# The BROWARD BARRISTER

PUBLISHED BY THE BROWARD COUNTY BAR ASSOCIATION
Executive Office: 733 Northeast Third Avenue, 305/764-8040, Fort Lauderdale, Florida 33304
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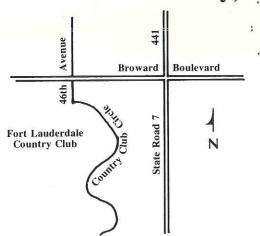
**FEBRUARY 1985** 

Volume 14

Number 2

# **Annual Legislative Dinner**

Thursday, February 21, 1985



Fort Lauderdale Country Club 415 Country Club Circle Plantation, Florida

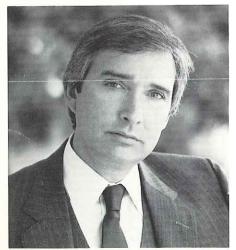
Cocktails 6:30 P.M. (Cash Bar)
Dinner 7:30 P.M.
\$26.00

Speaker

James Harold Thompson (Speaker of the House)

Reservations are necessary. Please return the enclosed reservation form by February 19, 1985. Reservations made and not cancelled in time must be paid if guarantee is not met and the Bar is charged for dinners.

#### James Harold Thompson



State Representative James Harold Thompson is a native of Gadsden County, Florida, where his family has lived for five generations. He is married to the former Carolyn Messer of Bonifay and they have three children, Jason, James Alexander and Lee Anne. He is a member of the Presbyterian faith and is

Sunday School Superintendent, teacher and an Elder of the Gretna Presbyterian Church. He graduated from Florida State University College of Law with honors in 1969 and practices law in Quincy.

Representative Thompson was elected to the Florida House of Representatives in 1974 and serves District 8 which includes all of Gadsden County and parts of Franklin, Jackson, Calhoun, Gulf and Bay Counties. He is Chairman of the Committee on Rules and Calendar and serves on the committees of Appropriations, Commerce, Finance and Taxation, Transportation and Community Affairs. He also serves on the Select Committee on Growth Management and is Chairman of the Ad Hoc Committee on Children and Youth.

His colleagues in the House of Representatives recognized him during the last four regular sessions as "The Most Effective in Debate." This honor is bestowed upon the recipient by secret ballot of the other 119 members of the Florida House of Representatives and is given in honor of Clerk Allen Morris by the Florida Times Union.

# "As I See It" Why Is It?

Why is it that every time that we open up a newspaper we are greeted with the type of media attack evidenced by the cartoon and letter to the editor reprinted in this issue. On December 19, 1984, the Fort Lauderdale News/Sun-Sentinel presented us with the aforenoted season's greetings. Isn't it a clever cartoon that Dick Wright prepared for Scripps-Howard Newspapers? Our profession is caricatured by Mr. Wright as the figure of a man in an undersized striped suit, unkempt, and appearing for all the world to see as the reincarnation of Blackbeard the Pirate. Of course, the cleverness of the cartoon was only exceeded by the glibness of the editorial letter accompanying it, authored by a fellow from that bastion of legal wisdom . . . Lauder-

The writer of the letter (obviously an expert on the American system of jurisprudence) said that American lawyers in India would turn the Indian court system

(Continued on Page 5)

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

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#### **Motion Calendars Suspended**

Judge Bobby W. Gunther Stephen R. Booher From
January 21
February 4

Through
February 14
February 18

# Schedule of Circuit Court Civil Division and Criminal Division Duty Judges

The following assignments are for Circuit Court Civil Division Duty Judge:

Week CommencingJudgeFebruary 8Linda L. VitaleFebruary 15James M. ReasbeckFebruary 22Mel GrossmanMarch 1Estella M. Moriarty

The following assignments are for Circuit Court Criminal Division Duty Judge:

Week Commencing Judge
February 8..... Stanton S. Kaplan
February 15.... George A. Shahood

February 22 . . . . . . Russell E. Seay March 1 . . . . . Thomas M. Coker, Jr.

# Administrative Order No. 1.03.9

The following is the holiday schedule for the year 1985:

New Year's Day
President's Day
Memorial Day
Independence Day
Labor Day
Veteran's Day
Thanksgiving Day

January 1, 1985
February 18, 1985
May 27, 1985
July 4, 1985
September 2, 1985
November 11, 1985
November 28, 1985

Friday after Thanksgiving

November 29, 1985 Christmas Day December 25, 1985

# Designation of Judicial Officers For Weekend First Appearance Proceedings

Date
Judge
February 2, 3 . . . . . Geoffrey D. Cohen
February 9, 10 . . Thomas M. Lynch, IV
February 16, 17 . . . . Paul L. Backman
February 23, 24 . . . . . Ross E. Mowry
March 2, 3 . . . . . . Constance Nutaro

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### BROWARD COUNTY BAR ASSOCIATION COMMITTEE PREFERENCE 1985-1986

Work on committee appointments will begin very soon. A list of standing committees is provided, and you are asked to designate your first, second and third preference for committee assignment. Please designate with numbers (1, 2 and 3). A designation of preference is a commitment that you will take the necessary time to attend meetings and fully participate in committee work if appointed to that committee.

