



Broward County Bar Association
1051 SE Third Avenue
Fort Lauderdale, Florida 33316

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Broward County Bar Association BARRISTER

MAY 2010 • WWW.BROWARDBAR.ORG • 954-764-8040 • VOLUME 41, ISSUE 5

Save the Date for Broward County Bar Association's Law Day Luncheon

Friday, May 7, 2010
Noon

Speaker: Jesse H. Diner, Esq. President of
the Florida Bar

Location: Tower Club, 1 Financial Plaza
100 SE 3rd Avenue, 28th Floor

Sponsorship opportunities available

Cost: \$35 per person; Members of the
Judiciary are complimentary
See page 7 for details

HOLD THE DATE...

Broward County Bar
Association
Annual Meeting and
Installation Dinner

Thursday, June 10, 2010

Marriott Harbor Beach
in Fort Lauderdale

Sponsor tables available
Contact Art Goldberg at 954-764-8040
Ext. 204 or artg@browardbar.org

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Congratulations to 2010-2011 BCBA Newly Elected Members

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Edward Holodak	Southeast Area Representative
Kenneth P. Hassett	Southwest Area Representative

See pages 14-15 for complete 2010-2011 Board of Directors

St. Thomas More Society of South Florida 21st Annual Red Mass, Reception & Dinner Wednesday, June 2, 2010

Red Mass Celebrated by Archbishop John C. Favalora,

6:00p.m.

St. Anthony Catholic Church

901 NE 2nd Street

Ft. Lauderdale, FL

Complimentary Reception- 7:30p.m.

Dinner- 8:30p.m.

Marriott Harbor Beach Resort

3030 Holiday Drive

Ft. Lauderdale, Florida

Guest Speaker: United States Senator George S. LeMieux

\$65 per person

Limited Seating/ Reservations only/ Reservation deadline is May 14, 2010

Mail Checks, made payable to "St. Thomas More Society", to:

Donald A. Wich, Jr. Esq.

2400 East Commercial Blvd., Suite #620

Fort Lauderdale, FL 33308

Professionalism Seminar- 3 Florida Bar CLE Credits

May 21, 2010

9:00 a.m – Noon

Gibraltar Bank Community Room, 450 East Las Olas Boulevard, Fort Lauderdale

For more information about the St. Thomas More Society, visit the website at www.redmass.com

or call 954-776-1600.

CALENDAR OF EVENTS

MAY 2010

Monday, May 3rd:

17G Grievance Committee Meeting. 2:00p.m. BCBA Offices in Fort Lauderdale.

Tuesday, May 4th:

Probate Law a View From the Bench Seminar. Speakers: Judge Speiser Judge Grossman and Judge Greene. One CLE credit. Cost: \$15 BCBA Members; \$25 Non-members. 5:00p.m. at the Broward County Bar Association, 1051 SE 3rd Ave., Fort Lauderdale. To register log on to www.browardbar.org/events.

Thursday, May 6th:

BCBA Probate and Trust Section Seminar. 5:30p.m. Norma B. Howard Bar Center, 1051 SE 3rd Ave., Fort Lauderdale. For more information contact David Luber at 954-920-2886.

Thursday, May 6th:

Broward County Bar Association Young Lawyers' Section Judicial Reception. 5:30p.m.- 7:30p.m. New River Center Rotunda, 200 East Las Olas Blvd. (Sun-Sentinel Building- S.W. Corner of Las Olas Blvd. & SE 3rd Ave.) Cost: \$35 for BCBA members; \$45 for non-members. For sponsorship information or to RSVP please contact Shayna Reitman, Esq. smr@fowler-white.com or 954-377-8175.

Friday, May 7th:

Broward County Bar Association Law Day Luncheon. Noon. Speaker: Jesse H. Diner, President of The Florida Bar. Tower Club, Fort Lauderdale. Sponsorships available. Individual seats are \$35 per person, members of the judiciary are complimentary. E-mail questions to angel@hallrosenberg.com. or RSVP to Broward County Bar Association at 954-764-8040.

Friday, May 7th:

AAA Residential Mortgage Foreclosure Mediation Training. 9:00a.m.- 5:00p.m. 8 CLE credits. Registration cost: \$250 (must be received by April 30). At the Graham Center in Miami. Register by fax at 561-792-1182 or mail registration and form payment to: ADR Educational Systems, Inc. 11924 W. Forest Hill Blvd., Suite 22-27, Wellington, FL 33414.

Saturday, May 8th:

4 Hour Minor Guardianship Class. 9:00a.m.- 1:00p.m. Norma B. Howard Bar Center, 1051 SE 3rd Ave., Fort Lauderdale. Cost: \$100. Attorneys welcome, approved by the Florida Bar for CLE Credits. To sign up please contact Tish at 954-764-8040 Ext. 200.

