



# St. Lucie County Bar Association

*The Heart of the Treasure Coast*

## Message From The President

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**Greetings** to all members of the SLCBA. November is here and we look toward the approaching holidays. Thanksgiving is a uniquely American holiday where we stop and reflect on the past year, giving thanks for all we have achieved and gained. Many in St. Lucie County are still struggling in these hard times, but we all have something to be thankful for, even if circumstances are less than normal.

November brings cooler weather and signifies an end to summer in South Florida. For most, this is a welcome change and allows us to open the windows and feel the fresh air as we look toward the eventual arrival of those from up North looking to escape the frost and cold. This year's annual arrival of the "snow birds" should bring a welcome relief to our economy, so remember they help our community by patronizing our local businesses.

This November also brings the end to a tough political season. Many of you have expressed that you can hardly wait until it's over so that we no longer have to endure those TV commercials. Although voting is something most of us

take for granted, we need to vote and express our personal desire for a particular candidate. Americans have fought wars and our soldiers have died to protect our democracy, including our right to vote, so go to your polling place and vote for who you think will do the job right.

Finally, I would like to ask all members to bring canned food for our Treasure Coast Food Bank food drive. The folks at the Food Bank are in greater need than ever to stock their shelves so members of St. Lucie County who need help can get the help. I wish we could say this enduring recession was over and brighter times were here, but unfortunately that is not yet the case. Every can of food stays right here in St. Lucie County and goes to help a local family in need!

Have a great month and Happy Thanksgiving to all!!!!

Hugh J. Eighmie II





## Upcoming General Membership Luncheons

Regular Bar meetings are held on the first Friday of every month from noon to 1:00pm at Cobb's Landing in downtown Fort Pierce. All attending active members receive complimentary buffet lunch. During each luncheon, a different guest speaker gives a presentation on current legal topics. CLE credit is provided.

### **The dates of this year's general monthly meetings are:**

November 2, 2012	January 4, 2013	March 1, 2013
	February 1, 2013	April 5, 2013

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*"The St. Lucie County Bar Association is comprised of dedicated attorneys who practice law in and around St. Lucie County.*

*Our members consist of some of the finest attorneys in the country.*

*Our mission is to provide the public with access to all state and federal courts on Florida's Treasure Coast, and to provide the same access to our members."*

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## Upcoming Special Events

### **Second Annual Charity Mixer with the FICPA**

November 7, 2012 from 5:30pm-7:30pm at Cobb's Landing. Please bring canned goods to donate to the Treasure Coast Food Bank or a monetary donation for Sarah's Kitchen. Great prizes will be raffled, and there will also be a 50/50 raffle. Please come out and support two great organizations—let's raise more food and money than the accountants! See page 9.

### **Holiday Party**

December 5, 2012 at 5:30pm at the Pelican Yacht Club. Please contact ewenl@circuit19.org with suggestions for this year's entertainment.

### **"Ask-a-Lawyer" Pro Bono Clinic**

December 12, 2012 from 1pm-4pm at the River Walk Center in Fort Pierce. Please contact Carolyn.Fabrizio@frls.org for more information. See page 6.

### **Spring Softball Tournament**

The Martin County Bar Association has challenged us to a softball game in February. Please email ewenl@circuit19.org to join the team. Hopefully we'll be able to get in a few practices after the holidays before we beat the MCBA in February!

### **2013 Bench Bar Conference**

April 12, 2013 at the Port St. Lucie Civic Center. For more information, see the attached flyer or contact haroldmelville@bellsouth.net.

### **Law Day**

May 3, 2012 at 12:00pm at the Pelican Yacht Club.

## SLCBA Committee Information

### Judicial Liaison Committee:

The Judicial Liaison Committee works to assist in building better relationships and understanding between the members of our judiciary and the members of the bar. This is important, because it is difficult for lawyers and judges to exchange thoughts and concerns if their only interaction is in the formal setting of a courtroom.

