

# The BROWARD BARRISTER

APRIL, 1975

Volume 4

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PUBLISHED BY THE BROWARD COUNTY BAR ASSOCIATION  
Executive Offices, 733 Northeast Third Avenue, 305/764-8040, Fort Lauderdale, Florida 33304

## GENERAL MEETING, THURSDAY, APRIL 17, 1975

THE SHERATON HOTEL, 303 N. Atlantic Boulevard, Fort Lauderdale

Cocktails: 6:30 P.M. (Cash Bar) . . . Dinner: 7:15 P.M. (\$10.00)

PROGRAM will be presented by

**Chief Justice James C. Adkins,**  
Supreme Court of Florida

→ (PLEASE USE THE ENCLOSED CARD FOR RESERVATIONS) ←

### OPERATION: UPDATE/TRANSITION

Operation: Update/Transition co-sponsored by the Broward County Bar and Trial Lawyers Associations will present its third in a series of programs on Wednesday, April 16, 1975, in Room 250, Broward County Courthouse, at 4:30 p.m. The programs in the series of trial-oriented "bread and butter" presentations presently scheduled are:

*April 16*

#### DISSOLUTION OF MARRIAGE — SPECIAL EQUITY

Speaker: Harry G. Carratt, Counsel  
in the Landmark-Steinhauer Case

#### DISSOLUTION OF MARRIAGE — ALIMONY

Speaker: James P. O'Flarity, Chair-  
man, Family Law Section,  
The Florida Bar

*May 21*

#### Civil Practice, Rules and Pitfalls in the County Court

Speaker: The Honorable Stanton S.  
Kaplan, County Judge

#### Actions in the County Court

Speaker: Joseph M. Balocco

Presentations will have one hour allotted to each speaker with time included for questions from the floor. Lecture outlines and trial practice forms will be handed out.

### BROWARD COUNTY TRIAL LAWYERS ASSOCIATION MEETING

WEDNESDAY, MAY 7, 1975

5:00 p.m. Case Evaluation Commit-  
tee and Trial Clinic. (Bring your  
cases and questions)

6:30 p.m. Cash Bar

7:00 p.m. Dinner — \$10.00

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ASSOCIATION**

### LAW DAY, U. S. A.

Volunteers for Speakers Bureau for Law Day, U.S.A. are needed immediately. Any interested member who will volunteer for this service, please call or write Walter M. Dingwall, Suite 510 Cumberland Building, 800 East Broward Boulevard, Fort Lauderdale, Florida 33301, and advise him that you are available to speak.

### YOUNG LAWYERS SECTION MEETING

THURSDAY, APRIL 24, 1975

12:00 Noon

#### THE PLAYERS CLUB

1299 E. Oakland Park Boulevard  
Fort Lauderdale, Florida

— Lunch: \$3.75 —

PROGRAM:

Operation of the Circuit Court  
in the Seventeenth Judicial Circuit  
**Judge John H. Moore II**

Please send reservations with check to:

Mr. Ed Sciarretta  
4331 N. Federal Highway, Suite 403  
Fort Lauderdale, Florida 33308

(Make Checks Payable to Young Lawyers Section)

### COMMITTEE SELECTIONS

A list of standing committees of Broward County Bar Association is enclosed for your convenience in making preference selections for the year beginning June 1, 1975. Please list your preferences and return to the office of Broward County Bar Association no later than April 20, 1975.

Every effort will be made to appoint attorneys to committees of their preference. However, it will be necessary to appoint attorneys to committees where need exists, and your cooperation is needed.

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

#### OFFICERS

William F. Leonard ..... *President*  
George A. Patterson .... *President-Elect*  
Ray Ferrero, Jr. .... *Secretary*  
Lawrence J. Meyer ..... *Treasurer*  
Nicholas J. DeTardo ..... *Past President*  
Norma Howard ..... *Executive Secretary*

### Salvation For Overworked Attorneys

On Monday through Friday, April 28-May 2, 1975, the Economics Committee of the BCBA will show videotapes of EIGHT GREAT ECONOMICS PRESENTATIONS in COURTROOM 416 of the Broward County Courthouse at NO CHARGE to local attorneys. A total of 10½ hours of material is presented but showing will be continuous from 9:00 a.m. to 5:00 p.m. daily, Monday through Friday, to allow a busy lawyer flexibility to see part of the presentation on several days. Three night showings are scheduled, 7:00 p.m. to 10:30 p.m., to permit one full showing of the tapes during the evening hours.