**COMMITTEES** 

# HOUSE COMMITTEE FINANCE COMMITTEE JUDICIAL SELECTION AND TENURE COMMITTEE **COURTS COMMITTEE** LAW LIBRARY COMMITTEE LEGAL AID COMMITTEE LAWYER REFERRAL COMMITTEE CONTINUING LEGAL EDUCATION COMMITTEE LEGAL ETHICS COMMITTEE LEGISLATIVE COMMITTEE COMMITTEE ON MEMORIALS AND RESOLUTIONS PUBLIC RELATIONS COMMITTEE LAW DAY COMMITTEE COMMITTEE ON THE ECONOMICS OF LAW PRACTICE **PUBLICATIONS COMMITTEE** FEE ARBITRATION COMMITTEE To be considered for Committee Appointments it is necessary that this form be returned by March 1, 1985. Please complete and return to: Broward County Bar Association, 735 N.E. Third Avenue, Fort Lauderdale, Florida 33304. Name Phone \_ Address

# Young Lawyers Section President's Message

For the past several months, I have used this column to try and keep you apprised of the activities of the Young Lawyers Section of The Broward County Bar Association. However, now I would like to turn your attention to the Young Lawyers Section for The Florida Bar in order to apprise you of some of the activities and programs of the State Young Lawyers.

As many of you already know, Broward County has four representatives who sit on the Young Lawyers Section Board of Governors for The Florida Bar. The representatives of the Seventeenth Judicial Circuit are Jesse Faerber, Jerry Morris, Rick Woulfe and myself. It is our duty and obligation to represent your interest in the Young Lawyers Section of The Florida Bar and to keep you apprised of ongoing activities and programs.

The Annual Young Lawyers Convention is always an informative and entertaining event. This year's convention will be held from March 14th through the 17th, at the Hyatt Regency in downtown Tampa. This year's convention is bound to be the best ever in that our own Rick Woulfe is the Convention Chairman. On tap will be a wide range of legal seminars, a variety of athletic competitions, and a number of family social entertainment events.

I would personally like to encourage each and every one of you to attend this Spring convention. Every year, Broward County gets "outdone" by other circuits throughout the State as far as attendance goes. In that Rick Woulfe is this year's Convention Chairman, I think it appropriate that Broward County put its best effort forward to make a good showing.

The convention is a good time to get together with college and law school friends who are spread out throughout the state. Make a point to contact some of your old classmates and encourage

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them to meet you at the convention for a jam-packed weekend. A law school friend of mine is President of the Young Lawyers Section for the Duval County Bar. I plan to challenge the Duval County Bar to a "registration duel." I am going to suggest to him that whatever county obtains the highest registration, the President of that Bar Association can toss a pie of his choosing in the face of the losing county's President at the annual Dinner Dance held on Saturday night at the convention. Accordingly, in order to save face for Broward County, and save the face of your President, please make every effort to register and attend this convention in March.

Keep your eye out for the convention brochure and registration form which will be forthcoming in the mail and be sure and return your registration form to The Florida Bar as soon as possible. I look forward to seeing each and every one of you at the convention.

Romney C. Rogers

# Young Lawyers Section Law Related Education Project

Once again, the High School Education Project (recently renamed the Law Related Education Project) sponsored by the Young Lawyers Section has met with a very positive response. The demand for lecturers and presentation of simulated trials in local high schools and middle schools is greater than ever.

To date over 13 attorneys have participated in programs affecting approximately 537 students. The Young Lawyers Section thanks all lawyers who have volunteered their time to this worthwhile project. In addition, if any of you are interested in participating, please contact my office. Predictably, we have a great demand for lawyers with expertise in the areas of criminal law and family law.

Thanks again.

Jerry Morris 525-0531

#### Young Lawyers Section Luncheon

The February luncheon of the Young Lawyers Section of The Broward County Bar Association will be held on Thursday, February 21, 1985, at 12:00 Noon at:

> Acapulco Mexican Restaurant 1666 East Oakland Park Boulevard Fort Lauderdale, Florida

The Honorable Edward Kennedy, first term Broward County Commissioner, will be speaking to the Section. Please make your reservation by mailing your check in the amount of \$7.50 payable to Young Lawyers Section to: Betty Anne Beavers, 8751 West Broward Boulevard, Suite 307, Plantation, Florida 33324, no later than Monday, February 18, 1985.

