

FORUM 8

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Eighth Judicial Circuit Bar Association, Inc.

December 2015

President's Message

By Rob Birrenkott



It is Better to Give

The holiday season will soon be in full swing (for many of you this is already the case). There are many wonderful aspects of this time of year but it also can require us to move at a frenetic pace to make sure we have accomplished everything on our "to do" list - and if you are anything like my favorite holiday

movie character, Clark Griswold from *Christmas Vacation*, you may have a tendency to go overboard. Clark tries to do it all: excel at work while also trying to create the perfect family Christmas. Whether it is marching his family through the snow to cut down their own Christmas tree or adding his own non-caloric silicon-based kitchen lubricant to enhance the speed of his sled, his attempts to do everything in an excessive manner consistently result in one disaster after the next.

I get it; this time of year can be a bit hectic. So why in the world would you add one more thing to your already overextended holiday plans and participate in the EJCBA Holiday Project which provides toys for children in the Head Start program? Let me respond to the Grinches and Scrooges out there. Selfishly, you will be the beneficiary if you participate. I challenge our members to help collect toys, watch children in need receive them, and then say, in Ebenezer parlance, that you did not receive a return on your investment.

I think when the EJCBA makes it possible for busy professionals to give efficiently that this is a member benefit. Thanks to the work of Anne Rush (Chair) and the Holiday Project Committee members, you can make a difference in the life of a child,

enhance your own holiday season, and, if you really are like Clark Griswold, still have time to add 25,000 imported Italian twinkle lights to your house. I hope you have a peaceful and joyous holiday season.

Recent Noncompete Decisions Favor Employees

By Laura Gross



Recently, state and federal courts have issued precedent-setting decisions on noncompete claims filed under Section 542.335, Florida Statutes (2015) which reversed the preliminary injunctions issued by the lower courts.

In late October, the Fifth District Court of Appeals found a company's business relationship with a former client did not qualify as a "legitimate business interest" due to the absence of an "exclusive contract" or other reasonable expectation that the relationship would continue. *Evans v. Generic Solutions Engineering, LLC*, 2015 WL 6554429 (Fla. 5th DCA, October 30, 2015). There, Generic Solutions d/b/a Tech Guys ("Tech Guys") was in the business of optimizing automated online sales and marketing for its clients. Chinn, an independent contractor of Tech Guys, had signed a noncompete agreement expressly prohibiting him from working for the Tech Guys' current or former customers for two years after leaving the company. RRI was a large customer who generated substantial revenue for Tech Guys from 2008 through 2013.

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Contribute to Your Newsletter!

From The Editor

I'd like to encourage all of our members to contribute to the newsletter by sending in an article, a letter to the editor about a topic of interest or current event, an amusing short story, a profile of a favorite judge, attorney or case, a cartoon, or a blurb about the good works that we do in our communities and personal lives. Submissions are due on the 5th of the preceding month and can be made by email to dvallejos-nichols@avera.com.

About This Newsletter

This newsletter is published monthly, except in July and August, by:

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Deadline is the 5th of the preceding month

Recent Noncompete Decisions

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However, RRI did not have an exclusive relationship with Tech Guys and, through competitive bidding, had “hired a number of Tech Guys’ competitors to provide essentially the same services during this same time.” When Chinn left Tech Guys, he formed his own company, X-Tech, which began providing services to RRI who then became a former customer of Tech Guys. RRI had offered to do business with Tech Guys at “industry standard rates,” but Tech Guys had refused. The lower court issued a temporary injunction which the district court reversed because Tech Guys’ relationship with RRI did not qualify as a “legitimate business interest,” as required by Florida law to support enforcement of a restrictive covenant.

Earlier, in August, the Eleventh Circuit held that Section 542.335(1)(g)(1) did not prevent the Court’s consideration of the individualized economic hardship that may be caused to the person against whom a restrictive covenant is enforced, except in determining the *enforceability* of the restriction. The court vacated the district court’s order granting the preliminary injunction in favor of a Florida employer, where the district court had failed to consider the potential hardship to the employee when the court balanced harms under Rule 65, the federal rule on injunctions. *Transunion Risk and Alt. Data Solutions, Inc. v. MacLachlan*, No. 15-10985 (11th Cir. Aug. 27, 2015)(unpublished). Rule 65 requires the court to consider, among other things, whether “the threatened injury to the movant outweighs whatever damage the proposed injunction may cause the opposing party.” Rather than do so, the lower court applied Section 542.335(1)(g)(1) to preclude consideration of the hardship to the employee when balancing the harms under Rule 65. Section 542.335(1)(g)(1) provides:

