST
LAKELAND | MELBOURNE | MIAMI | NAPLES | ORLANDO | TALLAHASSEE | TAMPA

954-761-8111 | www.gray-robinson.com

WHERE IN THE WORLD IS THE BARRISTER?!?



*BCBA member and past BCBA president,
Carlos Llorente at the Miraflores Locks, Panama Canal.*

We want to see you in the next Barrister publication! Email a hi-res picture of yourself with a Barrister when on vacation or business trip to ads@browardbar.org.

Sabadell



FOR MODERN TIMES, A CLASSIC BANK.

**YOUR DREAM HOME DESERVES
A DREAM MORTGAGE.**

WITH OUR COMPETITIVE LOW RATES.

**CONTACT: JEFFREY GINOCCHI, SVP | (954) 812 - 3850
BRUCE HECKER, EVP | (954) 768 - 5971**

VISIT: SABADELLMORTGAGE.COM



Sabadell® is a registered mark of Banco de Sabadell, S.A. used by Sabadell United Bank, N.A. © 2014 Sabadell United Bank, N.A., a subsidiary of Banco de Sabadell, S.A. all rights reserved. Sabadell United Bank™ is a trademark and service mark of Banco Sabadell, S.A. Banco Sabadell® is a registered trademark and service mark of Banco de Sabadell, S.A.

Is Homestead Property Ever a Probate Asset?

by James D. “Jim” Camp Jr. and Brian R. Dolan

The short answer to that question is “Yes” – under limited circumstances, and unless it is “protected homestead” property. However, some lawyers, possibly thinking solely of “protected homestead,” may respond with a “No” answer if they rely solely on a footnote in *Clifton v. Clifton*.¹

As is well known, Florida’s homestead law – like Gaul – is divided into three parts: 1) a partial exemption regarding ad valorem taxes, 2) an exemption from forced sale by creditors, and 3) a restriction on testamentary dispositions. See *Stone v. Stone*.² The third part is discussed here.

One thing is clear, case law referencing homestead, which is called many names³, can be confounding and sometimes self-contradictory, thereby causing no little consternation among probate and real estate lawyers, not to mention the courts.

Article X, Section 4(c) of the Florida Constitution and Fla. Stat. §732.4015 prohibit the homestead owner from devising homestead property if the owner is survived by a spouse or minor child, except that the owner may devise the homestead to his or her spouse if no minor child survives the owner. Conversely, and logically, if the owner is not survived by a spouse or a minor child, the owner may devise the homestead to whomever the owner pleases. See *Bartelt v. Bartelt*.⁴

Sections 733.607(1) and 733.608(1) support the affirmative response. These statutes essentially provide that real property, except “protected homestead,” comes either within the control or possession of the personal representative. Therefore, when unprotected homestead is permissibly devised, the statutory and constitutional proscription would not be applicable. The test is not how the title passes, but rather to whom it passes. *Bartelt, supra*.

In §731.201(33), “protected homestead” is defined as property described in Article X, Section 4(a)(1) in the Florida Constitution, which essentially is property exempt from creditors’ claims that passes to the owner’s spouse or heirs under Article X, Section 4(b).

Notwithstanding the foregoing, the repeated homage paid to footnote 3 in *Clifton v. Clifton*, dicta in two district courts (Second and Fifth) as well as the Florida Supreme Court, tends to muddy the waters. That footnote, in broad terms, states that “homestead property, whether devised or not, passes outside of the probate estate. Personal representatives have no jurisdiction over, nor title to, homestead, and it is not an asset of the testatory estate.” (Emphasis added)

In *In re Estate of Jack Hamel (White v. Theodore Parker, P.A.)*⁵, the court recognized that “Florida courts have continued to hold that the homestead does not become a part of the probate estate unless a testamentary disposition is made to someone other than an heir” (Emphasis added). Incompatibly, the court then quoted, with a positive flavor, a portion of the *Clifton* footnote, writing, “Homestead property, whether devised or not, passes outside of the probate estate” and the court added, “perhaps the only recognized exception to the general rule [of homestead not being a probate asset] occurs when the will specifically orders the property be sold and the proceeds be divided among the heirs,” citing *Knadle v. Estate of Knadle*⁶ and *Estate of Price v. West Florida Hospital, Inc.*⁷. Surely the court did not intend that the proceeds must literally be “divided” among all of the heirs, but rather that the proceeds could pass to any one of them and not necessarily to all of them.

In *Harrell v. Snyder*⁸, the court approvingly recited the *Clifton* footnote in full, yet in somewhat contradictory fashion, pronounc-

ing that “homestead does not become a part of the probate estate unless a testamentary disposition is permitted and is made to someone other than an heir, i.e., a person to whom the benefit of homestead protection could not inure,” citing *Hamel*. (Emphasis added).

