

The BROWARD BARRISTER

SEPTEMBER, 1979

Volume 8

Number 9

PUBLISHED BY THE BROWARD COUNTY BAR ASSOCIATION

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

GENERAL MEETING

Thursday, September 20, 1979 — Pier 66 — Panorama Room
2301 S.E. 17th Street Causeway, Fort Lauderdale, Florida

Cocktails 6:30 p.m. Dinner 7:15 p.m.
Price \$15.00

Program: REGULATION AND INTEGRATION

Speaker W. Reece Smith, Jr., President-Elect, American Bar Association

William Reece Smith, Jr., was named President-Elect of the American Bar Association on August 14, 1979. He will become President at the conclusion of the Annual Meeting in Hawaii in August, 1980. The list of accomplishments of Mr. Smith are many. He has served the legal profession well. His activities include:

Secretary of the American Bar Association from 1967-1971.

President of the American Bar Endowment — 1976-1978.

President of the National Conference of Bar Presidents — 1979.

President of of The Florida Bar — 1972-1973.

President of The Florida Bar Foundation — 1970-1972 and many, many others.

Mr. Smith was born in Athens, Tennessee. He received a bachelor of science degree from the University of South Carolina in 1946 and his law degree (with high honors) from the University of Florida in 1949. He became a Rhodes Scholar at Oxford University in 1949.

His educational activities also include serving as Interim President, University of South Florida, 1976-1977.

He is a law partner in the law firm of Carlton, Fields, Ward, Emmanuel, Smith & Cutler.

PLEASE USE ENCLOSED CARD FOR RESERVATIONS

YOUNG LAWYERS SECTION BEACH PARTY

Saturday, September 15, 1979 . . . 8:00 P.M. UNTIL ?-?-?

1140 Seabreeze Boulevard, Fort Lauderdale

The party is behind the Yankee Clipper Hotel on Fort Lauderdale Beach. Parking is in the South parking lot across from Bahia Mar.

Kegs, chicken and oysters top the menu, and music will be by Ray Duncam. Workgloves and screwdrivers to shuck oysters are recommended.

For information and reservations contact:

Mr. John R. Gillespie, Jr., 4875 N. Federal Highway, Suite 6-A
Fort Lauderdale, Florida 33308 — Phone: 491-1404

YOUNG LAWYERS SECTION MEETING

Thursday, September 27

12:00 Noon

BUBBA'S

1624 East Sunrise Boulevard
Fort Lauderdale, Florida

Luncheon: \$5.00 — Members
\$6.00 — Non-Members

Speaker: J. B. Spence

Topic: "Trial Tactics — From Voir Dire to Closing Arguments"

Reservations should be made with:

James B. Davis
Post Office Box 9027
Fort Lauderdale, Florida 33310

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

OFFICERS

Maurice O. Rhinehardt *President*
Harry G. Carratt *Pres.-Elect*
James H. Walden *Sec.-Treas.*
Norma Howard .. *Executive Director*

**Only Seven Per Cent Of
Lawyers Bother Advertising
Since 1977 Supreme Court
Decision**

Despite a 1977 U.S. Supreme Court ruling permitting lawyers to advertise, only 7 percent of the profession has done so, according to the latest LawPoll survey for the *American Bar Association Journal*.

The survey conducted for the *Journal* by Kane, Parsons and Associates, a New York based opinion research firm, is a follow-up to a similar poll conducted a year ago. That survey showed that only 3 percent of the lawyers had bothered to advertise.

In the second survey, appearing in the latest issue of the *Journal*, there is virtually no regional variation in the incidence of advertising, but there is a relationship between advertising and income.

According to the results, the likelihood of advertising decreases as income rises. Of the 600 respondents who were contacted by telephone, 14 percent of the lawyers with household incomes of \$25,000 or less said they had advertised. This compares to only 3 percent among those who make over \$50,000 annually.

There are also indications that, by a margin of 15 to 7 percent, women are more likely to advertise than men.

Although there is still strong opposition to solicitation (personal contact of potential clients by lawyers), the latest survey shows that this opposition is decreasing. In the spring of 1978, the first survey showed that lawyers oppose solicitation by a margin of 71 to 23 percent.

The latest survey, however, indicated that opposition has dropped to 62 percent, although favorable attitudes towards solicitation virtually remained the same at 24 percent.

When asked if they felt there was a chance of using self-promotion techniques (advertising or personal solicitation) over the next 12 months, interest was at about the same level it was in the earlier survey.

One indication, however, that advertising may gradually increase is that the proportion who would "absolutely not" advertise has dropped from 62 to 49 percent.