Monday May 10th:

Family Law Reception for Judge Linda Vitale. 5:30p.m. Norma B. Howard Bar Center, 1051 SE 3rd Ave., Fort Lauderdale.

Tuesday, May 11th:

BCBA Board of Directors Meeting. 5:15p.m. BCBA Conference Room in Fort Lauderdale.

Tuesday, May 11th:

North Broward Bar Monthly Meeting. Speaker: Howard Forman, Clerk of Courts. Galuppi's Restaurant, located at the Pompano Municipal and golf course, 1103 North Federal highway, Pompano Beach, Florida 33062. For more information contact President, Tom Oates at toates@pompanolaw.com.

Tuesday, May 11th:

Association of South Florida Mediators and Arbitrators Educational Luncheon. Tower Club in Fort Lauderdale. Speaker: Robert M. Lewis, Esq. Former FBI agent. 2.0 CME/ CLE's applied for. Cost: Before May 5: \$30 for members; \$35 for non-members, after May 5, \$5 more. Register at www.asfma.org.

Thursday, May 13th:

BCBA's West Regional Luncheon. Noon- 2:30p.m. Jacaranda Country Club, 9200 West Broward blvd. Plantation. For more information contact the BCBA at 954-764-8040.

Friday, May 14th:

Legal Aid's 9th Annual "For the Public Good". Hilton Fort Lauderdale Marina. 6:00p.m.- 10:00p.m. Ticket price: \$150. To be a sponsor of this event or to purchase an ad in the program/journal contact: Kathy Thomsen, Director of development, Legal Aid service of Broward County, Inc. 954-736-2429 or kthomsen@legalaid.org.

Friday, May 14th:

Lunch and Learn seminar presented jointly by the BCBA's Alternative Dispute Resolution Section and Real Property Section. 11:45a.m. Topic: "What you need to know about foreclosures... including the mediations". Cost: \$20 for BCBA members; \$30 for non-members. Cost includes lunch. 1.5 CLE Credits applied for. At the Norma B. Howard Bar Center, 1051 SE 3rd Ave., Fort Lauderdale, FL 33316. Space is limited, Please RSVP to BCBA at 954-764-8040.

Friday, May 14th:

The Florida Bar Continuing Legal Education Committee and The Appellate Practice Section present: The Art of Objection: A Trial Lawyer's Guide to Preserving Error for Appeal. Hilton Fort Lauderdale Airport, 1870 Griffin Road, Fort Lauderdale, FL 33004. Course number 1006R, 8.0 General Credits and 1.0 Ethics. Sign up at http://www.flabarappellate.org/pdf/PreserveError_May2010.pdf

Tuesday, May 18th:

17H Grievance committee meeting. 2:00p.m. Norma B. Howard Bar Center, 1051 SE 3rd Ave., Fort Lauderdale.

Tuesday, May 18th:

Bench and bar Committee meeting. Noon. Norma B. Howard Bar Center.

Wednesday, May 19th:

Solo/ Small Law Firm Networking Dinner. 6:00p.m. Dave & Busters Hollywood, 3000 Oakwood Boulevard. \$35 members, \$40 Non-members. RSVP online at www.browardbar.org/events.

Thursday, May 20th:

Construction law section seminar, 12-1:30 by Randall Gilbert 954-620-5000.

Friday, May 21st:

BCBA Closed due to Memorial Day.

Wednesday, June 2nd:

St. Thomas More society of South Florida 21st Annual Red Mass, Reception and Dinner. Celebrated by Archbishop John C. Favalora. See page 2 for more details.

Sunday, June 6th:

Young Lawyers' Section 7th Annual Family Day. 12:30 to 3:30p.m. TY Park, 3300 North Park Road, Hollywood. Pavilion No. 5. Children and Adults \$5. Contact Meghan C. Clary, Esq. to RSVP and for more information at Meghan@cmfamilylaw.com.

Monday, June 7th:

17G Grievance Committee Meeting. 2:00p.m. Norma B. Howard Bar Center, 1051 SE 3rd Ave., Fort Lauderdale.

Tuesday, June 8th:

BCBA Board of Directors Meeting. 5:15p.m. BCBA Conference room in Fort Lauderdale.

Thursday, June 10th:

Broward County Bar Association Installation Dinner. Marriott Harbor Beach Fort Lauderdale. 5:30-6:30p.m. Cocktails; Dinner 6:30p.m. \$85 BCBA Members; \$95 Non-members. Sponsorships available, contact Traci for more information 954-764-8040 Ext. 202.

Saturday, June 12th:

4 Hour Minor Guardianship Class. 9:00a.m.- 1:00p.m. Norma B. Howard Bar Center, 1051 SE 3rd Ave., Fort Lauderdale. Cost: \$100. Attorneys welcome, approved by the Florida Bar for CLE Credits. To sign up please contact Tish at 954-764-8040 Ext. 200.