In *McKean v. Warburton*⁹, the Supreme Court held, contrary to the usual rule, that the residuary homestead devise trumped the general devise of cash. In addition, after favorably citing the complete *Clifton* footnote, the court said homestead only becomes a probate asset (if permissibly devised) when it “pass[es] as a general asset of the estate by a specific devise,” or the Will directs that it be sold and divided among the heirs. See also *Engelke v. Estate of Engelke*¹⁰.

In the fairly recent *Cutler v. Cutler* case, no spouse or minor child survived the decedent, who devised her homestead property to her daughter and the adjoining vacant lot to her son. The en banc majority decision, reversing the prior majority panel decision, makes no mention of *Clifton*. However, the minority opinion quotes with favor the *Clifton* proscription, which declared that the probate court has no jurisdiction over homestead, citing *Hamel, Harrell* and *McKean*. The later *Cutler* opinion ruled that the homestead property was not “protected” and, therefore, did not pass free of the decedent’s creditors’ claims, stating that the decedent’s direction to have both children’s shares responsibility to pay creditors’ claims was the equivalent of directing that the homestead property be sold, citing *Knadle* and *Price*.

Section 19.19, p.19-22 of the Florida Bar Practice Under The Florida Probate Code (7th Ed.) supports the positive response to the title question, stating that “if the [homestead] property enjoys no exemption from creditors’ claims and its devise is not limited, and in fact it has been devised, it logically

follows that this non-exempt homestead must necessarily be an asset of the estate in the hands of the Personal Representative.” (Emphasis added)

Regardless of the broad application of the *Clifton* footnote, and what appear to be contradictory statements in case law decisions approving *Clifton*, it is clear that if there is no spouse or minor child surviving the owner, unprotected homestead can be devised to anyone. Further, if it is not devised to an heir, it becomes a probate asset and is subject to

creditors’ claims, administration costs and normal abatement rules. If the right facts fit the right mold, the ineluctable conclusion is that homestead property can and would be a probate asset. **B**



James D. "Jim" Camp Jr. (University of Florida, BA/JD) is a co-founder and shareholder of Camp & Camp, P.A., a Fellow of the American College of Trust and Estate Counsel (ACTEC), and a past co-chairman of the Probate Rules Committee of the Florida Bar.



Brian R. Dolan (Northwestern University, BSGS/Nova Southeastern University, JD) is an associate at Camp & Camp, P.A., and a long-time member of the BCBA Probate and Trust Law Section, focusing his practice in the areas of wills, trusts, and estates, as well as administration and litigation of trust, probate and guardianship estates. He may be contacted at 954-524-8111 or bdolan@campandcamlaw.com.

¹ 553 So. 2d 192, 194 (Fla. 5th DCA 1989)

² 39 Fla.L.Weekly D2353, 2356 citing *Engelke v. Estate of Engelke*, *infra*

³ "Legal Chameleon", Harold B. Crosby & George John Miller, *Homestead Exemption, Our Legal Chameleon in Florida*, 2 Fla.L.Rev. 12 (1949); "Chaos", Rohan Kelley, *Homestead Made Easy: Part I: Understanding the Basics*, Fla. Bar Journal, March 1991; and, "Dragon", Bruce Stone, *Florida Homestead: The Legal Chameleon That Grew Into a Dragon* (date unknown)(unpublished manuscript on file with the authors of this article)

⁴ 579 So. 2d 282 (Fla. 3d DCA 1991)

⁵ 821 So. 2d 1276, 1279-80 (Fla. 2d DCA 2002)

⁶ 686 So. 2d 631 (Fla. 1st DCA 1996)

⁷ 513 So. 2d 767 (Fla. 1st DCA 1987)

⁸ 913 So. 2d 749 (Fla. 5th DCA 2005)

⁹ 919 So. 2d 341 (Fla. 2005)

¹⁰ 921 So. 2d 693 (Fla. 4th DCA 2006)

WALDMAN TRIGOBOFF HILDEBRANDT MARX & CALNAN, P.A. ATTORNEYS AT LAW

is a proud sponsor of the
Fourth District Court of
Appeal Judicial Reception.