(g) In determining the *enforceability* of a restrictive covenant, a court:

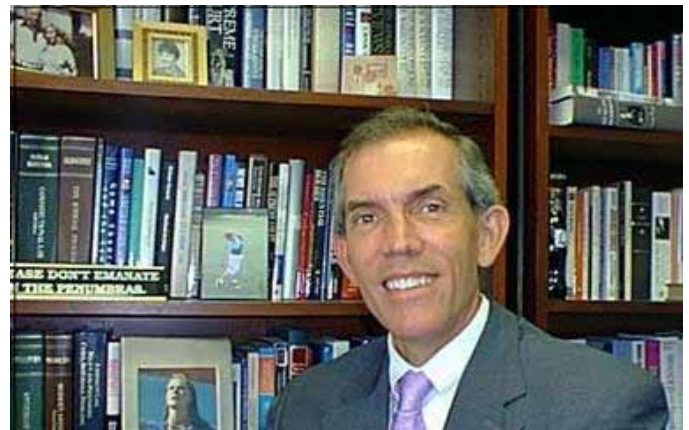
1. Shall not consider any individualized economic or other hardship that might be caused to the person against whom enforcement is sought.

Section 542.335(1)(g)(1) (emphasis supplied). Pointing to this section’s “framing, content and position” in the overall statute, the Court held that “Section 542.335(1)(g)(1) governs the *enforceability* of restrictive covenants, not the *enforcement* of an already enforceable covenant.” (emphasis in original) This consideration, according to the Court, “is directed to the determination of whether a restrictive covenant is enforceable” and not a determination of the appropriate remedy. Accordingly, this interpretation

might be applied by state courts to allow consideration of the hardship on the employee when fashioning a remedy.

These two cases will be helpful to employees who have signed a restrictive covenant and the businesses who thereafter hire them, in defending against complaints by former employers seeking enforcement of restrictive covenants and issuance of preliminary injunctions.

Judge Scott Makar Is EJCBA’s December Luncheon Speaker



On December 11, 2015, Florida First District Court of Appeal Judge Scott Makar will be our featured luncheon speaker. He will also participate, with Appellate Practitioner Paul Regensdorf, in a free CLE immediately following the luncheon on “Appellate Practice Before the First District Court of Appeal.”

Judge Makar was appointed to the First District Court of Appeal in 2012. Prior to his judicial appointment, Judge Makar served as Florida’s Solicitor General in the Office of the Attorney General for five years. As Solicitor General, he argued five cases in the United States Supreme Court, as well as cases in the United States Court of Appeals for the Eleventh Circuit, the Florida Supreme Court, the First District Court of Appeal, and the Second and Thirteenth Judicial Circuits.

Prior to his service as Solicitor General, Judge Makar was Chief of the Appellate Division and Assistant General Counsel for the City of Jacksonville, as well as having worked in a private law practice. He was a Judicial Clerk for Judge Thomas A. Clark, United States Court of Appeals for the Eleventh Circuit in Atlanta, Georgia. Judge Makar earned his bachelor’s degree from Mercer University, as well as

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Alternative Dispute Resolution

By Chester B. Chance and Charles B. Carter



Eighth Circuit Link to Magna Carta

This year is the 800th anniversary of the signing of Magna Carta. A bunch of articles have been written about the significance of Magna Carta, its influence on the U.S. Constitution and its general legal and historical importance.

Last May, in honor of Magna Carta as an historic event, the local Bar Association honored, well, historic lawyers and judges. The connection being: Magna Carta is part of our history and so are lawyers who have been lawyers for over 50 years along with judges who have been on the bench for over 25 years. This also suggests it is twice as difficult to be a judge as an attorney. We would like to take a moment and explain some interesting historical facts about the long-serving honorees.

The link between the historic Magna Carta and historic members of the Bar is even closer than many of you realize. For instance, Rick Smith actually signed Magna Carta. His name appears between Henry de Bohun and Geoffrey de Say on the list of signers. Microscopic scans of the ancient document indicate a small heart over the letter i in his last name. Probably some sort of religious symbol of the times.

James Clayton was a skilled and feared knight in the service of one of the barons at Magna Carta. This military training gave Jim an advantage as an attorney as he often invoked trial by combat instead of trial by jury. Jim was admitted June 11, 1951 and can still legally joust with any younger attorney.