# Young Lawyers Section Law Day Essay Contest

The Young Lawyers Section is sponsoring its Second Annual Law Day Essay Contest which is open to all tenth, eleventh and twelfth grade students attending any high school in Broward County. Conditioned upon School Board approval, the tentative deadline for entries is Monday, April 15, 1985. The essays are limited to three typewritten pages, double-spaced, on the subject of Law Day generally, and this year's theme "Liberty and Justice for All."

Prizes include \$200 cash for the winner, \$100 cash for second place and \$50 cash for third place, as well as certificates for participation. The winners will be honored at the Young Lawyers Section luncheon in May.

For further information, contact Jerry Morris at Saunders, Curtis, Ginestra & Gore, Post Office Drawer 4078, Fort Lauderdale, Florida 33338, telephone 525-0531.

#### New Local Government Law Symposium Announced

The Local Government Law Section of The Florida Bar Association and the Stetson Law Review have recently undertaken a cooperative effort in publishing an annual Local Government Law Symposium. According to John J. Copelan, Jr., Chairman-Elect of the Section and Deputy City Attorney for the City of Miami, who developed the concept for the project: "The Symposium will provide a valuable forum for scholarly and practical articles concerning all facets of governmental law, and will be beneficial to both the local government practitioner and the local government official." The announcement of the joint effort represents the culmination of the Local Government Law Section's long time desire to sponsor an indepth comprehensive publication devoted to local government

Anyone who wishes to obtain copies of the Local Government Law Symposium Issue should contact the Managing Editor, Stetson Law Review, 1401 61st Street South, St. Petersburg, Florida 33707.

#### **Lawyers Marketplace**

Partially furnished office space with two attorneys, includes telephone, receptionist, library and conference room. Northeast Fort Lauderdale, near Commercial and Federal. \$400 to \$500/month.

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#### **Board of Governors'** Report

At a recent meeting of the Board of Governors in Clearwater from January 10th through the 12th, various matters were considered by the Board which should be of interest to all the members

of the Broward County Bar.

Mandatory CLE. Dean Tom Reed, Chairman of the Committee, presented the tentative proposals of the Committee which are to be reported at the March meeting of the Board. The Committee will recommend that mandatory CLE be required of members of the Bar. The Board has not voted on this concept and it will be voted upon at the March

Iota law suit. The Board was advised of the pending Iota law suit which has been discussed in the Florida Bar News. Plaintiff seeks to have the federal court declare the Iota program to be unconstitutional and to have all attorneys who are participating in the program be made members of a defendant class. The case has not proceeded to a determination of class or as to the merits at this time and the presiding judge, George C. Carr, has recently recused himself from the case.

Equitable distribution. The Family Law Section of The Florida Bar is attempting to have a bill enacted by the Legislature which provides for equitable distribution of property upon dissolution of marriage and it seeks permission of the Board to present the bill to the Legislature. Action on the Section's request was deferred at the Clearwater

meeting.

Direct solicitation of injured parties. The Board was advised of the recent decision of the New York Court of Appeals which held that an attorney could contact injured parties by direct mail solicitation and that such action was protected by the U.S. Constitution. The Board is considering taking an amicus position, in the event the case proceeds to the U.S. Supreme Court.

Alcoholic abuse intervention program. The Board has adopted a proposed alcoholic abuse intervention program to assist those attorneys with alcoholic problems. Aid for persons requiring such assistance should be requested from The

Florida Bar.

Harry G. Carratt

#### **New Members**

We welcome the following new members to The Broward County Bar Association.

Laura Kaplan Abel Howard P. Alterman Robert M. Arlen Kraig A. Ausman Harry W. Barron

Katherine S. Barry Maura A. Barry Douglas R. Bell Thomas P. Bell Mary Catherine Bonner Kelley A. Bosecker Dennis M. Boyce Arthur Braverman Stephen Broudy Patrick N. Brown Richard W. Brown Dianne S. Brundage Donald E. Castles Robert T. Clelland, Jr. Mindy Cohen Andrew C. Colando, Jr. Kenneth D. Cooper Nancy A. Cousins Eric L. Dauber Douglas M. DeTardo Robert V. DiAlberto Donald K. Duffy Ben I. Farbstein Charles D. Franken Keith A. Gasman Gregg Harrison Glickstein Marc J. Gold Sharon G. Caldwell Gordon Steven Mark Gorman Frederick E. Graves Jay Barry Green Charles Michael Greene

Ira F. Gropper Donald E. Hahamovitch Martin J. Hanna Joseph V. Hermanns, Jr. Walter T. Hink, III Kathleen G. Hoague Jeffrey J. Hochman William N. Hutchinson, Jr. Steven R. Jacob Judge June LaRan Johnson Bruce W. Jolly Seth P. Jospeh H. George Kagan Christopher P. Kelley David V. King (Continued on Page 5)

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#### "As I See It"

(Continued from Page 1)

(if they have one) into a "replica of the laughable shambles" that is "the Ameri-

can system of jurisprudence."