Broward Financial Center, Suite 1700
500 East Broward Boulevard
Fort Lauderdale, FL 33394
P: 954.467.8600
F: 954.467.6222
www.waldmanlawfirm.com

COMPLEX COMMERCIAL LITIGATION • ARBITRATION • APPEALS



Lourdes E. Ferrer, Esq. Geoffrey C. Curreri, Esq.
 David P. Licker, Esq. Christopher V. Schirmer, Esq.
 Jaci R. Mattocks, J.D. Ivette Salazar, Administration

CUSTOMIZED PROACTIVE SOLUTIONS

Community Association | Consumer Protection
 Commercial Litigation

WWW.FERRERLAWGROUP.COM

TRAFFIC TICKET?

WE CAN HELP!

LOW COST TRAFFIC DEFENSE PANEL

- *Competitive Rates*
- *Moving Violations*
- *Non-moving Violations*
- *Any Ticket Type*
- *Any State*



CONTACT US TODAY

954.764.8310 • www.browardbar.org



THANK YOU DENIS KLEINFELD FOR PLACING YOUR TRUST IN THE EPPY GROUP!

Estate Conservation & Strategies
 Insurance: Life, Long-Term Care, Disability Income
 Annuities & Investment Solutions
 Corporate Benefits & Business Solutions
 Non-Qualified & Deferred Compensation Planning
 Coli - Corporate Owned Life Insurance
 Boli - Bank Owned Life Insurance
 Choli - Charitable Owned Life Insurance
 Asset Protection
 Special Needs Planning
 Medicare Enhancement
 Health Benefits



Denis Kleinfeld, Esq.
 Estate and Tax Law
 Of Counsel to Fuerst, Ittleman,
 David & Joseph • 305-350-5690

Joe Eppy

The EPPYcenter

500 East Broward Blvd., Suite 1800, Fort Lauderdale, FL 33394
 954-271-7888 www.theeppygroup.com



Securities and investment advisory services offered through MML Investors Services, LLC: Member SIPC.
 2100 Ponce De Leon Blvd, Suite 600 Coral Gables Florida 33134: 305-648-2445



Financial Service Sponsor of the Broward Bar Association

“Some leaders are born women.” *Geraldine Ferraro*

The Broward County Bar Association and the Broward County Women Lawyers’ Association are bringing together another group of dynamic women leaders. Please join us on Wednesday, March 11 from 8:30 a.m. to 1 p.m., as we discuss how women can gain increasing leadership and communication skills in the workplace.

“Women Leaders in the Law: A National Perspective” will take place at the Bahia Mar Fort Lauderdale Beach Hotel and includes breakfast, lunch, CLE credit and valet parking. Men and members of all industries are welcome and encouraged to attend.

This event will feature keynote speaker, Mary R. Grealy, president of Washington’s Healthcare Leadership Council, a coalition of chief executives of the nation’s leading healthcare companies and organizations. Mary Grealy has an extensive background in healthcare policy and has led important initiatives for the uninsured, improving patient safety and quality, protecting the privacy of patient medical information and reforming the medical liability laws. She is a frequent public speaker on health issues and has been ranked many times by Modern Healthcare as one of the 100 Most Powerful People in Healthcare. She has also been named to Modern Healthcare’s list of the Top 25 Women in Healthcare.

Other leadership speakers include: Hilarie Bass, co-president of Greenberg Traurig, and Christine Pallesen, vice president of sales & marketing for Dale Carnegie.

The cost for this event is \$99 for BCBA members and \$125 for non-members. For registration information please visit www.browardbar.org/calendar. **B**



Sasha Stauffer is a personal injury attorney with the law firm of Carner, Newmark and Cohen in downtown Fort Lauderdale. She can be reached at 954-779-7479 or email ss@carnerlaw.com



**Farmer, Jaffe,
Weissing, Edwards,
Fistos & Lehrman, P.L.**

PathToJustice.com
800-400-1098

**Mass Torts | Class Action | Personal Injury
Wrongful Death | Whistleblower Claims**



Best Law Firms in Florida

As Published in:
U.S. News & World Report

*Medical Malpractice Defense · Admiralty & Maritime Law
Insurance Defense and Products Liability · Bad Faith Law
and Insurance Coverage · Appellate · Premises Liability
Construction Defect Litigation*

Fort Lauderdale
954-765-1001

Orlando
407-875-0261

West Palm Beach
561-682-3202

Miami
305-381-8922

www.mscesq.com



McIntosh Sawran
McIntosh Sawran & Cartaya, P.A.

