

The BROWARD BARRISTER

PUBLISHED BY THE BROWARD COUNTY BAR ASSOCIATION

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

APRIL, 1976

Volume 5

Number 4

GENERAL MEETING, THURSDAY, APRIL 15, 1976 — 12:00 NOON

THE GOVERNORS' CLUB HOTEL

236 S.E. 1st Avenue
Fort Lauderdale, Florida

— Buffet: \$3.75 —

PROGRAM: "Condominiums and South Florida — What Now?"

by Jon Kislak, Vice President of
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YOUNG LAWYERS SECTION MEETING

THURSDAY, APRIL 22, 1976

12:00 Noon

THE GOVERNORS' CLUB
236 S.E. First Avenue
Fort Lauderdale, Florida

Lunch: \$3.75

Speaker: L. A. Hester, Broward County
Administrator

Topic: **Problem Areas Facing the
Future of Broward County**

Other Business: Election of Officers

Please send reservations with check to:

Michael J. McNerney
2881 E. Oakland Park Boulevard
Fort Lauderdale, Florida 33306

(Make checks payable to:—
Young Lawyers Section)

BROWARD COUNTY TRIAL LAWYERS ASSOCIATION MEETING

WEDNESDAY, MAY 5, 1976

5:00 p.m. Case Evaluation Committee

6:00 p.m. Workshop: Problem Solving
Clinic. (Bring your own cases
and questions)

6:30 p.m. Cash Bar

7:00 p.m. Dinner — \$10.00

THE SHERATON HOTEL
303 N. Atlantic Blvd. (A1A)
Fort Lauderdale, Fla.

Speaker: SHELDON SCHLESINGER

Topic: **Considerations Involved In Under-
taking To Represent Clients In
Medical Malpractice Cases**

RSVP before April 30, 1976

Please send reservation with check to:

Mr. Dale Sanders,
Suite 1500, One Financial Plaza
Fort Lauderdale, Florida 33394
Phone: 764-4646

PLEASE MAKE CHECKS PAYABLE TO:
BROWARD COUNTY TRIAL LAWYERS
ASSOCIATION

OPERATION: UPDATE/TRANSITION

Sponsors: BCBA BCTLA and Nova
Law School

April 21, 1976 — 4:30 P.M.

Administrative Law: County and
City Appearances

Speakers: Alexander Cocalis
Donald H. Norman

Room 250, Broward County
Courthouse

May 19, 1976 — Eminent Domain

(\$1.00 printing donation requested)

Law Day U.S.A.

Volunteer speakers for Law Day,
U.S.A. related ceremonies should con-
tact Walter Dingwall, 525-0588.

★★ 1976 ★ 1976 ★★

ADVERTISING

It has been brought to the attention of
the Bar Association that the Telephone
Company improperly listed several at-
torneys' designated areas.

Anyone who has had any improper
listings should notify the office of the
Broward County Bar Association imme-
diately, so that this matter can be
studied by the Executive Committee.

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

PRESIDENT'S MESSAGE

OFFICERS

George A. Patterson *President*
 Ray Ferrero, Jr. *President-Elect*
 Lawrence J. Meyer *Secretary*
 Ronald P. Anselmo *Treasurer*
 Norma Howard *Executive Secretary*

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On April 15, 1976, ballots will be mailed to all members of our Association and there will be held the first election under the new election procedure established by our recently adopted by-laws. In the past, because of the old election procedures, certain members of our Association had intimated that the officers of our Association and the members of our Executive Committee were members of some type closed group. The response to that charge, as is usual in an accusation of that type, was that if there was such a group it was open to anyone who was willing to spend some time and effort on behalf of our Association and our profession in general. Now we have an election procedure directly in keeping with that response; and you members this year have a greater responsibility in the selection of our leadership for next year than ever before. Your decision will be a most difficult one because you will all recognize that throughout the ballot all of the nominees possess general excellence as lawyers and experience in bar activities. In making your selections for next year, I merely remind you that the activity of your bar association on your behalf is proportionate to the time and effort given by all of those in positions of leadership. You are encouraged, therefore, to make your selections thoughtfully and to return your ballots promptly. Please also sign the outer envelope so it may be certain that only members of our Association cast ballots.