I spoke with Jim Gay, an executive editor of the Fort Lauderdale News/Sun-Sentinel. I warned him that anything he said might be used in this publication. Not being as clever at ferreting out the truth as some local newspaper reporters, I said to him, "Why did you print this ----?" He replied, "Because there is apparently some ambulance chasing going on over there in India." He drew that conclusion from other news reports.

If there is "ambulance chasing" going on in India as a result of the terrible accident that occurred there then that is a genuine cause for concern. We don't know if any of that activity is going on or not. Unfortunately, most of America believes it is, because most of America

reads the newspapers.

The overwhelming majority of attorneys in this nation are highly ethical and deserve better treatment from the media. The letter, the cartoon, and the actions of the Fort Lauderdale News/Sun-Sentinel in printing both together were just irresponsible.

Incidentally, the fellows at Scripps-Howard Newspapers gave me permission to reprint the cartoon and asked for appropriate credit. Likewise at the Fort Lauderdale News/Sun-Sentinel. I think we should give them all the credit they deserve. Don't you?

Terrence Russell President

#### Bhopal falls victim to plague of American lawyers

If the stricken and grief-stricken people of Bhopal, India, believe that the end of the Union Carbide lethal leak marks the end of their troubles, they, poor souls, are in for a rude awakening.

Recent news reports indicate the city and nation are being invaded by a plague of American lawyers bent on installing their brand of American-style litigation. In the van is bellicose multi-millionaire Mel Belli and his \$15 billion lawsuit. Not far behind are a host of other tort experts, eager, avid and able to turn the court system of India into a replica of the laughable shambles known as the American system of jurisprudence.

The victims of the Union Carbide leak may be richly rewarded by the lawyers' initial actions, and that is how it should be, but then comes the aftershock. Unfortunately, the permanent and predictable decimation of a system of equity will follow the invasion of the lawyers.

Paul Herny, Lauderhill

—Reprinted from the Fort Lauderdale

News/Sun-Sentinel



#### Legal Lunacy

When three burglars went on a looting spree last January in Baytown, Texas, they netted over \$50,000 worth of property. They might have escaped with more, but were startled away from their last haunt by a loud voice from a darkened dining room they had assumed was empty. The voice belonged to a bird. And not only did the pet stop the robbery, but investigating Detective Reggis Harper said it also helped confirm the identification of the three men charged. The intruders, while ransacking the house, had called out each other's names—which the bird repeated to the police.

#### Lawyer Referral Service

Lawyer Referral Service panel members are needed in the following areas of practice:

Labor and Employment Securities Banking

If you are interested in being a member of the Lawyer Referral Service, please call 764-8040 for an application.

New Members (Continued from Page 4)

Thaddeus D. Kirkpatrick Harry Koppel Lawrence P. Kuvin Irvin M. Lader John T. LaJoie Jeffrey E. Langenderfer Sara Lawrence Dennis Samuel Lefkowitz Shelley H. Leinicke

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# Bench-Bar Workshop January 11, 1985

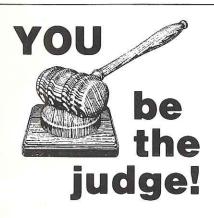






Left to right: top, Family Law Division, Probate Division; bottom, Criminal Division, Appellate Division.





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## BROWARD COUNTY BAR ASSOCIATION COMMITTEE PREFERENCE 1985-1986

Work on committee appointments will begin very soon. A list of standing committees is provided, and you are asked to designate your first, second and third preference for committee assignment. Please designate with numbers (1, 2 and 3). A designation of preference is a commitment that you will take the necessary time to attend meetings and fully participate in committee work if appointed to that committee.