FORT LAUDERDALE • MIAMI • WEST PALM BEACH • ORLANDO



Founded 1910

SHUTTS & BOWEN LLP

PROUDLY SUPPORTS

THE BROWARD COUNTY BAR ASSOCIATION



SUITE 2100, 200 E. BROWARD BOULEVARD

FORT LAUDERDALE, FLORIDA 33301

954.524.5505

www.shutts.com

FORT LAUDERDALE • MIAMI • ORLANDO • SARASOTA
TALLAHASSEE • TAMPA • WEST PALM BEACH • AMSTERDAM

Classified

Florida barred attorney admitted in 2011 seeks partner to create a successful boutique law practice in the Broward County area. Must have solid legal experience. A multitude of practice areas will be considered. Ideal for solo experienced attorney who desires to expand. 954-822-6179 or gac19841@hotmail.com

SHARED PROFESSIONAL OFFICES

Class A renovated office suite to share with established life insurance firm. Near Glades just west of I-95. One to three window offices (one corner) and one workstation. Includes use of phones, internet, reception, conference and kitchen areas. For more information please call 561 807 8544 and leave message.

SOLOMON SEARCH

is seeking a Director of Facilities for a large, national firm. Please call Maria for more details about this excellent opportunity; 954-796-3300 Confidential resume submittal to maria@solomonsearch.com.

Broward County Bar Association

Legislative Affairs Reception

Thank You to our Event Sponsors



Farmer, Jaffe, Weissing,
Edwards, Fistos & Lehrman, P.L.



Alpine Jaguar • The Eppy Group • Goren, Cherof, Doody & Ezrol, P.A.
Keller Landsberg, PA • Morgan & Morgan • Sabadell Bank
Upchurch Watson White & Max

Left Picture (left to right): Representative Richard Stark, Representative Gwyndolen Clarke-Reed, Senator Maria Lorts Sachs and Representative Joseph Geller; **Right Picture** (left to right): Alan Pascal, BCBA Legislative Affairs Committee Chairperson and Broward County Mayor Tim Ryan.

Discharging Student Loans is Possible... For Some!

by Christian Savio

There is a common misperception that student loans are not dischargeable. What if I told you that a former law student managed to meet the high threshold and to discharge his student loans? The Ninth Circuit Court of Appeals recently upheld a bankruptcy court's ruling of a partial discharge of more than \$50,000 for a former law student who failed the bar exam three times and instead worked as a youth counselor. In *re Hedlund*, 718 F.3d 848 (9th Cir. 2013).

While the standard in bankruptcy to discharge student loans is a very high burden referred to under the Bankruptcy Code as "undue hardship." 11 U.S.C. §523(a)(8). Though the code does not define "undue hardship," the Eleventh Circuit¹ has joined several other Circuits in adopting the standard set forth in *Brunner v. New York State Higher Education Services Corp.*, 831 F.2d 395, 396 (2d Cir. 1987). To establish the heavy burden, the *Brunner* test requires a debtor to prove the following three elements: 1) that the debtor cannot maintain, based on current income and expenses, a minimal standard of living if forced to repay the loans; 2) additional circumstances exist and that the state of affairs is likely to persist



for a significant portion of the repayment period (typically a disability); and 3) the debtor has made a good faith effort to repay the loans. A debtor seeking discharge of a student loan in bankruptcy must file an adversary proceeding in the bankruptcy against the lender for a declaration that the loan is dischargeable. Fed. Bankr. P. R. 7001.

In addition to the ability to discharge student loans in bankruptcy, there are a host of statutory discharges available for federal student loan borrowers. Federal administrative discharges, which are only available for federal loans², are obtainable under the following circumstances: Death of borrower or student (includes Parent Plus loans); total or permanent disability; closed school; unpaid refund³ and false certification. See 34

CFR § 682.402. False certification of a student's eligibility occurs if a school fails to test the student's ability to benefit or to conduct prior testing in a proper manner. A school is required to certify that a student lacking a high school diploma or GED has the ability to benefit from the training offered by the institution. 34 CFR § 682.402(e). This is common among trade schools.

The false certification can occur for variety of other reasons including fraud, identity theft, or ineligibility for state certification. *Id.* In order to receive an administrative discharge, a borrower must apply for the discharge through the Department of Education.

While borrowers who qualify for administrative discharges or meet the test for undue hardship may be far and few between, the ability to discharge student loans is possible. **B**



Christian Savio is a Business/ Bankruptcy attorney in Ft. Lauderdale. His practice includes adversary proceedings involving student loans. He may be reached at 954-462-8000 or by email at csavio@rprslaw.com.

¹ *Educ. Credit Mgmt. Corp. v. Mosley* (In *re Mosley*), 494 F.3d 1320, 1324-1325 (11th Cir. 2007).

² Federal loan is a loan guaranteed (insured) by the U.S. Department of Education and is governed by the Higher Education Act. For a Federal student loan database visit - www.NSLDS.ed.gov.