April also brings the commencement of the annual session of the Florida legislature. Hopefully through the experience this year all of our members realize the importance of this legislature session. Each of our members simply must keep abreast of that which is happening in the legislature. **Jim Scott**, who is chairman of our Legislature Liaison Committee, has reported that as of March 15, there were pending for legislative consideration some 21 measures which, if passed, would have an adverse effect on our profession and through that on each of us. Lawyers in Florida may no longer sit passively by while their representatives consider matters which may ultimately be harmful to them and to the jurisprudence of their state. You are encouraged, therefore, to make your views known to our delegation; because your silence on important matters may be reasonably considered to show your approval of the actions being taken. The members of the Broward delegation have shown that they are receptive to your views, but they need to hear from you so they will know your position and also so that they will realize that you are following their positions on important questions. Let us make our voices heard during this session on those matters which are important to us as citizens of Florida and particularly on those items which are important to the jurisprudence of our State.

George A. Patterson
 President



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COURT DECISIONS

by Henry J. Prominski

Greene vs. The City of Sunrise 323 So2nd 30, upheld Judge Fischer's ruling that Sunrise Police in hot pursuit beyond their municipal limits could arrest one harrassing and threatening the officer as he was writing out the traffic violator's ticket. Chief Judge Walden in writing the opinion upheld the City of Sunrise's charter and under the Florida Statute 901.25 the power to arrest beyond the corporate limits when the crime or violation was within the municipality and pursuit took the police outside his jurisdiction. The limit seems to be that outside the municipality must mean within the same county and relying upon an attorney general's opinion, which held that it is a necessary implication that if the Legislature intended the pursuing officer to have authority to arrest beyond his municipal limits then he would also have authority to arrest any third person knowingly and willingly obstructing him while in the process of fresh pursuit or while arresting the pursued violator. The Judge having given a correct and accurate interpretation of the law and charge to the jury, the lower court was affirmed.

This case is interesting not only in its constitutional application as well as the interpretation or existing statutory law, but in its reliance upon an attorney general's opinion rather than existing case law supporting its position and also the natural implications as to just how far can the pursuing officer's authority go. For example, should the pursuing officer see a violent rape occur in front of his

eyes while he is in the process of ticketing a speed violator outside his municipality does he have the authority to arrest for such a crime. Obviously he does as a citizen under citizens' arrest for a felony committed in his presence. It would appear that his authority is limited to his particular fresh pursuit and arrest. Assuming on the other hand that the fresh pursuit brought a non-related crime, such as possession of marijuana found in the car under the seat after the arrest for fresh pursuit, would that be considered within the res gestae of the original violation? Perhaps further case law or legislation will define the authority of an officer in hot pursuit beyond his municipal jurisdiction.

★ ★ ★ 1776-1976 ★ ★ ★

Humanities Seminar For Lawyers

The National Endowment for the Humanities will expand its program of humanities seminars for practicing lawyers and judges, supporting four seminars in the summer of 1976. The program will bring four distinguished humanists from the fields of philosophy, history and political science together with practicing lawyers for a month of full-time study. The seminars will be held in Arizona, California, Illinois and Massachusetts.

Up to 15 participants will attend each seminar tuition free and will receive a \$1,200 stipend to cover expenses, plus reimbursement for travel up to a \$300 maximum. Participants may be accompanied by members of their families, but

the stipend will not be increased.

Selection of participants will be made by the seminar directors with the advice of selection committees. Applications are invited from lawyers, with at least five years of professional experience, in all sectors of legal employment, including private firms, the judiciary, administrative agencies, and the various levels of government, corporate legal staffs, and community organizations. Lawyers with full-time academic appointments are ineligible. The application deadline for the Rosary College seminar is April 15, with selections to be announced about April 22. The application deadline for the other seminars is April 30; selections will be announced about May 10. For further information call Broward County Bar Association, 764-8040.

★ ★ ★ 1776-1976 ★ ★ ★

Welcome, New Members

PETER D. AIKEN, a native of Fort Pierce, Florida, received his undergraduate degree from the University of South Carolina and his law degree from the University of Miami. He practices alone in Fort Lauderdale.