## **COMMITTEES** HOUSE COMMITTEE FINANCE COMMITTEE JUDICIAL SELECTION AND TENURE COMMITTEE **COURTS COMMITTEE** LAW LIBRARY COMMITTEE LEGAL AID COMMITTEE LAWYER REFERRAL COMMITTEE CONTINUING LEGAL EDUCATION COMMITTEE LEGAL ETHICS COMMITTEE LEGISLATIVE COMMITTEE COMMITTEE ON MEMORIALS AND RESOLUTIONS PUBLIC RELATIONS COMMITTEE LAW DAY COMMITTEE COMMITTEE ON THE ECONOMICS OF LAW PRACTICE PUBLICATIONS COMMITTEE FEE ARBITRATION COMMITTEE To be considered for Committee Appointments it is necessary that this form be returned by March 1, 1985. Please complete and return to: Broward County Bar Association, 735 N.E. Third Avenue, Fort Lauderdale, Florida 33304. Name \_ Phone \_\_\_ Address \_

#### **Nominating Committee** Report

The Nominating Committee of The Broward County Bar Association has met and submits the following:

Roger H. Staley President-Elect Secretary-Treasurer J. David Bogenschutz

Group 1—North (3)

Fred C. Bamman III Hunter B. Craig John R. Gillespie, Jr. Peter A. Portley David D. Welch

Group 2—South (3)

Nicholas J. DeTardo Jesse H. Diner Marlyne ("Marzi") Kaplan Linda K. Raspolich Jeffrey P. Wasserman

Group 3—Central (5)

W. George Allen Walter G. Campbell, Jr. Rex H. Conrad Michael J. McNerney Dale R. Sanders Alicia Zachman William J. Zloch

Group 4-West (2)

Charles M. Daniels Jesse S. Faerber Thomas R. Tatum

Patrick L. Bailey, President-Elect, will become President on June 1, 1985.

If you have not been nominated and would like to be placed on the elective ballot, you must submit a petition with six (6) signatures of members of The Broward County Bar Association in good standing to The Broward County Bar Association office by 5:00 P.M. on March 15, 1985.

Election will be by written ballot. Ballots will be mailed after March 15,

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## **CALENDAR OF EVENTS**

Date	Group & Event	Time & Place	Reservations
2/6/85	Broward County Trial Lawyers Assn. & Nova University Law Center Monthly Meeting. Speaker Irving Younger	Riverside Hotel, 620 E. Las Olas Blvd., Ft. Lauderdale, Case Evaluation 5:30 P.M. Dinner 7:00 P.M.	Theresa 764-4646
2/7/85	Young Lawyers Section Judicial Reception	Sunrise Terrace, Marriott Harbor Beach 3030 Holiday Dr., Ft. Lauderdale 6:00 P.M8:00 P.M., \$5.00	Melanie G. May 1080 S.E. 3rd Ave., Ft. Lauderdale
2/8/85	Broward Christian Lawyers Association Monthly Meeting	Cafe de Geneve, 1519 S. Andrews Ave. Ft. Lauderdale, 12:00 Noon	Ronald Houchins 486-1777
2/12/85	North Broward Bar Association Monthly Meeting	Flaming Pit Restaurant, 1150 N. Federal Hwy., Pompano Beach, 12:00 Noon	William E. Stockman 941-4920
2/21/85	Young Laywers Section Monthly Meeting	Acapulco Mexican Restaurant, 1666 E. Oakland Park Blvd., Ft. Lauderdale, \$7.50	Betty Anne Beavers 473-1500
2/21/85	Broward County Bar Association General Meeting	Ft. Lauderdale Country Club, 415 E. Country Club Circle, Plantation Cocktails 6:30 P.M., Dinner 7:30 P.M.	BCBA 764-8040
2/26/85	Legal Aid Service of Broward County, Inc. Board of Directors Meeting	Legal Aid Service of Broward County, Inc. 609 S.W. 1st Ave., Ft. Lauderdale, 5:30 P.M.	*
2/27/85	Broward County Women Lawyers Assn. Conference "Rape: Avoid It? Survive It!"	East Regional Branch of the Broward County Library, 1300 E. Sunrise Blvd., Ft. Lauderdale, 6:00 P.M.	
2/28/85	Broward County Women Lawyers Assn. Monthly Meeting/CLE Seminar "The Prosecution and Defense of a Rape Case" Speaker Defense Lawyer David Waxler, New Bedford, Mass.	Marriott Hotel, 1881 S.E. 17th St., Ft. Lauderdale, 12:00 Noon Luncheon only \$15.00, CLE Seminar including luncheon \$75.00 (15 days preregistered)	Lorry 561-2230
3/6-9/85	University of Miami 1st Engineering Institute and 17th Medical Institute for Attorneys	Sheraton Bal Harbour Hotel Miami Beach	University of Miami Law Center, P.O. Box 248087, Coral Gables, FL 33124 305/284-4762

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