³ Unpaid refund occurs when a school fails to provide the student the refund due and fails to return the funds to the lender. The borrower can apply for a discharge for the amount of the refund the school failed to pay. This often occurs when a school closes.



VICTOR TOBIN

CIRCUIT CIVIL MEDIATOR AND AMERICAN ARBITRATION ASSOCIATION PANELIST



Victor has previously served the Broward County legal community with distinction as a trial attorney and Circuit Court Judge. For many years he was selected by his peers as Chief Judge for the 17th Judicial Circuit. He is available to mediate and arbitrate throughout Florida.

Neutral Offices throughout Florida
MIAMI • FT. LAUDERDALE • BOCA RATON
WEST PALM BEACH • JACKSONVILLE

305-371-5490 • www.sd-adr.com

PATIENCE • PERSISTENCE • PROFESSIONALISM



Where Excellence is Standard

One-stop-shop for all of your litigation support needs.

- Court Reporting
- Legal Videography
- Interpreting
- Video Conferencing
- eDiscovery
- Trial Technology
- Translating
- Process Serving

Orlando • Miami • Tampa • Jacksonville • Fort Lauderdale
AND over 100 locations throughout Florida!

Orange Legal has the same extensive network and wide range of services as other large agencies, but delivers the local attention you desire.

(800) 275-7991

www.orangelegal.com

CORAL SPRINGS EXECUTIVE CENTER



Suites from
665 Sq. Ft.

- Competitive Lease Terms
- High Speed Fiber Optics
- 24/7 Smart Card Access



BRYASON REALTY CORPORATION

Richard Gerber, Associate

561.362.5444

Recent Developments in the Law



by Nancy Little Hoffman

SUPREME COURT UPHOLDS EXCULPATORY CLAUSE DESPITE ABSENCE OF LANGUAGE RELEASING DEFENDANT FROM LIABILITY FOR OWN NEGLIGENCE.

Disapproving decisions of the First, Second, Third, and Fourth District Courts of Appeal, a divided Supreme Court held that an exculpatory clause need not contain express language releasing a party from its own negligence in order to be effective. In a lengthy per curiam opinion with three justices dissenting, the Court analyzed a longstanding line of opinions, including its own 1973 University Plaza decision, which requires such explicit language in indemnity agreements. While it did not recede from that position with regard to indemnity agreements, the Court stated that it was reluctant to apply such a bright-line rule to exculpatory clauses, provided they contain “otherwise clear and unambiguous language indicating an intent to be relieved from liability in such circumstances.” The majority opinion concluded by asserting that it was the Court’s basic objective “to give effect to the intent of the parties.”

The dissent pointed out, inter alia, that since the release in this case included both

an indemnity agreement and an exculpatory clause, precedent required that the party signing the release be made aware expressly that the defendant would not be liable for its own negligence. *Sanislo v. Give the Kids the World, Inc.*, 40 Fla. L. Weekly S79 (Fla. Feb. 12, 2015).

SUPREME COURT QUASHES FOURTH DISTRICT’S HOLDING THAT DIRECTED VERDICT SHOULD HAVE BEEN GRANTED IN NEGLIGENT SECURITY CASE.

Two young adults were shot to death in their apartment in a “gated community” by unknown assailants. There was no sign of a forced entry, but valuables were missing from the apartment. In a wrongful death action against the owner of the apartment complex, the defendant moved for a directed verdict on the basis that the plaintiff could not prove causation without proof of how the assailants were able to enter the apartment. The motion was denied, and the jury returned a substantial verdict. The Fourth District reversed, holding that the motion should have been granted.

The Supreme Court found conflict on the issue of when a defendant is entitled to a

directed verdict in a negligence action. It once again explained the criteria that must be employed, stressing that the motion cannot be granted unless no proper view of the evidence could sustain a verdict for the plaintiff. In this case, the plaintiff presented a prima facie case by evidence that the security gate to the complex was inoperable, and her criminology expert testified that the resulting failure to limit access to the property would have allowed the assailants to approach the decedents’ apartment. The court observed that whether the decedents had opened the door was a jury question under a comparative negligence analysis and not a proper basis for a directed verdict. *Sanders v. ERP Operating Limited Partnership*, 40 Fla. L. Weekly S85 (Fla. Feb. 12, 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.