ROBERT H. ANDERSON II, a native of Akron, Ohio, received his undergraduate degree from Florida Atlantic University and his law degree from the University of Florida. He is associated with Coleman, Leonard & Morrison in Fort Lauderdale.

CHRISTINE HALL ASHCRAFT, a native of Richmond, Virginia, received her undergraduate degree from the University of Florida and her law degree from the University of Miami. She is associated with Ferrero, Middlebrooks & Houston in Fort Lauderdale.

(Continued on page 8)

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ELECTION OF OFFICERS

The By-Laws of Broward County Bar Association were changed in January to provide for changes in procedure for election of officers and Executive Committee members.

The Nominating Committee presented its slate of nominees in the February **Barrister**, and any other member seeking an office had until March 15, 1976 to present a nominating petition.

A brief resume of each candidate is presented below for your information.

CANDIDATE	OFFICE SOUGHT	LAW SCHOOL ATTENDED & DATE OF ADMISSION TO FLORIDA BAR
LAWRENCE J. MEYER	PRES.-ELECT	MIAMI — 1954
A. J. THOMAS, JR.	PRES.-ELECT	Univ. of FLA. — 1948
RONALD P. ANSELMO	SECRETARY	Univ. of FLA — 1964
MAURICE O. RHINEHARDT	TREASURER	Stetson — 1963
Group 1 (North)		
PATRICK L. BAILEY	EXECUTIVE COMMITTEE	Marquette Univ. — 1964
JOHN HUME	EXECUTIVE COMMITTEE	Univ. of FLA. — 1971
PETER A. PORTLEY	EXECUTIVE COMMITTEE	St. John's Univ. — 1968
HENRY J. PROMINSKY	EXECUTIVE COMMITTEE	Univ. of Miami — 1959
ROBERT WUTT	EXECUTIVE COMMITTEE	Marquette Univ. — 1956

LOCAL BAR ACTIVITIES

Executive Committee of BCBA, 1965 — present, Secretary, BCBA — 1972-1976
Treasurer, BCBA — 1974-75, Chairman, By-Laws Revision Committee, BCBA

Executive Committee, BCBA
Organizer & Co-Chairman, Operation: Update/Transition
Past President BCTLA
Organizer & past chairman, Broward Council of Bar Presidents

Executive Committee, BCBA, 1971, Treasurer, BCBA, 1975.
Organizer & President of Young Lawyers Section of BCBA

Executive Committee, BCBA, 1969 — present, Member of Probate Committee, Member of By-Laws Revision Committee, 1975

Past member, Executive Committee, BCBA, Past President of North Broward Bar

Past President, Young Lawyers Section of BCBA, Member of Long Range Planning Committee
Member of Fee Arbitration Committee, Member of Entertainment and House, Member of Broward County Council of Bar Presidents,
Member of Judicial Selection & Tenure Committee, High School Law Education Committee

Law Library Committee
Secretary, North Broward Bar, Broward County Trial Lawyer's Association, (Member Board of Governors)

Chairman, Publications Committee
Past Chairman, Legal Institutes Committee, Member of Long Range Planning Committee, Executive Committee, BCBA, 1974-present

North Broward Bar,
Treasurer, 1971-1972
Secretary, 1972-1973
Vice-President, 1973-1974
President, 1974-1975

STATE BAR ACTIVITIES

Member, The Florida Bar Civil Rules Committee

Past member, Young Lawyers Section, The Florida Bar

Grievance Committee, 1972-1975

Special Grievance Committee

Long Range Planning Committee of The Florida Bar

The Florida Bar International Law Committee,
Aeronautics Committee, Governmental Law Section

OTHER

ABA
Small Claims Judge, 1963-1973

Past President of Lawyers Title Services, Inc. of Broward County

Board of Governors,
Editor in Chief—Law Review (Florida)

Director & member of Executive Committee of Henderson Clinic
Pompano Beach Chamber of Commerce

American Trial Lawyers, Academy of Florida Trial Lawyers

Attorney of area Planning Board, 1968-1974

Group 2 (South)