Tuesday, June 15th:

Bench and Bar Committee Meeting. Noon. Norma B. Howard Bar Center.

Tuesday, June 15th:

17H Grievance Committee Meeting. 2:00p.m. Norma B. Howard Bar Center, 1051 SE 3rd Ave., Fort Lauderdale.

JUNE 2010

OFFICE SPACE

DAVIE

Share office space with 2 other attorneys -possible referrals. Office condo built in 2005 - on ground floor, free parking for you and clients. Receptionist provided. Office is 16' x 11' with built-in shelving, cabinet and window, includes use of kitchen, storage & copier. Additional work space is available, easy access to SR7, I-595, and Turnpike. Monthly rent and utilities \ \$1575. Contact Jay 954-252-7774 or Michael 954-252-7458.

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PRESIDENT’S MESSAGE

by Carlos M. Llorente

In his new book, In Defense of Thomas Jefferson, the author, William G. Hyland Jr. a friend and colleague, lays out a compelling argument that the accusations of Jefferson s affair with Sally Hemings and the child (or children) born of such an affair were inspired by rumors and political grudges of the times. In the book, Bill puts history to the test and declares that history has the wrong Jefferson.

There are a few lessons to be learned from Bill s research into this book. First, if he is correct and able to discredit present day DNA testing, it is a shame that it would take centuries to correct a wrong, especially one inspired by false or scandalous accusations. Second, politically or financially motivated accusations can take on lives of their own, and have instant credibility for no other reason, than it is what everyone is talking about. Oftentimes it is the loudest or more sensational version that may get heard. In the absence of irrefutable proof or cold hard facts to the contrary, expressed just as loudly, history may get it wrong.

Today s world-wide-web and instant messaging gadgets have lead to a trend of reporting events and news from a gathering of postings in social media forums. Newspapers and other professional publications have had to cut or eliminate investigative reporters and bloggers seem to have taken up those positions. Online newspapers and publications invite public commentary by readers through links at the end of the article. In the past, such commentary by the public was invited by way of “Letters to the Editor.” Today, the comments and opinions are recorded instantly and can be as short as one word, or as long as a manifesto of one s stream of conscience.

What does all this have to do with the BCBA? I am glad you asked. In the past few months the BCBA, and the names of its Committee Members, Directors and Officers keep appearing on a blog read and utilized for commentary, by what appears to be a very small group of Broward County lawyers who feel disenfranchised. The reference to disenfranchisement is not my opinion or in any anyway meant to be sarcastic or insulting. I actually read it in comment on the blog. Up until then, I didn t know there was an “us” vs. “them” sentiment out there. It seems that this blog has single-handedly created that sentiment, and disenfranchised every lawyer that ever felt good about being a lawyer, or the practice of law (now, I am being slightly sarcastic but completely accurate). In truth, the people behind the blog and those writing commentary on this blog, seem to be on the fringes of some anti-judiciary crusade. They mercilessly attack any member of the judiciary without cause or provocation for the sake of making a joke, increasing hits for the blog, or to test the breaking point of the First Amendment envelope.

The BCBA and its members started appearing on the blog as a result of my request that the BCBA Professionalism Committee look into the appropriateness of Florida Bar members posting such commentaries and opinions on a blog, encouraging others to post such comments, or running such a blog. When word leaked out that I had made such a request of the Professionalism Committee, the bloggers immediately went on an “us vs. them” tirade on the blog pages, and accused the BCBA and primarily me, of trying to curtail or regulate free speech.

First and foremost, the BCBA and its members do not (and never will) subscribe to an “us vs. them” sentiment. We are “all of us”— Broward County Lawyers. Secondly, the BCBA does not have the authority to discipline or regulate lawyers. What we do

have is a set of professionalism rules and guidelines that were adopted by the 17th Judicial Circuit so long ago, that most young proficient bloggers were not even born then. It is by no means a coincidence that Rule 3 of the BCBA rules is similar to parts of The Florida Bar s Rule 4-8. My request of the Professionalism Committee was simply to address whether the blog and blogger were in compliance with Rule 4-8. Had the Professionalism Committee reported back that there was a lack of compliance, the BCBA would in all likelihood have posted an advisory opinion for all lawyers to see. I may have personally written a letter to the blog s creator reminding him of Rule 4-8 and requesting compliance with that Rule.

As it turns out the Professionalism Committee did meet and came up with an opinion and plan of action. However, the postings on the blog that followed the notice of the BCBA committee meeting were single-handedly responsible for drawing attention to the blog that even the mainstream print media picked up on it, and so did The Florida Bar. It is now my understanding that The Florida Bar is looking into the same issues I raised with the BCBA Professionalism Committee. Since The Florida Bar does have the power to regulate and discipline Florida lawyers, there is nothing more that the BCBA can or needs to do.