17th Circuit Rolls Out Welcome Mat for the Seminole Middle School Decal Program's Fifth Annual Courthouse Tour *by Andrea Gundersen*



On February 13, the 17th Judicial Circuit welcomed students from Seminole Middle School's Division of Communication and Law Program. The 117 students visited the Broward County Courthouse to see how the judicial system, which they have been studying all year, works in practice. The trip was arranged by their teacher Mell Rupp, Andrea R. Gundersen, and Judge Michele Towbin Singer. Students observed hearings and trials in courtrooms. Howard Finkelstein, Broward County public defender, spoke to the students about the importance of protecting constitutional rights. The students joined in a witness identification exercise orchestrated by the Broward Sheriff's Office Crime Lab. With the cooperation

of Judge Towbin Singer and her fellow jurists, including Judges Martin Bidwill, Illona Holmes, Matthew Destry, Christopher Pole, Raag Singhal, and Elijah Williams, the students observed various phases of court hearings in the juvenile and criminal divisions ranging from trials, plea hearings, motions and sentencing.

Judges who partook in the courtroom observations this year addressed the students, answering their questions and explaining the judges' courtroom processes in their courtrooms. Members of the Broward County Bar Association, including Jerome Seigel, Anthony Quackenbush, Michael Hersh, Kristin Bianculli Ochoa, Catherine Darlson, Nosh Mier, and David Solomon, volunteered to act as guides to escort the students during their courtroom observations and to answer questions. They were pleased to see the students' enthusiasm as the students saw the practical application of what they learn in class and witnessed the work of the judges and staff of the 17th Judicial Circuit. **B**



Andrea Gundersen is an AV Preeminent Peer Review Rated Marital and Family Law attorney, practicing law for over 22 years. Ms. Gundersen can be contacted at 954-362-0313 or by email at arg@gundersenlaw.com.

Upchurch Watson White & Max



Bridging Alternative Viewpoints Since 1988

MEDIATION | ARBITRATION | E-DISCOVERY | SPECIAL MASTERS

900 South Pine Island Road, Suite 410, Plantation

CALL: 954-423-8856 | READ MORE & SCHEDULE: WWW.UWW-ADR.COM

[linkedin.com/company/upchurch-watson-white-&-max](https://www.linkedin.com/company/upchurch-watson-white-&-max)

www.facebook.com/UWWMMediation

[@UWWMmediation](https://twitter.com/UWWMmediation)

SPECIAL



Alpine Jaguar is proud to announce the

FLORIDA BAR ASSOCIATION PROGRAM

Jaguar XF 2.0 Premium

\$499/month + tax

39 month lease, \$2500 out of pocket



*"Rarely do you find **STYLE, PERFORMANCE** and **SERVICE** in a single automotive experience...except at Alpine Jaguar! 12 years and I am still amazingly **SATISFIED.**"*

EUGENE PETTIS, PAST PRESIDENT, FLORIDA BAR

Call Damian Polgar today for details
o: 954.202.8349 | c: 954.609.6621
dpolgar@alpinejaguar.com



6606 North Andrews Avenue
Fort Lauderdale, Florida 33309
954.598.7900

PROUD SPONSORS OF THE BCBA

www.AlpineJaguar.com



Broward County Bar Association

Fourth DCA Reception

THANK YOU TO OUR SPONSORS

GOLD SPONSORS



Founded 1910



Waldman Trigoboff
Hildebrandt Marx & Calnan, P.A.

SILVER SPONSORS



THANK YOU TO OUR SUPPORTING SPONSORS



Alpine Jaguar
The Eppy Group
Keller Landsberg, PA
Morgan & Morgan
Sabadell Bank
Upchurch Watson White & Max



Left Picture (left to right): Fourth DCA Judge Alan O. Forst and John Uustal, Event Chairperson.
Middle Picture: Fourth DCA Chief Judge Dorian K. Damoorgian.
Right Picture (left to right): John Uustal, Event Chairperson and Fourth DCA Judge Melanie G. May



On Saturday, February 7, the Young Lawyers Section (YLS) hosted its annual Holiday in February event at the Museum of Discovery and Science. Every year, YLS hosts a group of 50-60 local foster care children and treats them to a winter wonderland. This year, YLS worked with ChildNet, an organization chosen by the Florida Department of Children & Families to serve as the Community Based Care lead agency in Broward and Palm Beach Counties. ChildNet's mission is to protect the abused, abandoned and neglected children in the communities it



Sara M. Sandler is a Partner with Walton Lantaff Schroeder & Carson where she has been practicing since graduating law school in 2008. Ms. Sandler practices primarily in insurance coverage law and appellate law. She serves as coverage counsel for several national insurers providing insurance policy analysis; coverage opinions; and advice on the proper handling of coverage disputes. Ms. Sandler can be reached by calling (954) 463-8456 or via email at ssandler@WaltonLantaff.com.