PAUL ANTON

EXECUTIVE COMMITTEE

Univ. of Miami — 1952

ROSS BECKERMAN

EXECUTIVE COMMITTEE

Univ. of FLA. — 1963

MIETTE BURNSTEIN

EXECUTIVE COMMITTEE

Univ. of Miami — 1961

JOSEPH L. SCHWARTZ

EXECUTIVE COMMITTEE

Harvard Law School — 1962

ANGELINE G. WEIR

EXECUTIVE COMMITTEE

Univ. of Miami — 1960

Group 3 (Central)

JAMES J. BLOSSER

EXECUTIVE COMMITTEE

Univ. of Miami — 1965

RUSSEL E. CARLISLE

EXECUTIVE COMMITTEE

George Washington — 1955

HARRY G. CARRATT

EXECUTIVE COMMITTEE

Univ. of FLA. — 1957

J. PETER FRIEDRICH

EXECUTIVE COMMITTEE

Duke Univ. — 1956

PAUL A. GORE

EXECUTIVE COMMITTEE

Notre Dame Law School — 1968

JAMES T. MOORE

EXECUTIVE COMMITTEE

Univ. of Miami — 1960

CARL SCHUSTER

EXECUTIVE COMMITTEE

Univ. of Miami —

O. EDGAR WILLIAMS, JR.

EXECUTIVE COMMITTEE

Univ. of FLA.

Past President, South Broward Bar,
Member of Executive Committee, BCBA,
1969-present, Chairman, Long Range
Planning Committee

Past President, South Broward Bar
Association

Member of Board of Directors, South
Broward Bar Association

South Broward Bar Association,
Member of Board of Directors
Treasurer, Vice President, President

Executive Committee, BCBA, 1973-
present, Publisher & Editor Broward
County Bar Association Bulletin, 1958-
1962, Liaison member of Law Library
Committee

Board of Directors, Legal Aid Service;
Chairman, Committee on Cooperation
with Banks & Trust Companies

Executive Committee, 1974;
Chairman, Professional Conduct Profes-
sional Ethics; President of Legal Aid
Service, Inc.

Chairman, Committee on Legal Insti-
tutes, 1973-1975;
Co-Chairman, Operation: Update/
Transition; Member, Executive Com-
mittee, 1975-present

Ethics Committee, Minimum Fee
Committee, Committee on Cooperation
with Banks & Trust Companies, Com-
mittee on Circuit Court - Probate Div.

Chairman, High School Education Law
Committee, 1973-1975

Chairman, Committee on Real Property;
Member, Ethics Committee; Past
member, Law Day U.S.A.

Chairman, Economics Committee;
Sub-Committee Legal Assistants

Chairman, Committee on Circuit Courts

Past Chairman of The Florida Bar's
Corporation, Banking & Business
Law Section
Past Chairman of Real Property,
Probate & Trust, Law Section
Member Board of Bar Examiners

Former member of Grievance
Committee

Florida Association of Women Lawyers

Member, Board of Governors Young
Lawyers Section, 1969-1973

Board of Governors, 1968-1973; Chair-
man Economic Law Practice;
Chairman, Budget Committee; Chair-
man, Integration Rule & By-Laws
Committee, Executive Committee

Local Continuing Legal Education Repre-
sentative, 1973-1975;
Member & Chairman, Grievance Com-
mittee "B", 1973-present; Member &
past Vice-Chairman, Appellate Rules
Committee, 1972-present

Chairman, Grievance Committee;
Member Real Property & Trust Section,
The Florida Bar

Past Chairman, Aerospace Law Com-
mittee

Grievance Committee (4 years)

Member of Board of Directors of Mental
Health Society, Broward County,
United Fund of Broward County
Easter Seal Clinic

Past President, South Broward Bar
Association Auxiliary

Past President of South Broward Bar
Association Auxiliary;
President Municipal Judges Association,
Broward County;
President, Greater Hollywood Chamber
of Commerce,
County Solicitor, Broward County,
1966-1969

ABA
American Trial Lawyers

Member & Vice Chairman, 4th District
Judicial Nominating Committee

Past Present Estate Planning Council
of Broward County

Broward County Trial Lawyers Assn.,
Academy of Florida Trial Lawyers;
Lawyers Title Guarantee fund

Judge, Court of Records, Broward
County, 1960-1963;
Justice, Circuit Court, 1963-1970; ABA

The elective ballot will be mailed on April 15, 1976. Please read the cover letter with
instructions when you receive this ballot.