The Committee works with the staff of Florida Rural Legal Services each year to produce the Annual Bench Bar Conference. The annual conference is an all-day event which provides both educational opportunities and an opportunity for the exchange of ideas and issues between the bench and the bar. Since this is a circuit wide event, the Committee has members from not only the SLCBA but also from all of the bar associations in the circuit. In addition to the Annual Bench Bar Conference, the Committee also periodically hosts judicial receptions and smaller informal events to assist in communications between the bench and the bar.

For more information, contact **HaroldMelville@bellsouth.net**.



Harold G. Melville, Esq.  
Melville & Sowerby, P.L.

### Pro-Bono Committee:

The Pro Bono Committee assists Florida Rural Legal Services (FRLS) in the placement and handling of pro bono cases, and in holding special events to provide free civil legal assistance to indigents and low income individuals, in St. Lucie County. The primary function of Committee is recruiting SLCBA members to “staff” various events, in particular “Ask-a-Lawyer” Pro Bono Clinics that are scheduled for a St. Lucie County venue approximately once each quarter. For these Clinics, FRLS pre-qualifies clients, sets appointments for consultations of ½ hour each, and provides malpractice coverage for the volunteer attorneys who provide counseling services to clients. At the last event, held on September 19, volunteer attorneys from the SLCBA counseled a total of 24 clients within a period of about two hours.

The next “**Ask-a-Lawyer**” Clinic will be held on Wednesday, December 12, from 1-4pm at the River Walk Center in Fort Pierce, 600 North Indian River Drive. *Attorney volunteers are needed.* For details, contact Carolyn Fabrizio at [carolyn.fabrizio@frls.org](mailto:carolyn.fabrizio@frls.org).

For more information regarding the Pro Bono committee, contact either **DHarrell@gh-law.com**, or **Carolyn.Fabrizio@frls.org**.



Carolyn Fabrizio, Esq.  
Pro Bono Coordinator  
Florida Rural Legal Services

### Young Lawyers Division:

The young lawyers division is designed to serve lawyers new to the profession. We assist in providing mentors within the profession and provide opportunities to serve the community. Our committee will put together events for new lawyers and come up with ways to serve the community and the profession.

For more information, contact **DApfelbaum@deanmead.com**.



Dana Apfelbaum, Esq.  
Dean, Mead, Minton & Zwemer

### Membership:

The membership committee is responsible for encouraging new members to join the SLCBA and helping to facilitate events that will accomplish that goal. Please bring a friend to a meeting or an upcoming event. Visit our website to see how you can become a member by filling out a brief application and paying your required annual membership dues which cover your monthly lunches which offer CLE's, the Holiday party, and law week activities. Also, please see the attached application.

Shannon Eighmie, Esq.  
Assistant Public Defender  
(photo currently unavailable)

### Special Events:

The special events committee seeks to coordinate interactive social functions for SLCBA members to attend. At these events, members have the opportunity to network with other local attorneys as well as individuals in different professional fields. This year, we have a range of exciting events planned. Please see the list of "Upcoming Special Events" on page 2 for more details.

For more information, contact **EwenL@circuit19.org**.



Lillian Ewen, Esq.  
Appellate Staff Attorney

### Newsletter:

The SLCBA Newsletter is published monthly by the St. Lucie County Bar Association as a service to its members. We strive to include legal articles covering current and trending legal topics, committee news, and coverage of local events. We welcome article submissions, opinions on current topics, and letters to the editor.

For more information, contact **BrejC@circuit19.org**.



Caroleen Brej, Esq.  
Felony Staff Attorney

## SLCBA Membership

To join the St. Lucie County Bar Association, you may register online or by completing and submitting the application attached at the end of this newsletter.