serves. YLS treated their special guests to a day filled with Christmas carols, gingerbread house building, face painting, arts & crafts projects, and two goofy elves for picture-taking. The event wrapped up with a visit from Santa, all the way from the North Pole! Santa came toting two gifts for each child, generously donated by Broward County Bar Association members at the BCBA's annual holiday party in December. The kids and their chaperones were invited to spend the rest of the day exploring the many interactive exhibits at the Museum. YLS would like to thank Broward County Judge Robert Diaz for his commitment to this event as well as the YLS members who volunteered their time to help make this such a special day for local foster care children. YLS looks forward to hosting this event year after year. **B**

**BROWARD COUNTY BAR ASSOCIATION'S
JOSEPH J. CARTER PROFESSIONALISM AWARD**

Applicants in Practice in Broward County less Than 20 Years

AND

LYNN FUTCH PROFESSIONALISM AWARD

Applicants in Practice in Broward County More Than 20 Years

Please indicate Carter or Futch Award by circling

Submit Nomination to: Braulio Rosa, Executive Director at braulio@browardbar.org • **Fax:** (954) 764-8060 • 1051 Southeast Third Avenue • Fort Lauderdale, FL 33316

Forms must be received no later than Monday, May 4, 2015

Criteria for Nomination:

1. Current active and contributing member of the BCBA.
2. Exhibition of the highest degree of professionalism in accordance with BCBA Standards of Professional Conduct and the Florida Rules of Professional Conduct.
3. Demonstrates respect for the law and preservation of decorum and integrity of the legal system.
4. Conduct which has enhanced the image of the legal profession either through practice or programs and activities that educate the public about the law or the American legal system.
5. Professionalism Committee members may not be nominated.

Additional general characteristics:

A role model for the legal community • Integrity • Timeliness and promptness • Mentoring of others • Zealous advocacy while maintaining civility • Decorum and demeanor • Credibility • Courtesy to counsel, the court, and the parties • Preparedness

Nominee Name:	Person Nominating:
_____	_____
firm:	firm:
_____	_____
phone:	phone:
_____	_____
email:	email:
_____	_____
Additional Information About the Nominee:	
1. Practice Area and Years of Practice	

2. Organization Affiliates:	

3. Bar Activities:	

4. Community Activities:	

5. Detailed Description / Explanation of How and Why Nominee Rises Above Others in Exhibiting Professionalism in His/Her Practice of Law, Including Specific Examples of Conduct (Please attach a separate sheet if the space below is insufficient):	

Tee It Up!

by Stephen Duane

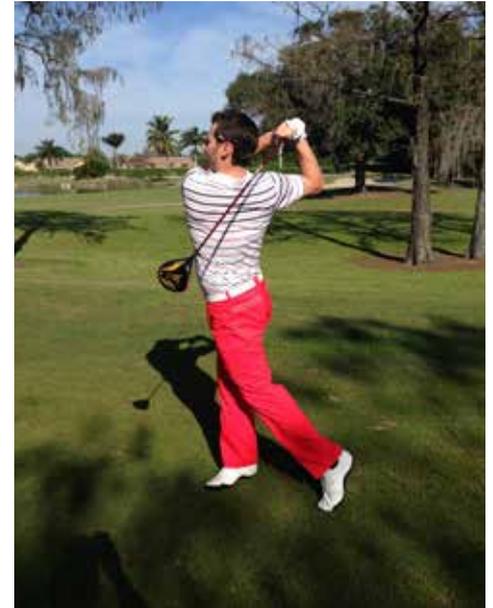
It is well known that golf is a favorite activity among lawyers as a form of recreation, especially in South Florida, because of the unique way it combines camaraderie, exercise and being outdoors. However, depending on your approach to the game, you could be causing yourself more grief than joy. If you enjoy the thought of golfing, but find yourself relieved when walking off of the 18th green, it might be time for you to adjust your approach.

During a round, if you find yourself cursing, throwing clubs, or often proclaiming that you will “never play this game again,” then you may be letting golf stress you out. There are some simple ways to counteract this stress, and make the game fun again. First, take it all in. Golf courses are beautiful and well-manicured places that offer breathtaking landscapes. If you feel yourself getting stressed, step away from the ball and soak up some of the natural beauty, and remember, there are worse places you could spend your day.

Secondly, create a pre-shot routine. A great way to relax and take pressure off of yourself is to create a routine that you execute before each and every shot. Whether it is taking a couple of practice swings, visualizing your landing spot, or just taking a couple of deep breaths, having a routine takes your mind off of your upcoming shot and is surprisingly effective.

Third, don't rush! Monday will be here soon enough, so enjoy the time you have off with your golf buddies!