Chuck Chance owned and operated a fish weir on the Thames River during the reign of King John. Since Magna Carta banned such weirs, Chance turned to being a licensed fishing guide in Steinhatchee and also operated an illegal fish weir on the Steinhatchee River for several decades. Many say the weir was the only way he ever caught a fish. The robe he wore as a judge was actually something he wore at Runnymede.

Allison Folds informs us he dated Lady Godiva and missed the first few days of negotiation at Runnymede. Folds later represented the original fertile octogenarian in her divorce from a London physician. "I charged \$5 an hour then and that was unheard of at the time. In fact, it is still unheard of even today." Folds often refers to the moat around his

castle as "Doctor's Creek" as he constructed it with funds from his fee in the divorce proceedings.

Richard T. Jones was in charge of ordering the wine during the Runnymede sessions and wrote it off as an office expense. Jones is also fluent in Latin and Old English and can recite The Canterbury Tales from memory and once represented Geoffrey Chaucer in a rear-end ox cart accident.

Stan Morris has many memories of the negotiations with King John over some of the articles of Magna Carta dealing with sheriffs and rights of the accused. Morris spent a great deal of time in London working out details which were not incorporated in Magna Carta.

Chic Holden prepared deeds transferring fee simple title to several acres of Runnymede to Clark Butler who built a Sam's Club overlooking the site. Holden claims Runnymede is, oddly, part of the original Arredondo grant.

One of the key players at Runnymede was James Salter, who at the time was the chef for Robin Hood and his Merry Men. Often Salter, Robin and the other outlaws would go skiing in Aspen, even prior to the discovery of North America by Columbus. Salter later attended law school in Chew Magna (actual town) and majored in Legal Cooking.

Jerry Schackow operated a sandal store named Athlete's Foot above a pub in London in 1215. He made a good business treating delegates at Runnymede who had foot fungus. Later he attended law school in Compton Pauncefoot (actual town) and in 1976 was the first to bring a claim against a physician for the use of excessive leaches during a routine bleeding.

Elzie Sanders, Stephan Mickle, Nath Doughtie and Dave Reiman were all judges at the time of Magna Carta. Oddly, all are still considering entry of orders ruling upon motions that were made during legal argument at Runnymede in the summer of 1215. This is understandable since the position of J.A. was not created until the Renaissance. They also follow the advice of their mentor John H. Murphree that there are some cases that just don't need deciding.

We should not overlook attorneys who are no longer with us like Jim Quincey and Franklin Ritch who



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Criminal Law

By William Cervone



As we've reached the end of another year I wish to ramble in a sort of end of the year way. I know, I know, I usually ramble. But bear with me.

Seneca The Younger, a Roman philosopher from around the time of Christ, wrote that "There is nothing so wretched or foolish as to anticipate misfortunes. What madness it is

in your expecting evil before it arrives!"

Boston Marathon bomber Dzhokhar Tsarnaev, moments before being sentenced to death last Spring for his indisputably horrendous crimes, and after some two years of silence (Yes, I understand why it was legally wise for him to remain silent so don't fault me, at least for that) apologized to his victims and their families, adding that he prayed for them. Really? Is there no limit to the harm that a man can do that cannot be wiped out by a pre-sentencing courtroom apology? Apparently his teachers were fond of Tsarnaev and his friends thought he was fun to be with. Spare me. Conceding that his display got Tsarnaev nowhere (at least in the courtroom), that it can occur shames him and maybe in some way the legal system, too.

Thomas Jefferson once wrote to John Adams that "There are, indeed [those who are] always counting that the worst will happen, because it may happen. To those I say, how much pain have cost us the evils which have never happened!" A California teacher this year refused to teach Shakespeare because she has decided that his words "do not speak well to [her] ethnically diverse students." Instead, she assigns works from more contemporary non-white authors. She says that she is worried that if we "cling to ONE (white) MAN'S view of life," and those are her capitalizations and words, not mine, we promote the idea that other cultures are less important. So instead we should totally abandon classic literature and all that it includes? Even conceding that Shakespeare's English is no longer ours this somehow promotes a rounded world view?

The English writer and poet Martin Farquhar said in the 1830s that "Thou hast seen many sorrows... Yet ills that never happened, have chiefly made thee wretched."