### Pricing:

Private Attorneys:

Over 5 year of practice: \$150

Less than 5 years of practice: \$75

Government Attorneys: \$75

Assistant State Attorneys and Public Defenders: \$30

Visit us online @ [www.SLCBA.org](http://www.SLCBA.org)  
or contact us in writing:  
**St. Lucie County Bar Association**  
P.O. Box 3014  
Fort Pierce, Florida 34948

## 2012-2013 Executive Board:

**President:** Hugh J. Eighmie II

**Vice President and Social Chair:** Lillian Ewen

**Secretary and Treasurer:** Garrett S. Roberts

**Immediate Past President:** Jennifer R. Kuczler

**Judicial Liaison Chair:** Harold G. Melville

**Pro Bono Chair:** Dan Harrell and Carolyn Fabrizio

**Young Lawyers Division Chair:** Dana Apfelbaum

**Membership Chair:** Shannon Eighmie

**Newsletter Editor Chair:** Caroleen Brej

## Newsletter Submissions

The SLCBA Newsletter is published monthly by the St. Lucie County Bar Association as a service to its members. Please feel free to submit articles, opinions, news, or other information.

In the upcoming issues, we hope to include legal articles covering current and trending legal topics, committee news, and coverage of local events. We are open to and appreciate all feedback!

Please contact Caroleen Brej at [brejc@circuit19.org](mailto:brejc@circuit19.org) with any submissions, announcements, or ideas for our newsletter; please put "SLCBA Newsletter" in the subject line of all emails.

**Advertising space is available for purchase.**

## Volunteers Needed: “Ask-a-Lawyer” Pro Bono Clinic

The St. Lucie County Bar Association and Florida Rural Legal Services, Inc. are holding an “Ask-a-Lawyer” Pro Bono Clinic, on **Wednesday, December 12, 2012**, from 1pm until 4pm.

The Clinic will be held in the City of Fort Pierce’s **River Walk Center**,  
600 North Indian River Drive, Fort Pierce.

### **Attorney volunteers are needed during the following time periods:**

1:00 pm—2:00 pm	8 attorneys needed
2:00 pm—3:00 pm	8 attorneys needed
3:00 pm—4:00 pm	8 attorneys needed

FRLS offers free continuing legal education for attorney volunteers on a broad range of subjects, including the most common types of problems presented by pro bono clients.

Please contact Carolyn Fabrizio (carolyn.fabrizio@frls.org), 19th Circuit Pro Bono Coordinator for FRLS, for detailed information on CLE available for Clinic volunteers.

To volunteer for the SLCBA/FRLS “Ask-a-Lawyer” Pro Bono Clinic, or for additional information about the program, please contact Carolyn Fabrizio.

## CLE Programs at the Law Library

Stop by the Rupert J. Smith Law Library to see the improvements to the print collection, including many new Matthew Bender sets. Additionally, these sets are online through the Lexis connection.

Come talk to librarian about “staff access” to WestlawNext, which includes, among other things:

- ⇒ Civil Pleadings, Motions, Memoranda Plus—Florida, All State & Federal
- ⇒ Jury Verdicts Combined
- ⇒ Public Employee Reporters—Florida
- ⇒ State and Federal Criminal Briefs, Trial Court Orders, Filings—Florida

For more information, please visit [www.rjsslawlibrary.org](http://www.rjsslawlibrary.org)

The St. Lucie County Bar Association  
and  
The Sailfish Chapter of the Florida Institute of CPAs

Charity Social Event

To benefit the Treasure Coast Food Bank and Sarah's Kitchen

- When:** Wednesday, November 7, 2012  
5:30pm-7:30pm
- Where:** Cobb's Landing  
200 North Indian River Drive  
Fort Pierce, Florida 34950
- Sponsored by:** Anchor Financial Services, CPA, PA  
Berger, Toombs, Elam, Gaines & Frank CPA, PL  
Dean Mead Minton & Zwemer  
DiBartolomeo, McBee, Hartley & Barnes CPA, PA  
Gonano & Harrell  
Hill, Barth & King LLC  
The Estate, Trust & Elder Law Firm, P.L
- Admission:** Free if you bring either a dry/canned food or a donation
- Food/Drink:** Heavy hors d'oeuvres and open bar
- Raffles:** Gift certificates will be raffled, and there will be a 50/50



## Florida Trial Court Staff Attorney Association Conference

On October 18-19, the Fourth Judicial Circuit hosted the annual FTCSAA Conference at their beautiful new Duval County Unified Courthouse located near the river in Jacksonville, Florida. Staff Attorneys from all twenty circuits gathered to attend informational live seminars covering trending legal issues. Attendees received CLE credit.