Lastly, from a professional standpoint, golf is a great way for lawyers to spend time with clients. Having a negative reaction to poor shots or pressure situations will certainly be an indication of how you handle matters professionally, when it counts. So make sure clients see the calm and measured side of you, one that can handle a negative result and then start fresh at the next tee box. 



Stephen Duane is an associate with the Schulman Law Group and focuses his practice on personal injury, medical malpractice and premises liability. He can be contacted at stephen@schulaw.com. For more information, see www.schulaw.com

Estate Appraisals
Certified Gemologist Appraiser
With the American Gem Society

Appraiser of Large Jewelry Estates,
Precious Gemstones and Silver
Appraisals done on and off site.

CARROLL'S
Jewelers

915 East Las Olas Blvd Ft. Laud, FL 954.463.3711

www.ExquisiteCatering.com

Exquisite Catering
By Robert

Exquisite Catering offers a wide variety of catering services to meet all your event needs. No event is too big or too small.

SERVING MIAMI-DADE & BROWARD COUNTIES

305-622-FOOD (3663)
Exquisite Events Every Time!

March

calendar of events

3 Young Lawyers' Boot Camp #2 "I Thought My Argument/Deposition was Great; What Did the Judge Think?"
Time: 4:00 p.m. - 7:00 p.m.
Venue: Broward County Courthouse
Cost: \$25 BCBA Member; \$35 Non-Member

4 The Ethics of Local Appearance Counsel
Time: 12:00 p.m. - 1:30 p.m.
Venue: BCBA Conference Center
Cost: \$15 BCBA Member; \$25 Non-member

4 Mentor Express Take 2
Time: 5:30 p.m. - 7:30 p.m.
Venue: BCBA Conference Center
Cost: Free - BCBA Members Only

10 North Broward Section Luncheon
Time: 12:00 p.m. - 1:00 p.m.
Venue: Champps Americana, 6401 N. Andrews Avenue, Fort Lauderdale, FL
Cost: \$20 BCBA Member; \$25 Non-Member; No Charge for BCBA Judiciary
Contact: Peter T. Mavrick at peter@mavricklaw.com

11 Women Leaders in the Law: A National Perspective
Time: 8:30 a.m. - 1:00 p.m.
Venue: Bahia Mar Hotel
Cost: \$99 BCBA & BCWLA Member; \$125 Non-member

12 North Broward Bar at the Bar
Time: 5:30 - 7:30 p.m.
Venue: TBA

18 CLE: Recent Developments in the Mortgage Modification Mediation Program
Time: 12:00 p.m. - 1:30 p.m.
Venue: BCBA Conference Center
Cost: \$15 BCBA Member; \$25 Non-member

18 Solo/Small Dinner
Time: 6:00 p.m. - 8:00 p.m.
Venue: Dave and Busters
Cost: \$35 BCBA Member; \$50 Non-member (*\$5 Additional at the Door)

Upcoming Special Events April Special Events

**April 2
Mercedes-Benz Corporate Run with BCBA**
Time: 6:45 p.m.
Venue: 32 E. Las Olas Blvd. Fort Lauderdale
Cost: \$40

**April 17
Raising the Bar (Family Law)**
Time: 8:30 a.m. - 5:00 p.m.
Venue: Renaissance Hotel, Fort Lauderdale
Cost: \$125 BCBA Member; \$150 Non-member

**April 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

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



Bookkeeping & Billing For Law Firms

Need bookkeeping assistance? Contact Us!

We offer full charge bookkeeping from A to Z by top notch accountants at affordable prices. Our services include time tracking, billing, reporting and more.

Ph. 305.985.2003
www.bookkeepingcorp.com

We do all your bookkeeping for you!

Mention our ad
for an additional
discount!!!

BROWARD COUNTY BAR ASSOCIATION
BARRISTER

1051 S.E. Third Avenue
Fort Lauderdale, FL 33316-5010
954.764.8040
www.browardbar.org

PRSR STD
U.S. POSTAGE
PAID
FT. LAUD. FL
PERMIT # 2998



The Contingency-Fee Employee Rights Attorneys

Morgan & Morgan's Employee Rights Group is a team of trial attorneys focused solely on **contingency-fee representation of employees** in all employment law litigation. We accept attorney referrals and gladly pay **referral fees** in all employment law cases.

Let's Start a Profitable Referral Relationship

Contact us today to discuss your client's case:
(954) **WORKERS** or **ERG@forthepeople.com**



www.USOvertimeLawyers.com

Offices: Ft. Lauderdale | Ft. Myers | Jacksonville | Naples | Orlando | Sarasota | St. Petersburg | Tallahassee | Tampa | West Palm Beach