Before I move on and close the book on this issue, I feel compelled to respond to a commentary that an editor from a local news print publication wrote on the topic of the blog. In that commentary, the editor took issue with the BCBA and with me, believing that we were trying to silence the voice of dissent and curtail free speech by addressing the blog and compliance with the Bar rules. The editor made two memorable statements that merit a response. The first statement was that lawyers do not give up their First Amendment rights just because they become lawyers. The second statement referred to my lack of knowledge of this fact with what seemed to be an invitation to debate the First Amendment.

My response to the first statement is simply this: no one gives up rights to free speech guaranteed by the First Amendment by virtue of his/her chosen profession. However, every profession has the right to voluntarily regulate and restrict its members, and that does include communication. Accountants can t disclose their clients finances, doctors can t freely discuss patient care, and yes, even journalists have a self-imposed restriction on disclosing the identity of their sources.

As to any perceived invitation to debate the First Amendment, nothing would give me greater pride and pleasure than to debate the First Amendment with knowledgeable and intelligent professionals. Unfortunately that editor s comments about the BCBA seemed to display a lack of any of the requisite traits. Accordingly, there is no reason to address the matter any further than what I have stated here. .

I would like to see a happy ending to this blog issue and a return to the days of just “all of us.” I also want history to get it right. That is why I have asked other BCBA Committees to work toward developing a BCBA blog and other social media forums. I must confess, I instantly found two valuable uses for instant messaging. 1.) Updates on the delays to enter the courthouse. 2.) Finding court coverage when I have to be in two counties or courthouses at the same time.



A Message from Michael B. Gilden President, Young Lawyers' Section

By the time that this article is being read, the YLS will likely have had an addition of new Board of Director members, as our annual election luncheon was held on April 22, 2010. Let me welcome our new Board members and let them know that they have a rewarding and fulfilling term ahead of them.

I am also very happy to announce that the YLS has formally passed revisions to its By-Laws. These are the first changes to the By-Laws for approximately the past five (5) years. While the revisions are far from "sweeping" they are significant and both clarify the scope and the role of the YLS Board of Directors, the YLS Executive Committee, and the YLS organization as a whole. When my term as President of the YLS began, I announced as part of this year's platform that we would update the By-Laws, so I am very pleased that we were able to accomplish this goal. I would especially like to thank the By-Laws committee which consisted of David Hirschberg, Bart Ostrzenski, and Louis Reinstein who worked with me to make these much needed changes.

As I have promised in recent past articles, I am excited to discuss another great event coming up hosted by the YLS. Our Family Day is being held again this year at T.Y. Park and will be on Sunday, May 6, 2010. As has been the case in past years, this event will feature excellent food, entertainment for the children, and access to the water park. For more information on this event, be on the look out for our e-mails and flyers or please contact Meghan Clary or Marissa Pullano who are chairing this event. Also, speaking of Meghan and family, the YLS Board extends its love to

Meghan and her Husband who recently gave birth to their first child a beautiful and health baby boy.

If anyone has any questions about how they can participate with or in the Young Lawyers Section, please feel free to call me at Kopelowitz Ostrow Ferguson Weiselberg Keechl at (954) 525-4100 or gilden@kolawyers.com.

The YLS Board will be selecting its charitable beneficiary on May 19, 2010 for the 2010 YLS Charity Golf Tournament, which is scheduled to take place in either October or November, 2010. Any charities interested in attending the May 19, 2010 meeting should email Meghan M. Clary, Esquire at meghan@cmfamilylaw.com.

Young Lawyers' Calendar

May 6, 2010- YLS Judicial Reception
June 6, 2010- YLS Family Day at TY Park, Hollywood.

The Broward Barrister is published by the Broward County Bar Association a part of our commitment to provide membership with information relating to issues and concerns on the local level. Opinions and positions expressed in the signed materials are those of the author and may not necessarily reflect the views of this publication or the Broward County Bar Association.

1051 SE Third Avenue, Ft. Lauderdale, FL 33316
BROWARD COUNTY BAR ASSOCIATION
OFFICERS AND DIRECTORS JULY 1 2009- JUNE 30, 2010

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At its March 26, 2010, meeting in New York City, The Florida Bar Board of Governors:

Approved, as recommended by the Budget Committee, the Bar's 2010-11 budget, which calls for expenditures of \$38.2 million. Incoming Budget Committee Chair Dan DeCubellis said the budget is balanced and has a good chance of producing a surplus. He also said the budget is based on the assumption the Bar Journal directory issue will no longer be printed and that Clients' Security Fund operations next year will be financed by fund surpluses.