This seminar was originally held in January of this year in Tampa, Florida. The programs were videotaped at that time and have been made available to interested persons and organizations through the Florida Bar. Local Bar members who attended the seminar rated it excellent and have been influential in obtaining its presentation locally.

SAMUEL S. SMITH of the Miami Beach law firm of Smith, Mandler, Smith, Parker & Werner, P.A., presents two areas: BREAKTHROUGHS IN ORDINARY OFFICE SUPPLIES and

### \*BETTER ABSTRACTS at Broward County Title Company

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HOW TO CON YOUR PARTNERS INTO BEING MORE EFFICIENT. Mr. Smith is a member of the Florida Bar Board of Governors, past Chairman of the Economics of Law Practice Committee of The Florida Bar and a lecturer at the University of Miami Law School.

HOW TO DO TWICE THE WORK IN HALF THE TIME and ORGANIZING THE CONFUSION AND HAVING THE RIGHT PERSON RUN IT are related by *KLINE D. STRONG* of the Salt Lake City, Utah, law firm of Strong, Poelman & Fox. Mr. Strong received the only PhD ever granted in law office management from Northwestern University and is a director of the Law Research Institute in Utah. He has authored over 40 articles and 4 books on management of law offices.

Co-Chairman of the Professional Economics Committee of the General Practice Section of the ABA, *J. HARRIS MORGAN*, presents ROMANCING FEES INTO THE TWENTIETH CENTURY — REVISED and SIX SYSTEMS TO LET YOU ORGANIZE YOUR WORK, YOUR FILES AND YOUR TIME AND REDUCE THE RISK OF MALPRACTICE. Mr. Morgan, of the Greenville, Texas law firm of Morgan & Crouch, is a Director of the State Bar of Texas, Secretary of the Section of Economics of Law Practice of the ABA, and lecturer at SMU and University of Texas Law Schools.

*CLAYTON B. BURTON*, a Clearwater, Florida attorney with the firm of Fox, Burton, George, Loeffler & Hawthorn, P.A., has extensive consultant experience in the advertising and newspaper industries. Mr. Burton treats LAW OFFICE COMPUTER — THE FIRST 116 DAYS.

THE USE OF A ROBOT IN THE LAW OFFICE (Word Processing) is *BERNARD STERNIN'S* topic. Former-

ly the managing partner of a New York law firm, Mr. Sternin is Chairman of the ABA Committee on Word Processing and Automated Drafting, Vice-Chairman of the ABA Committee on the use of Modern Technology and a member of the ABA Subcommittee on Equipment and Technology.

A schedule of showing times follows:

#### Monday, Wednesday, Friday

9:00 A.M. — Breakthroughs  
9:55 A.M. — Con Your Partners  
11:00 A.M. — Twice The Work  
12:15 A.M. — Organized Confusion  
1:05 P.M. — Romancing Fees  
3:15 P.M. — Six Systems  
4:30 P.M. — 116 Days  
5:00 P.M. — end

#### Tuesday Night

7:00 P.M. — Con Your Partners  
8:05 P.M. — Law Office Robot  
9:20 P.M. — Breakthroughs  
10:10 P.M. — end

#### Thursday Night

7:00 P.M. — 116 Days  
7:35 P.M. — Romancing Fees  
9:50 P.M. — end

#### Tuesday and Thursday

9:00 A.M. — Organized Confusion  
9:50 A.M. — Law Office Robot  
11:05 A.M. — Con Your Partners  
12:10 P.M. — Breakthroughs  
1:05 P.M. — Twice The Work  
2:20 P.M. — 116 Days  
2:55 P.M. — Romancing Fees  
5:00 P.M. — end