Locally last year, "Zero Drug Tolerance" signs at the Alachua County line apparently became intimidating and unfriendly. They should, it was said, be replaced by something that "would project a kinder image." It is

probably true that drug dealers are not deterred by these signs. But this is a noteworthy and controversial issue, given the many problems in our community? The signs are, by the way, still there. I think.

President James A. Garfield, speaking in 1881, said "I remember the old man who said he had had a great many troubles in his life, but the worst of them never happened."

High on my Get A Life list for 2015 is a published letter to the editor in the Gainesville Sun during the summer that decried the phrase Gator Nation as "disrespectful" and "highly offensive, implying exclusion and annexation reminiscent of Hitler's Aryan Nation." I kid you not. Is there some contest going on that I don't know about for who can write or say the most inane thing?

Well, I don't really have a dog in the fight of these perceived slights, injustices and inequities. Oops, pardon my insensitivity as I understand that that phrase is demeaning to our animal companions and should not be used. But seriously and for some perspective, perhaps we should all start getting a grip on the reality of our differences, stop looking for excuses, and simply treat people and the world civilly. We are, even if it deprives some folks of their apparent need to self-flagellate, more alike than not. So, in addition to wishing each of you a Merry Christmas, I also hope for your Happy New Year that 2016 will be one where despite the world's seemingly insistent plunge into insanity, we can all realize how very much we are blessed. Returning to Jefferson, "My temperament is sanguine. I steer my bark with Hope in the head, leaving Fear astern." Or at least I so aspire.

Now excuse me as I must go buy some chick peas for dinner. Oops, wrong again. I meant person peas. Forgive me.

Position Available

Come join the team at The Miller Elder Law Firm. The Miller Elder Law Firm seeks an experienced probate/estate planning/civil Paralegal. Must be proficient in MS programs, meet deadlines, and be detail oriented. Email cover letter and resume to MichelleR@MillerElderLawFirm.com. After hours interviews available and discretion assured.

Probate Section Report

By Larry E. Ciesla



The Probate Section continues to meet on the second Wednesday of every month at 4:30 p.m. in the 4th Floor Meeting Room of the Alachua County Family and Civil Justice Center at 201 East University Avenue. Following are some issues discussed during recent meetings, in no particular order.

Peter Ward led the October meeting in my absence. Peter then created a Dropbox account for the Section. From time to time, various documents and forms will be dropped into the Dropbox. All interested persons may access the box to either post a document or to read what others have posted. The process is as follows:

- Go to www.dropbox.com.
- In the top right-hand corner, there will be a place to click to download the Dropbox app.
- Once downloaded, the user name to sign in is: gainesvilleprobategroup@gmail.com
- The password is: meets2ndWednesday
- Click on any .pdf to view.
- Do not “drag and drop” an item from the Dropbox folder to your computer’s desktop. If you do, it will be deleted from Dropbox, and others will not be able to view it. Instead, right-click on the item and select “copy” from the dropdown menu.
- Peter has “dropped” some of his own estate planning and probate forms into the box to get the ball rolling.

Many thanks to Peter for all of his good work on behalf of the Section.

Judge Hulslander attended a recent Probate Section meeting and advised that he has now been assigned to handle all Alachua County probate and guardianship cases. He will also be handling one-fourth of all family law cases.

New member Cathy Mitchell led a discussion during a recent meeting regarding the use of Social Media in a law practice. Cathy made many excellent points during her presentation, which I will summarize as follows:

- Social Media encompasses many internet tools which contain the ability for your message to be “amplified” or widely spread after the initial internet posting (other people forward your message to new people, and the cycle repeats).
- The original poster loses control over the content after the initial posting.
- Cathy recommends not doing it at all unless you

are extremely careful and know exactly what you are doing. Once something is posted, it can never be taken back or removed.

- It is not true that a lawyer needs to use Social Media in order to have a successful practice.
- Sometimes the lines between business use and personal use get blurred. For example, the popular site LinkedIn can be used for both professional networking and for dating.
- Social Media can be a very big distraction. You can spend great amounts of time reading the postings; however, in most cases, there is no actual substance to what is being said.
- An attorney should at least maintain a webpage so that, if nothing else, potential clients can locate you.