Approved a request from the Criminal Law Section that the board adopt a Bar legislative position opposing any legislation that would reduce pay or benefits for assistant public defenders, assistant state attorneys, and assistant attorney generals. The position also "urges that the Justice Administration Commission (JAC) is adequately funded for all costs and fees associated with criminal justice matters."

Heard Bar President Jesse Diner warn that the Bar could face severe challenges in the 2011 Legislature. One challenge may be maintaining court funding when the state could be looking at a \$6.8 billion deficit and no federal stimulus money to offset that. Another difficulty could be a possible attempt to have the Legislature take over court procedural rule-making authority from the Supreme Court.

Heard Board member Greg Coleman report that the Clients' Security Fund Procedures Committee will be presenting several recommendations at the board's May meeting. Those include allowing the fund to compensate a client when a partner of the client's lawyer has stolen from the client and the client has no other way to recover the loss. The committee discussed, but has made no recommendation, on compensating third parties in certain cases when a lawyer has stolen from them, such as the lawyer had received money from the third party to be held in trust for a client and then stolen the money. Coleman said the committee has decided not to recommend random audits of trust funds as a way to prevent losses, but is looking at other methods to prevent losses that could lead to claims on the CSF.

Received on first reading a rule that prohibits lawyers from signing blank trust account checks, using a signature stamp on trust account checks, or allowing nonlawyers to sign trust account checks.

Received on first reading a rule amendment that would allow lawyers facing financial hardships to pay their annual membership fees in installments.

Approved a revision to the Bar's annual membership fee statement, to clarify the trust account certificate. The change will add a new category for judges, government attorneys, and others to report that they do not handle trust funds and are not required to have a trust account. On a related matter, Bar President Jesse Diner reported that the statement will include an option to make a voluntary donation to FLAME, the Florida Lawyers Association for the Maintenance of Excellence. FLAME has significantly enhanced our efforts to secure funding for our state courts including commissioning studies by Washington Economics Group and TaxWatch to illustrate the consequences of inadequate funding and by conducting a public awareness campaign to gain widespread support. FLAME has also supported the statewide General Election Voter's Guide by the League of Women Voters for many years.

Approved two new member benefits. One is property insurance coverage for law offices, including offices in low-lying coastal areas. The second offers a 20 percent clothing discount at Ann Taylor.



Banco Sabadell has recently acquired Mellon United National Bank, now known as Sabadell United Bank.

We are committed to understanding the financial needs and interests of our clients, with the support, experience and solid infrastructure of Banco Sabadell, the fourth largest banking group in Spain.

Sabadell United Bank is very proud to be the exclusive Bank Sponsor for the Broward County Bar Association.

Sabadell United Bank's unparalleled commitment to the legal profession goes beyond providing superior banking services. We also recognize the importance of supporting outstanding organizations like BCBA that are dedicated to professional excellence.

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Vice President
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954-472-9158

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RESOLUTION of the BROWARD COUNTY BAR ASSOCIATION

*WHEREAS, our great friend **ROGER HYNDS STALEY** was born July 23, 1926 in Woodmont, Connecticut; and*

*WHEREAS, **ROGER HYNDS STALEY** enlisted in the United States Navy at age 16, serving on the USS LeRay Wilson in the Pacific during World War II, thereafter attended Elon College in North Carolina, and then returned to Connecticut to marry Beverly Sirlin on February 20, 1948; and*

*WHEREAS, **ROGER HYNDS STALEY** and his family moved to Fort Lauderdale, Florida in 1951, where **ROGER** attended University of Miami School of Law and graduated in 1956; and*

*WHEREAS, after his graduation **ROGER HYNDS STALEY** began his legal career with the firm Saunders, Curtis, Ginestra & Gore, where he remained until his death; and*

*WHEREAS, over his long and illustrious legal career **ROGER HYNDS STALEY** served on the Board of Governors of The Florida Bar, as President of the Broward County Bar Association from 1986 to 1987, as President of Attorney's Title Services, as President of Attorney's Real Estate County of Broward County; as a member of The Florida Bar Grievance Committee; and was active in founding The Florida Bar Foundation; and*

*WHEREAS, **ROGER HYNDS STALEY** spent countless hours serving his community and his profession as a member of the Junto Club of Fort Lauderdale, Chief Executive Officer of New River Club, the boards of the Fort Lauderdale Civic Ballet Company, the Navy league, the Broward County Council of Girl Scouts, Bennett Elementary School, and the vestry of All Saints Episcopal Church; and*

*WHEREAS, **ROGER HYNDS STALEY** was recognized by his peers and his community as a Top Lawyer in Best Lawyers in America and in Florida Monthly Magazine; and*

*WHEREAS, **ROGER HYNDS STALEY** was the devoted husband of Beverly, the loving father of Allyson, Brooke, Daryl, and Meredith, and a respected and valued member of a large, closely knit family; and*