#### Wednesday Night

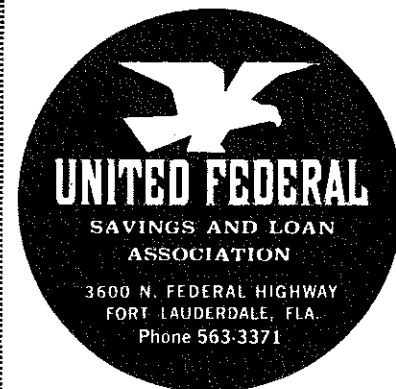
7:00 P.M. — Twice The Work  
8:15 P.M. — Six Systems  
9:30 P.M. — Organized Confusion  
10:15 P.M. — end

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**Legal Research Program**

Both the study and the practice of law are intimately associated with the use of books. Books record the law as well as describe and evaluate the law for us. As a result, knowledge of "how to find the law" has been an essential part of good legal training.

Early in our country's history knowing how to find the law was a relatively simple task. It was possible to read all the law that existed within a lifetime. Today, however, one can hope to read only a very small proportion of the thousands of volumes that contain the law. The tremendous amount of printed material to which the law student or practitioner may need to refer has made it necessary to give intensive, organized instruction in "how to find the law."

This instruction usually takes the form of a short course in legal bibliography, the major part of which is devoted to lectures on research sources. This is followed by the writing of an appellate brief and sometimes an oral argument based upon that brief.

At Nova we believe in learning by doing. If law students begin to use the books themselves as soon as they enter law school, they will not only become familiar with the use of the law library but will relate their knowledge gained from substantive courses to the books involved, thereby reinforcing memory of their use. Lawyers, however, must know more than merely how to find the law.

They must be able to analyze what they find, then communicate this information effectively, either verbally or in written form.

The legal research program at Nova is a two-semester, required freshman course designed to teach the fundamentals of both legal research and legal writing. Learning by doing is the keynote. In conjunction with lectures on the basic research sources, students are assigned to problems to research every two weeks. Students present the results of their research in the form of an office memorandum of law. The research source they learn to use during these exercises include case reporters, digest, encyclopedias; Words and Phrases, Shepard's, statutes (federal and state) and their associated finding tools, legislative historic documents, administrative law sources and looseleaf services. In addition, the student also learns the use of form books in conjunction with lectures on legal drafting and legal letter writing.

The last half of the second semester is devoted to lectures on appellate advocacy and to research and brief writing in preparation for a moot court argument on an assigned topic. At the conclusion of this course Nova law students will have had actual experience with virtually all the research tools a practitioner commonly uses. In addition, they will have been exposed to most forms of legal writing and will thus be valuable to any practitioner's office.

**Moot Court Program**

During the last two weeks in April each student, as a member of a two-man team, will present an argument based upon his or her appellate brief in

an adversary setting before an appellate moot court. The setting of the arguments will be made as realistic as possible. There will be a strictly enforced limit on the time each student will be allowed for his oral argument, with the option to reserve time for rebuttal. A three-man panel of judges will hear each argument and render a decision thereon. The panels will include prominent judges and attorneys from the local bar. We feel that this is one of the most important portions of the legal research program. It is the final test of each student's research ability. In addition, it gives each student the opportunity to meet with prominent members of the bar.

John Wm. Reifenberg, Jr.  
*Assistant Professor of Law*

PROFESSOR JOHN W. REIFENBERG holds degrees from Brown University and the University of Denver. While at the University of Denver College of Law, in addition to acting as research assistant for several professors engaged in legal writing, he acted as Teaching Assistant. For the past several years, he was Field Staff Researcher for a Police Foundation Project, evaluating the Dallas Police Department and has been associated with the Criminal Justice Program, Institute of Urban Studies, University of Texas. He comes to Nova from his post of Instructor at the Southern Methodist University School of Law.

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**Report on  
Board of Governors,  
The Florida Bar**

**March 13, 14 and 15, 1975  
At Colony Beach Resort,  
Long Boat Key, Florida**

The Board of Governors took the following actions or heard the following reports at their most recent meeting:

1. Nominations for Judicial Nominating Commissions should be received no later than May, 1975, for a term beginning July 1, 1975. Any interested member should contact John S. Neely, Jr. or Donald H. Norman.