On October 1, 2015, the Supreme Court of Florida issued its opinion in the case of *Jones v. Golden* dealing with the issue of timeliness of creditors’ claims in probate. The Court resolved a conflict in the opinions in *Golden v. Jones*, 126 So.3d 390 (Fla. 4th DCA 2013); *Morgenthau v. Andzel*, 26 So.3d 628 (Fla. 1st DCA 2009); and *Lubee v. Adams*, 77 So.3d 882 (Fla. 2d DCA 2012). The Court ruled that, where a reasonably ascertainable creditor is not served with a copy of the notice to creditors, the creditor’s claim will be considered timely if filed within two years of decedent’s death, and the creditor in such a case is not required to file a motion for extension of time within which to file its claim under §733.702(3), Florida Statutes (reversing *Morgenthau* and *Lubee*). This opinion is, of course, required reading for all probate practitioners.

An article published in the Fall 2015 issue of *The Elder Law Advocate* by Attorney Kara Evans discusses various clauses which she recommends be contained in a well-drawn power of attorney. Among her recommendations are the following:

- A provision allowing self-dealing where the agent is an heir of the principal.
- The power to change beneficiary designations on investments, annuities, and life insurance policies.
- The power to cash in, surrender, borrow on, or change the owner of a life insurance policy.
- The power to deal with IRA’s, 401(k)’s, et cetera.
- Real estate powers, including execution of enhanced life estate deeds and the power to convey or encumber homestead real estate; also the power to waive homestead rights, including the power to enter into a nuptial

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Alternative Dispute Resolution

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also left long term historic roots in our legal community. Both obviously traced their lineage back to the age of chivalry. Gloria Fletcher was not around at the time of Magna Carta because Hummers were not invented yet. Gloria does not qualify in terms of years of service for a Magna Carta memoriam, but there is no doubt had she been present during the Magna Carta debates, she would have gotten her way.

Jimmy Feiber was an unofficial 8th Judicial Circuit and Gainesville historian and he verified all the information contained in this article before his recent passing. We told Jimmy he would be blamed for any inaccuracies and he told us "there may be some exaggerations, but, there is not a single inaccuracy."

As you can see, our local Bar Association has a direct and historic connection with events which shaped English and American legal precedent. The local judges and attorneys who were present at such an historic event deserve our respect for their professionalism, endurance, and, hopefully, their sense of humor.

Judge Makar December Luncheon Speaker

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two master's degrees, a law degree, and a doctorate in economics from the University of Florida.

Judge Makar is a frequent lecturer on appellate practice and various constitutional law, antitrust, franchise, and civil rights topics. Indeed, he has served as an Adjunct Professor at the University of Florida Levin College of Law since 2011, as well as taught a number of courses at universities throughout the state since 1984.

In addition to Judge Makar, the following luncheon speakers have been confirmed for 2015-2016:

January 15: The Honorable Robert E. Roundtree, Chief Judge, Eighth Judicial Circuit of Florida

February 12: Bruce Blackwell, CEO/Executive Director, The Florida Bar Foundation

March 11: Paulette Brown, President, American Bar Association

April 15: Nathan Whitaker, Lawyer and Co-Author of *Through My Eyes* by Tim Tebow and *The Mentor Leader, Quiet Strength*, and *Uncommon* by Tony Dungy

May 13: Ramon Abadin, President, The Florida Bar

Post-Luncheon Continuing Legal Education Opportunities

In addition to the free CLE immediately following

the December 11 luncheon, please mark your calendars now for additional CLE opportunities immediately after the following luncheons:

January 15: A View from the State Court Bench

March 11: The Leadership Roundtable

May 13: Topic to be determined

The poster features a blue and green color scheme with a sunburst background. At the top, it reads "SOUTHERN LEGAL COUNSEL AND THREE RIVERS LEGAL SERVICES PRESENT" with their respective logos. The main title "ROSEWOOD: THE ROAD TO REPARATIONS" is in large, stylized blue letters. Below the title, it lists "GUEST SPEAKERS" as Stephen Hanlon, Civil Rights Attorney, and Michael D'Orso, Author of *Like Judgment Day*. The event is scheduled for "FEBRUARY 4, 2016, AT 6:00 PM" at the "UF HILTON CONFERENCE CENTER, 1714 SW 34TH STREET". It is described as "A GALA FUNDRAISING DINNER TO BENEFIT SOUTHERN LEGAL COUNSEL AND THREE RIVERS LEGAL SERVICES". A quote from Southern Legal Counsel and Three Rivers Legal Services states: "Legal Aid Advocacy Making a Difference Every Day. Please join us to celebrate the ongoing mission of making justice a reality in our community." The bottom of the poster says "SPONSORED BY" with a logo for the Florida Bar Foundation.