*WHEREAS, **ROGER HYNDS STALEY** was universally respected and admired by his peers as a gentleman, a gentle man, and an accomplished and honorable attorney, with the power to make everyone around him feel valued; and*

*WHEREAS, **ROGER HYNDS STALEY** was called from this life on Sunday, April 11, 2010, leaving behind his wife Beverly,*



his daughter Allyson and her husband Steven Samiljan, his daughter Brooke and her husband Ronald Qualk, his daughter Daryl and her husband David Waukesha, his daughter Meredith Staley, and his grandsons Adam and Chad Samiljan, Brendon, Jordan, and Logan Qualk, and Joseph Urbanek, all of whom will remember him with love; and

WHEREAS, the 37th Psalm says, "The mouth of the righteous man utters wisdom, and his tongue speaks what is just," and the Prophet Jeremiah said "Blessed is the man that trusteth in the Lord, and whose hope the Lord is."

*WHEREAS, **ROGER HYNDS STALEY** was a righteous man who trusted in the Lord and served his fellow man all his life; and*

*WHEREAS, the members of Broward County Bar Association wish to express their sympathy and condolences to the family of **ROGER HYNDS STALEY**, the loss felt by each member of the Association in his passing, and their gratitude for having shared the life of this good man;*

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Broward County Bar Association at its meeting held May 11, 2010 that:

*THIS ASSOCIATION HEREBY EXPRESSES to Beverly Stanley, Allyson, Steven, Adam and Chad Samiljan, Brooke, Ronald, Jordan and Logan Qualk, Daryl, David and Joseph Urbanek, and Meredith Staley the sorrow felt by the Officers, Directors, and members of the Broward County Bar Association at the death of **ROGER HYNDS STALEY**, and extends to them profound sympathy on the loss of their cherished husband, father, and grandfather and, further, expresses gratitude and appreciation for the years **ROGER HYNDS STALEY** devoted to this Association, to The Florida Bar, and to the community in which he lived.*

ADOPTED this ____ day of May, 2010.

BROWARD COUNTY BAR ASSOCIATION

By:

Carlos M. Llorente
President



JUDICIAL RECEPTION

(Complimentary for all Members of the Judiciary)

Thursday, May 6, 2010

5:30 p.m. – 7:30 p.m.

**New River Center Rotunda
200 East Las Olas Boulevard**

(Sun-Sentinel Building – S.W. corner of Las Olas Blvd. & SE 3rd Ave.)

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Entrance tickets include complimentary hors d'oeuvres, cocktails and desserts

For sponsorship information or to RSVP, please contact:

Shayna M. Reitman, Esq.
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Located in the Courthouse at 201 S.E. 6th Street, Fort Lauderdale, FL 33301, the BROWARD COUNTY LAW LIBRARY is open to the public from 8:30 AM to 5 PM, Monday-Friday; telephone 954-831-6226.

Remember the law library the next time you are digging.

CLE REMINDER

The Florida Bar Continuing Legal Education Committee and the Appellate Practice Section Present:

The Art of Objecting: A Trial Lawyer's Guide to Preserving Error for Appeal

Hilton Fort Lauderdale Airport
1870 Griffin Road, Fort Lauderdale, Florida
33004

Friday, May 14, 2010

Course Classification: Intermediate Level
Course Number 1006R
General CLE Max Credits 8.0 hours, Ethics 1.0 Hours

http://www.flabarappellate.org/pdf/PreserveError_May2010.pdf

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BCBA's West Regional Luncheon

Thursday May 13, 2010

Noon- 2:30p.m.

Jacaranda Country Club, Plantation

For more information contact the BCBA at 954-764-8040.

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Broward County Bar Association Law Day Luncheon

**** Make reservations early as seating is limited**

LAW DAY LUNCHEON

DATE: Friday, May 7, 2010
TIME: 12:00 Noon
SPEAKER: Jesse H. Diner, Esq.
President of The Florida Bar
LOCATION: Tower Club, 1 Financial Plaza
100 SE 3rd Avenue, 28th Floor

LEVELS OF SPONSORSHIP

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-Name and sponsorship level in the Law Day Program.
-Name displayed on signage at events.
-Recognition in the BCBA monthly newsletter, the *Broward Barrister*, which will be distributed to all Broward County Bar Members.

** Additional seats for luncheon are \$35.00 per person
** Members of the Judiciary - complimentary entrance

Please make checks payable to "The Broward County Bar Association" and mail to:

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Fort Lauderdale, Florida 33316
e-mail questions to: angel@hallrosenberg.com
R.S.V.P. to Broward County Bar Association at (954) 764-8040

St. Thomas More Society Ethics and Professionalism Seminar The Service of Justice Through More Than Ethical Practice

An interactive discussion of timely issues relating to the service of justice through ethical and professional practices.