As to whether advertising and personal solicitation will bring lawyer services to the attention of persons who need them but are unaware of the need, the results showed that the percentage in agreement rose from 43 to 49 percent.

A majority (74) percent retained the belief, however, that personal solicitation will lower the professionalism of lawyers. Agreement with the same statement as applied to advertising was 63 percent, down only marginally from 65 percent in 1978.

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LEGAL ETHICS COMMITTEE

Each month the Legal Ethics Committee will contribute to the BARRISTER opinions of The Florida Bar Professional Ethics Committee recently supplied to the local committee. Only opinion headnotes will be supplied; the full opinion may be found at the County Law Library or at the office of the Broward County Bar Association.

Opinion Headnotes

OPINION 76-35
October 17, 1977

An attorney may draft a legal document for a client, even though he may have a genuine, good faith uncertainty as to its legality, provided that he gives his client an opinion to that effect and fully discloses possible legal effects and civil or criminal liability. Third parties directly designated in such a document should receive a similar disclosure from the attorney if they are not represented by counsel or are not involved in the transaction.

CANONS: 7
C.P.R. E-C 7-1, 7-2, 7-3, 7-6
DR. 7-102 (A) (7)
STATUTES: 782.08, Florida Statutes
CASE: In the Matter of Quinlan, 355 A.2d 647 (N.J. 1976)

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377-3721 **miami review**
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Law Review 832-0386
and Business Record of Palm Beach County
leading legal newspaper for
the Fifteenth Judicial Circuit

ROSS, LOMBARD & BALLARD INSURANCE, INC.

101 N.E. THIRD STREET
P.O. BOX 14156
FORT LAUDERDALE, FLORIDA 33302
TELEPHONE 763-7800

TO KILL

A FLY

The following are actual quotes from accident reports submitted to various insurance companies by hapless policyholders.

Coming home, I drove into the wrong house and collided with a tree I don't have.

The other car collided with mine without giving warning of its intentions.

I thought my window was down, but found it was up when I put my hand through it.

I collided with a stationary truck coming the other way.

The guy was all over the road; I had to swerve a number of times before I hit him.

I pulled away from the side of the road, glanced at my mother-in-law, and headed over the embankment.

In my attempt to kill a fly, I drove into a telephone pole.

I had been driving for forty years when I fell asleep at the wheel and had the accident.

To avoid hitting the bumper of the car in front, I struck the pedestrian.

My car was legally parked as it backed into the other vehicle.

An invisible car came out of nowhere, struck my vehicle and vanished.

I told the police that I was not injured, but on removing my hat, I found that I had a fractured skull.

I was sure the old fellow would never make it to the other side of the road when I struck him.

The pedestrian had no idea which direction to run, so I ran over him.

I was thrown from my car as it left the road. I was later found in a ditch by some stray cows.

The indirect cause of this accident was a little guy in a small car with a big mouth.

The telephone pole was approaching, I was attempting to swerve out of its way, when it struck my front end.

I was unable to stop in time and my car crashed into the other vehicle. The driver and passengers left immediately for vacation and injuries.

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WELCOME NEW MEMBERS

JACK L. GALLIE, a native of Holly, Michigan, received his undergraduate degree from New York Institute of Technology and his law degree from Stetson College of Law. He is associated with Kahn & Gustafson in Ft. Lauderdale.

LAURENCE D. GORE, a native of Fort Lauderdale, received his undergraduate degree from Southern Methodist University and his law degree from Nova Law Center. He practices alone in Ft. Lauderdale.

HOWARD L. GREITZER, a native of New York, received his undergraduate degree from State University of New York and his law degree from Nova University. He is associated with Lyons & Sanders in Ft. Lauderdale.

JOHN G. JORDAN, a native of Chicago, Illinois, received his undergraduate degree from Notre Dame University and his law degree from the University of Miami. He practices alone in Ft. Lauderdale.

ROBERT M. KAHN, a native of New York, N.Y., received his undergraduate degree from Bucknell University and his law degree from St. John's University. He practices alone in Ft. Lauderdale.

LARRY A. KARNs, a native of Canton, Ohio, received his undergraduate degree and law degree from Ohio State University. He is associated with

Coleman, Leonard & Morrison in Ft. Lauderdale.

JOHN W. MAURO, a native of New York, N.Y., received his undergraduate degree from Boston College and his law degree from the University of Miami. He is associated with the firm of Carey, Dwyer, Cole, Selwood & Bernard, Ft. Lauderdale.

JAMES A. PORTER, a native of Meadville, Pa., received his undergraduate degree from Yale University and his law degree from Harvard Law School. He is associated with the firm of Hodgson, Russ, Andrews, Woods & Goodyear, Ft. Lauderdale.