Circuit Notes

Donnelly + Gross is proud to have been recognized among the "Best Law Firms" for 2016 as ranked by US News and Best Lawyers®. The firm received four Tier 1 rankings in the metropolitan area of Jacksonville (which includes North Central Florida) in the area of employment and labor law.

Dear Friends and Colleagues:



I want to thank President Rob Birrenkott and the Board of Directors of the Eighth Judicial Circuit Bar Association and you for honoring me at the recent Cedar Key event. The “roast and toast on the coast” was an evening my wife and I will never forget. The accomplishments for which I was recognized could not

have taken place without your accepting me as your local Bar President and then your representative on the Florida Bar Board of Governors. While I dress as Santa and enjoy passing out gifts to children, it is truly your generous contributions and hard work which makes our holiday event so successful. And of course, I am grateful to my former law firm of more than 25 years, Dell Graham, which allowed me the time to teach courses at the law school, mentor young lawyers and law students, and be involved in issues affecting lawyers and citizens of Florida. I also want to acknowledge the courtesies and professionalism shown to me by our local attorneys and judges during my many years of practice. It is my privilege to continue to be an integral part of our legal community.

Carl Schwait

FREE Online CLE for EJCBA

Members

The Florida Constitution Revision Commission

A symposium on “The Florida Constitution at 50 Years: Looking Ahead to the 2017-8 Revision Commission” was held at UF Law on October 8, 2015. This symposium featured panel discussions with some of Florida’s greatest leaders, including Governor Bob Graham, Governor Buddy MacKay, and Martha Barnett. CLE has been approved for the symposium (CLE # 1506947N) and it can be viewed online at <http://bobgrahamcenter.ufl.edu/events/past/florida-constitution-50-years-looking-ahead-2017-revision-commission>.

Probate Section Report

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agreement.

- The power to apply for public benefits, create a special needs trust or qualified income trust, join a pooled trust; execute a personal services contract, and execute an assignment of spousal rights of support.

All interested parties are invited to participate in Probate Section meetings. There are no dues, and there is never an obligation to attend future meetings. Please contact Jackie Hall (jhall@larryciesla-law.com) if you wish to be added to the e-mail list to receive advance notice of the monthly meetings.

New Administrative Orders

Please be aware of the most recent Administrative Orders in the Eighth Judicial Circuit.

1.16: Media Coverage of Judicial Proceedings

4.18: Veterans Treatment Court

10.12: Eighth Judicial Circuit Pro Bono Committee

These Administrative Orders can be found in their entirety at <http://circuit8.org/administrative-orders> along with a comprehensive list of all effective Administrative Orders.

Professionalism Seminar

– Save The Date

Inexpensive (CHEAP) CLE Credits

By Ray Brady

Mark your calendars now for the annual Professionalism Seminar. This year the seminar will be held on Friday, February 26, 2016 from 8:30 AM until Noon at the UF Levin College of Law. Our speaker will be Greg Coleman, past President of The Florida Bar, speaking on “Professionalism in the Electronic Age.”

We expect to be approved, once again, for 3.5 General CLE hours, which includes 2.0 ethics hours and 1.5 professionalism hours.

Watch the newsletter for further information and look in your mail for an EJCBA reservation card in early January. Questions may be directed to the EJCBA Professionalism Committee chairman, Ray Brady, Esq., at 373-4141.

November Luncheon Photos



EJCBA Board member Mary K. Wimsett speaks about the AmazeInn Race at the November luncheon.



UF Levin College of Law Dean Laura Rosenbury and EJCBA President Rob Birrenkott following the November luncheon

Reserve Now for the EJCBA *December 2015* Luncheon

WHEN: Friday, December 11, 2015 – 11:45 a.m.
WHERE: The Woolly – 20 N. Main Street, Gainesville, FL 32601
PROGRAM: Florida First District Court of Appeal Judge Scott Makar
COST: **Members: \$17.00, Non-Members: \$25.00***
 Chef's choice luncheon buffet, including meat or vegetarian entrees, seasonal sides, and dessert
DEADLINE: Register on or before **Monday, December 7th at Noon at**
<http://www.8jcba.org/event-registration/dec-2015-luncheon/>

***\$20.00 for members and \$25.00 for non-members, not having made prior reservations.** If you are reserving at the last minute, or need to change your reservation, email Judy Padgett at execdir@8jcba.org or call **(352) 380-0333**. Note, however, that after the deadline, EJCBA is obligated to pay for your reserved meal and we make the same obligation of you. Thank you for your support.