Due to Speaker conflicts, we are rescheduling our May 21, 2010 Seminar to Fall 2010. We will let you know the new date in future *Barristers*. We look forward to seeing you in the Fall.



Success Strategies for Social Media Marketing

By Margaret Grisdela

Is social media marketing on your list of things to do? Chances are your answer is “yes!”

In the daily hustle and bustle of court deadlines, filing briefs and motions, meeting with clients, and managing your practice, however, it’s easy to understand why social media keeps getting pushed off to the future.

This article outlines how to create and implement a social media marketing plan that will increase your law firm’s Internet marketing visibility. You will learn how to develop and leverage your firm’s customized content to populate a broad range of social media outlets.

Let’s start with a definition of “social media.” Broadly speaking, social media refers to a class of Internet and mobile-based tools for online networking, collaboration, and information sharing among web-based communities. Common social media applications include LinkedIn, Facebook, Twitter, and blogs.

Getting Started With Social Media

It is very easy to launch a social media campaign, but difficult to maintain momentum.

Start strategically by creating a 12-month editorial calendar. Let’s say you have a full-service law firm, encompassing many different practice areas. Pick one topic for each month.

Topics for the first three months of a quarter could be: 1) business law; 2) real estate; and 3) intellectual property. Next, break each monthly topic down into four weekly supporting articles. For example, business law topics could be: a) forms of incorporation; b) partnership agreements; c) employment agreements; and d) joint ventures.

Now that you have your calendar, you can start to write your articles in advance. Of course, the schedule can be interrupted or supplemented as

needed to reflect breaking news.

Leverage your Social Media News Feed

Select one primary point of publication for your social media news feed. A blog can work well for this purpose.

As a starting base, make sure all your social media accounts are properly set up and populated with a description of your law firm.

Plan to publish one main article from your editorial calendar to your blog every week. It is fairly easy to use free services like HootSuite to then automatically transmit your blog posts to your Twitter, Facebook, and LinkedIn accounts.

By leveraging your custom blog articles, you can easily extend your reach to multiple social media outlets.

Select a Social Media Manager

A key factor in social media success is to put someone in charge of your campaign. Lawyers should be practicing law, so even the best laid plans for an attorney to manage the Internet marketing will quickly fall to the wayside in the face of court and client demands.

Monitor Social Media Feedback

Social media is interactive, meaning that prospects and followers will comment on your posts and otherwise interact with your material. Prompt responses will make a favorable impression on your audience.

About the Author: Margaret Grisdela is the author of *Courting Your Clients* and president of *Legal Expert Connections*, a national legal marketing agency. She is available to conduct CLE marketing seminars approved by The Florida Bar in the convenience of your office. Reach her at 561-266-1030 or mg@legalexpertconnections.com

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Letter of Interest and Resume must include documentation specified in the Request for Letter of Interest (RLI), Section III: Submittal Requirements. Be advised all applications are subject to the Florida Public Records Law. Specify in your application your interest in full time employment as the in-house General Counsel to The School Board or a specified attorney from a Law Firm interested in providing the services to serve as the full time General Counsel while remaining an employee/member of the law firm.

To review the Request for Letter of Interest (RLI), job qualifications and application procedures, access The School Board of Broward County's website: www.browardschools.com, Employment, Administrative. **Submissions must be received no later than 5:00pm on May 15, 2010.** The School Board of Broward County, Florida is an Equal Opportunity Employer.

SEND ONE (1) ORIGINAL AND SEVEN (7) COLLATED COPIES OF YOUR LETTER OF INTEREST AND RESUME TO:

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BROWARD COUNTY BAR ASSOCIATION INVITES YOU TO BENEFIT FROM PARTICIPATION IN THE SOLO / SMALL LAW FIRM NETWORKING GROUP

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Future dates:

Wednesday, July 21, 2010

Wednesday, September 15, 2010

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When reserving at least 48 hours in advance: \$35 for Broward County Bar Association members and \$40 for non-members.

At door, \$5 more on a space available basis. Credit card and check payments accepted. For further information contact Broward County Bar Association (954)764-8040. Or log on to www.browardbar.org/events to RSVP

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(Must be received by April 30th)

At the Florida International University's Modesto A. Maidique (main) Campus at 11200 S.W. 8th Street (Tamiami Trail/SR41) Miami, Florida 33199.

The event will be held at the Graham Center
Course is approved by the Collins Center for Public Policy

Register by fax: 561-792-1182
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We congratulate the Broward County Bar Association's Family Law Section, Legal Aid Service of Broward County, and Coast to Coast Legal Aid of South Florida. We are glad to help support such a worthy endeavor.