MAURICE BERKOWITZ, a native of New York City, received his undergraduate degree from Long Island University and his law degree from Brooklyn Law School. He practices alone in Fort Lauderdale.

DAVID A. DANIELSON, a native of Cambridge, Mass., received his undergraduate degree from Florida State University and his law degree from the University of Florida. He practices alone in Fort Lauderdale.

KENNETH DELEGAL, a native of Fort Lauderdale, Fla., received his undergraduate degree from the University of Florida and his law degree from the University of Florida. He is associated with the Public Defender's Office, Fort Lauderdale.

JAMES B. DENMAN, a native of Brownwood, Texas, received his undergraduate degree from California State College and his law degree from Cumberland Law School. He is associated with James V. Dolan, Fort Lauderdale.

ROBERT A. DRESSLER, a native of Fort Lauderdale, Fla., received his undergraduate degree from Dartmouth College and his law degree from Harvard Law School. He is associated with Dressler & Dressler, P.A., in Ft. Lauderdale.

RONALD N. DUBNER, a native of Chicago, Ill., received his undergraduate degree from the University of Wisconsin and his law degree from DePaul University. He practices alone in Pompano Beach, and Deerfield Beach.

CAREY MICHAEL FISCHER, a native of Cleveland, Ohio, received his undergraduate degree from Tulane University and his law degree from the University of Miami. He is associated with Ferrero, Middlebrooks & Houston in Fort Lauderdale.

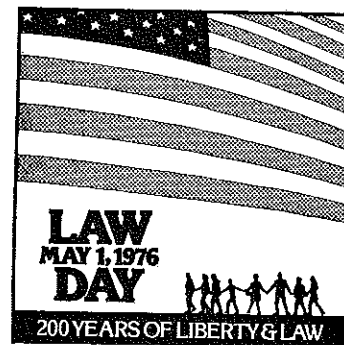
DAVID GOODRICH, a native of Bridgeport, Conn., received his undergraduate degree from Purdue University and his law degree from Stetson University. He practices alone in Fort Lauderdale.

FRANK E. HAMILTON, III a native of Athens, Ga., attended the University of South Florida and received his law degree from Florida State University. He is associated with Hamilton, Douglas & Bennett in Fort Lauderdale.

JOHN C. KACZMAREK, a native of Milwaukee, Wisc., received his undergraduate degree from the University of Wisconsin-Lacrosse and his law degree from the University of Louisville. He is associated with the firm of Grigsby, Caliendo, Rosenthal & Kaczmarek in Fort Lauderdale.

KENNETH F. KIELBANIA, a native of Ludlow, Mass., received his undergraduate degree from the University of Miami and his law degree from the University of Miami. He practices alone in Fort Lauderdale.

JEFFREY LAWRENCE KIRSCH, a native of New Brunswick, New Jersey, received his undergraduate degree



from the University of Miami and his law degree from Brooklyn Law School. He is associated with Anthony V. Pace, Jr. in Fort Lauderdale.

JOEL L. KIRSCHBAUM, a native of Miami, Florida, received his undergraduate and law degrees from the University of Florida. He is associated with Berryhill, Avery, Schwenke, Williams & Scott, in Fort Lauderdale.

JOEL M. KLAITS, a native of Philadelphia, Pa., received his undergraduate degree from Temple University and his law degree from the University of Miami. He practices alone in Hollywood, Florida.

DONALD G. KORMAN, a native of Bronx, New York, received his undergraduate degree from State University of New York and his law degree from Rutgers University. He is associated with Kirsch & Mills in Fort Lauderdale.

LEONARD A. LAMPERT, a native of New York City, received his undergraduate degree from Georgia Tech and his law degree from St. Johns University. He practices alone in Fort Lauderdale.

NORMAN MARCUS, a native of Brooklyn, N.Y., received his undergraduate degree from Tulane University and his law degree from the University of Miami. He is associated with Gerald Beyrer in Fort Lauderdale.



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