Appeals: Views from the Bench and Trench

Immediately following the December EJCBA Luncheon, there will be a candid discussion about the appellate process in Florida from the perspectives of Judge Makar and a seasoned trial/appellate litigator, Paul Regensdorf, the goal of which is to assist practitioners in understanding how judges/litigators view issues that commonly arise in appellate practice, thereby facilitating better strategic decision-making. 1.5 CLE credits are anticipated. This CLE is free to lawyers and judges who attend the December luncheon.



Holiday Toy Drive

The EJCBA will be conducting a holiday toy drive, in conjunction with the Adkins and Bennett Inns ("Amazeinn Race"), to benefit the Alachua County Head Start Program at the December luncheon. Please bring unwrapped, new toys for 3-5 year olds. Age appropriate books are strongly encouraged.

Photos from the James C. Adkins, Jr. Annual Cedar Key Dinner



Ron Kozlowski and Denise Hutson smiling for the camera at Cedar Key



Brent Siegel, Judge Toby Monaco, Lynn Monaco and David Delaney get together at Cedar Key



Honoree Carl Schwait and wife Anna at the First Annual Roast & Toast on the Coast at Cedar Key



Judge James Nilon and Paul Donnelly enjoy a visit at Cedar Key



EJCBA President-Elect Stephanie Marchman, EJCBA President-Elect Designate Meshon Rawls, and Judge Monica Brasington are all smiles at Cedar Key



EJCBA Board members Courtney Wilson Johnson and Monica Perez-McMillan with Steve Miller at Cedar Key on November 5



EJCBA Board members Rob Birrenkott, Ray Brady and Peg O'Connor (far right), along with Alachua County Medical Society Executive Vice President Sally Lawrence (2d from right) stand in front of the brand new GRACE Marketplace Kitchen, which is now up and running thanks to the generosity of the EJCBA and ACMS members. Congratulations to Ray Brady, who started this initiative and was pivotal in every step that turned an empty room into a fully functional kitchen that will make our community a better place.

December 2015 Calendar

- 2 EJCBA Board of Directors Meeting – 5:30 p.m., UF Law, Room 285D
- 4 Deadline for submission to January Forum 8
- 5 SEC Championship Game, Atlanta, GA – 4:00 p.m., CBS
- 9 Probate Section Meeting, 4:30 p.m., Chief Judge's Conference Room, 4th Floor, Alachua County Family & Civil Justice Center
- 11 EJCBA Luncheon, Honorable Scott Makar, 1st DCA, The Woolly, 11:45 a.m.
- 11 CLE, "Appellate Practice Before the First District Court of Appeal," Honorable Scott Makar and Appellate Practitioner Paul Regensdorf, 1:00 p.m., The Woolly
- 15 Family Law Section Meeting, 4:00 p.m., Chief Judge's Conference Room, Alachua County Family & Civil Justice Center
- 24 Day before Christmas – County Courthouses closed
- 25 Christmas Day – County and Federal Courthouses closed

January 2016 Calendar

- 1 New Year's Day – County and Federal Courthouses closed
- 5 Deadline for submission to February Forum 8
- 6 EJCBA Board of Directors Meeting – 5:30 p.m., UF Law, Room 285D
- 13 Probate Section Meeting, 4:30 p.m., Chief Judge's Conference Room, 4th Floor, Alachua County Family & Civil Justice Center
- 15 EJCBA Luncheon, Chief Judge Robert E. Roundtree, Jr., "The State of the Circuit," The Woolly, 11:45 a.m.
- 15 EJCBA CLE Panel Discussion, "View From the Bench," The Woolly, 1:00 p.m.
- 18 Birthday of Martin Luther King, Jr. observed, County and Federal Courthouses closed
- 19 Family Law Section Meeting, 4:00 p.m., Chief Judge's Conference Room, Alachua County Family & Civil Justice Center

Have an event coming up? Does your section or association hold monthly meetings? If so, please fax or email your meeting schedule to let us know the particulars, so we can include it in the monthly calendar. Please let us know (quickly) the name of your group, the date and day (i.e. last Wednesday of the month), time and location of the meeting. Email to Dawn Vallejos-Nichols at dvallejos-nichols@avera.com.