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THE NEW HEALTH LAW HAS AN INSURANCE ELEMENT FOR LONG TERM CARE

By Dean S. Bress, CELA

Its not perfect but it's a start. Attorneys need to know for themselves and their clients about a relatively obscure portion of the new health legislation recently signed into law by the President. Under the Community Living Assistance Services and Supports (CLASS) provisions, a long term care insurance benefit has been created. The benefit is self-funding in that it is paid for by the very people who would obtain the benefit. Employees and the self-employed would need to pay into the program for a minimum of five years. We do not know yet what those actuarially determined premium payments will be. The amount of the premiums could be well determine the appeal of the program. After the five year payment minimum has been satisfied, then the employee or the self-employed person, assuming a need for long term care services then or in the future either at home, in assisted living or in a nursing home, would be given approximately \$75 a day (this amount is still unclear as of this writing). This could be approximately \$2,250 a month-still not a complete answer to the costs of long term care.

If the past is any guide, not nearly enough people will voluntarily buy long term care insurance. Yet imposing a requirement to do so would amount to another tax during a very difficult economic time. So Congress decided to make this program voluntary. When it comes to government imposing an obligation, there is always the struggle of whether, on the one hand, the government should be involved at all, or, on the other, whether market forces should decide whether people opt to buy the insurance. If people decide not to buy into this new form of long term care insurance, they could become impoverished by the costs of their care and then the taxpayers, through Medicaid, will pay for their care in a nursing facility when if they had the funds available

they might have a good chance of remaining in their own homes.

Employees and the self-employed may opt out of the program-and that's where I see a problem. If many people thought that they would need long term care later in life, they might be more open to buying long term care insurance in the first place. But the fact is that people often can not afford to buy the insurance-even at a young age when the premiums are low. So between the cost of the insurance and the lack of an expected need, people have not bought the insurance in substantial numbers. That being said, it's my view that many people will opt out of the program if they feel that the benefits do not warrant the premiums to be paid.

In most cases, people want to live in their own homes if they can afford to pay for their cost of care and other expenses associated with living in their own residences. That is especially true in Florida where Medicaid, coordinated for the most part through HMOs, provides little care for people wishing to stay at home. \$75 a day or some slightly lesser amount would be of great assistance to people wishing to remain at home and be able to use the daily benefit to pay for their care.

Dean S. Bress has more than 30 years of experience in various aspects of the law and is a Certified Elder Law Attorney, the only designation of an elder law attorney approved by the American Bar Association.

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Thursday April 15, 2010 Quarterdeck in Fort Lauderdale



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to the Fort Lauderdale Office as Office Managing Shareholder practicing in the areas of Business and Commercial Litigation.

Mr. Russell recently joined our firm in the Fort Lauderdale office effective March 2010.

Mr. Russell is a past President of The Florida Bar and is recognized out of state in South Florida for his work as an outstanding business/commercial litigator. His contributions to the legal profession as well as his leadership of The Florida Bar are known and respected by all. Mr. Russell recently received the 2009 World of Law award from The Florida Bar Foundation. He received this prestigious award due to his creating passage of legislation providing for more funding for civil legal assistance for the poor. In 1999, he was named Outstanding Fort Lauderdale Bar President by the Florida Council of Bar Association Presidents.

Mr. Russell's specialties are civil and real estate litigation and he currently represents Adkins-Beach, and has represented General Motors, Nissan, BMW, IBM Corporation, Merrill Lynch and other Fortune 500 companies.

Born in Jacksonville, Mr. Russell obtained his J.D. from Florida State University and his LL.M. from the University of Florida. He began his career as a federal law clerk in Miami.

Terrence.Russell@fowlerwhite.com

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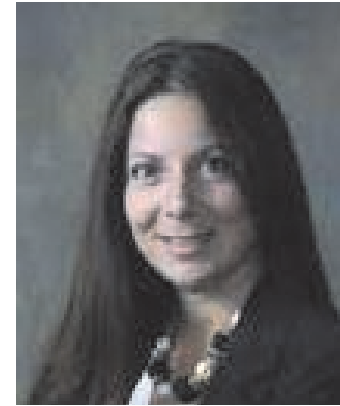


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Jorge E. Hurtado

Northeast Area Representatives

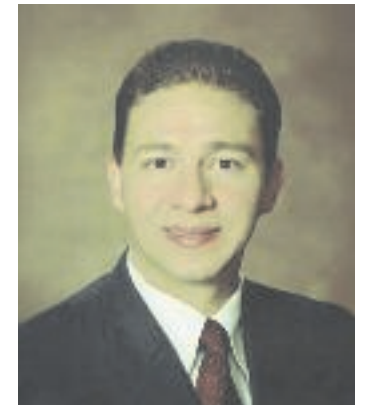


Stuart N. House



Thomas D. Oates

Southwest Area Representative



Kenneth P. Hassett