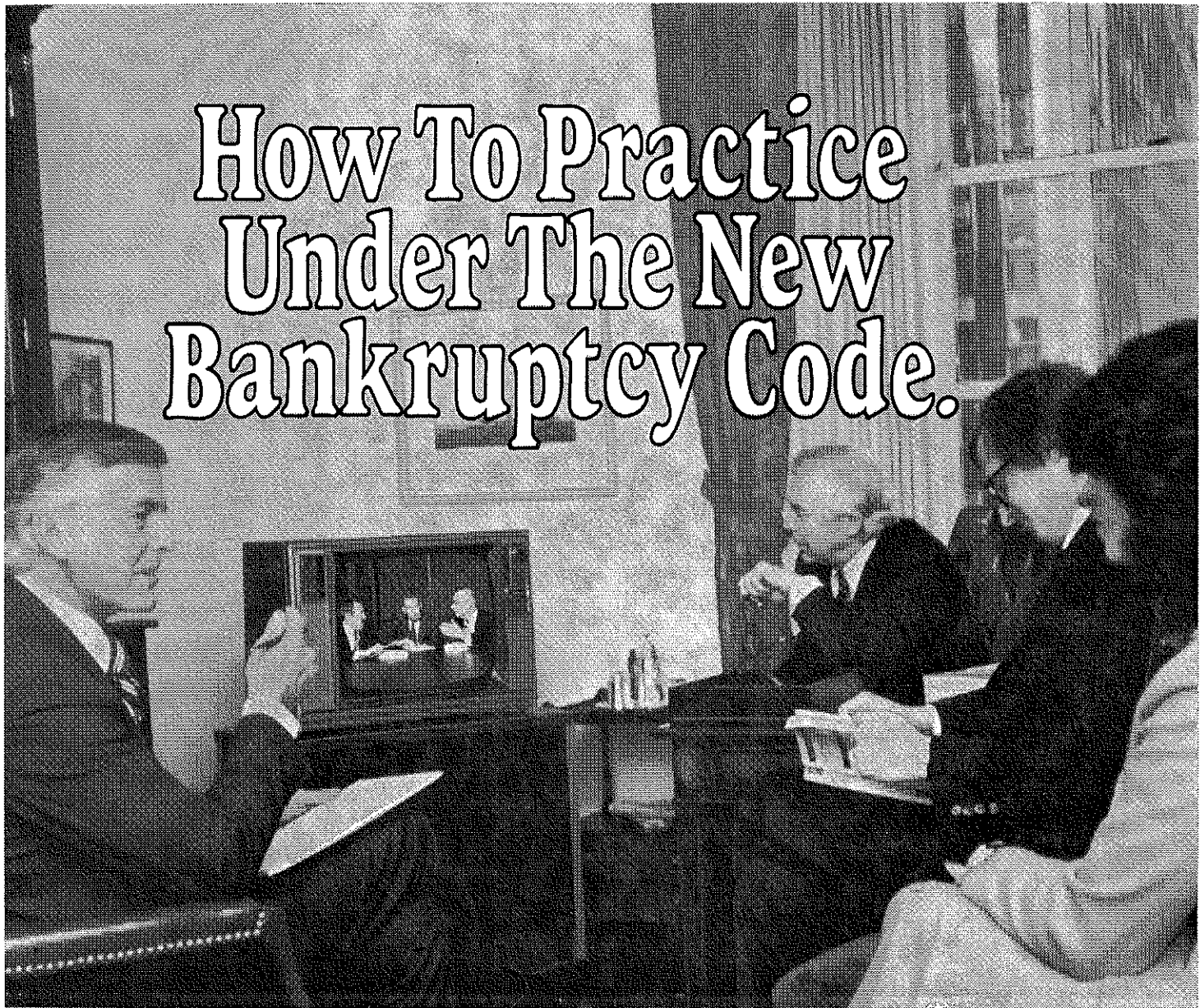
ADELE I. STONE, a native of Casablanca, Morocco, received her undergraduate degree from the University of Florida and her law degree from the University of Miami. She is associated with the firm of Atkinson, Golden, Bacen & Diner in Hollywood.

FRANK C. VERNIS, JR., a native of McKeesport, Pa., received his law degree from the University of Miami. He is associated with Vernis & Bowling in Ft. Lauderdale.

JOHN P. WILKES, a native of Bayonne, New Jersey, received his undergraduate degree from Rutgers College and his law degree from Nova University. He is associated with Mastriana & Braverman in Ft. Lauderdale.



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