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2. Applications will be received by the Supreme Court Nominating Commission no later than April 11, 1975 for the most recent vacancy on that Court, effective April 30, 1975.

3. A proposed 1975-76 Budget for The Florida Bar showing total income and disbursements of \$2,442,660 was adopted.

4. Reports of representatives from the Corporate, Banking and Business Law Section, Family Law Section, Trial Lawyers Section and Real Property, Trust & Probate Law Section were presented.

5. Proposed forms of agreement to permit attorneys to utilize credit cards in charges for legal fees were reviewed.

6. Proposed revisions to the Code of Ethical Conduct and Disciplinary Rules to permit the wider use of para-legals were considered. This matter was referred to a special committee which will report back to the Board when it next meets in Tallahassee on May 28-30, 1975.

7. Development of a probate systems approach to the practice of law was approved.

8. A lengthy group of proposed legislation, including a new proposed Code of Evidence, a new proposed Probate and Guardianship Act, substantial constitutional revisions expanding the power of the Judicial Qualifications Commission, bills to revise the interest rate to be paid on judgments and expansion of coverage for judicial retirement were approved. The Board also approved consideration of certain modifications in tort law dealing with professional malpractice as well as moving forward with the concept of merit retention for judges. A Federal No-Fault legislation and extensions of Florida No-Fault legislation were opposed.

9. A status report of the Bar Center Development Commission was heard, in-

dicating that pledges equalling \$250,000 have been received to date. If you have not sent in your pledge, please do so — your Bar Association needs your support.

10. An effort to amend Canon 3A(7) of the Code of Judicial Conduct and the corresponding Rule of Criminal Procedure which presently prohibits photographing courtroom proceedings was opposed.

11. A report on the success of The Florida Bar Caravan conducted in 1974 was heard. There are 71 local Bar Associations in Florida, and The Florida Bar seeks to continue good relations with them. Some of the ideas coming from the Caravan were that most lawyers feel that the penalties administered for violations of Canons of Ethics are too light and that admissions to The Florida Bar through the Bar Examination have become too easy.

12. A report of a committee on committee tenure was heard and the Board approved, in principle, a policy which would extend committee appointments for a three-year term and would permit rotation of committee members with one-third of the committee members changing each year. The President of The Florida Bar would not be precluded from reappointing any member at the end of a three year term.

Don Norman

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## TREASURER'S REPORT

The books of accounts of Broward County Bar Association have been audited by the accounting firm of Price Waterhouse & Co., Certified Public Accountants. The audit and books are available in the office of Broward County Bar Association for inspection by any member of the Association.

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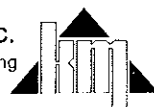
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## Annual Golf & Tennis Tournament

The annual Broward County Bar Association Golf Tournament and the annual Broward County Bar Association Tennis Tournament will both be held at Rolling Hills Country Club on May 30, 1975. Following the tournaments there will be dinner and installation of officers.

The tournaments and the dinner will be substantially the same as last year. This will be a pleasant opportunity to renew acquaintances, meet new members of the Bar, and, most of all, be an active participant in the activities of our Bar Association.

Gene Rimes  
Chairman

(For details see enclosed flyer)

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## Nova University Law Forum

The Nova University Law Forum will be co-sponsored by the Broward County Trial Lawyers Association and the Broward County Medical Association. The Forum will meet at the Holy Cross Hospital Auditorium, Wednesday, April 23, 1975, at 7:30 p.m. The format of the program will be a panel discussion by local doctors and lawyers concerning "Alternative Methods of Adjudicating Medical Malpractice Claims." The panel participants will be: Mr. William Stafford, Executive Director of the Broward County Medical Association; Mr. Schlesinger, local attorney; Dr. James Perry, a local neurosurgeon; Mr. Bernie Welch, Hospital Administrator for Broward County Medical Center; and the Circuit Judge, Raymond Hare.

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