Speakers included: Chief Judge Donald R. Moran, Jr., 4th Judicial Circuit; Circuit Judge Harvey Jay, 4th Judicial Circuit; Circuit Judge Mallory D. Cooper, 4th Judicial Circuit (*“Current Issues in Criminal Law”*); Circuit Judge Karen K. Cole, 4th Judicial Circuit (*“‘Le Mot Juste’ - Finding the Right Words and Nothing But the Right Words”*); Circuit Judge Raul A. Zambrano, 7th Judicial Circuit (*“Stand Your Ground Defense”*); Circuit Judge Alice L. Blackwell, 9th Judicial Circuit (*“Bias and Prejudice”*); County Judge Gary Flower, 4th Judicial Circuit (*“Pleadings—Dispositive Motions”* and *“Practicing with Professionalism”*); County Judge Roberto A. Arias, 4th Judicial Circuit (*“DUI—Emerging Issues with the Intoxilyzer 8000”*); U.S. Magistrate Judge Charles J. Kahn, Jr., 1st DCA, and Phillip “Tip” Tomberlin, Career Attorney, 1st DCA (jointly presented *“Drafting Orders with an Eye Toward Appellate Review”*); Heather Perry Baxter, Assistant Professor of Law, Nova Southeastern University (*Legal Writing and Analysis*); and Mr. James A. Kowalski, Jr., Civil Trial Attorney specializing in Consumer Protection Litigation (*“Overview of Florida Foreclosure Litigation—Issues and Areas of Concern”*).

During the conference, several Staff Attorneys were recognized for their outstanding years of service and were awarded with commemorative pins. From our very own 19th Judicial Circuit, **Sharon Robson** received a pin for her 10 years of outstanding service.

Note: The FTCSAA is a voluntary bar association officially recognized by The Supreme Court and Florida Bar Association. The Conference was funded in part by the Florida Court Personnel Trust Fund. The Association was founded in Jacksonville, Florida.



Mark Flood and Caroleen Brey

*Felony Staff Attorneys for the 19th Judicial Circuit*

Please join the SLCBA on November 2, 2012 from 12pm to 1pm for  
the Association's monthly meeting.

Our speaker is Dennis Root and the topic is Investigations.



Please RSVP by November 1st to [garrett@hosklaw.com](mailto:garrett@hosklaw.com)

Menu

Pasta Primavera, Chicken Alfredo, Caesar Salad

Iced Tea, Soda, Coffee

Assorted Cookies

## 2013 Annual Bench Bar Conference

The SLCBA Judicial Liaison Committee recently met and confirmed the date of **April 12, 2013** for the next Annual Bench Bar Conference. The 2013 Bench Bar Conference will be held at the Port St. Lucie Civic Center, where it was successfully held last year.

The program is currently being finalized, but will include segments on professionalism, the current requirements for e-filing, and effective law office management. There will also be the opportunity for substantial interaction between the judiciary and the members of the bar, with judicial insight concerning how to be a more effective advocate. This year we will again have break out discussions groups in specific practice areas.

The Annual Bench Bar Conference is an excellent opportunity for positive interaction between the members of the bar and our respected judiciary. This is also an opportunity to obtain substantial CLE credit either at minimal cost or simply for agreeing to take a pro bono case from Florida Rural Legal Services.

As always, the staff of FRLS has been instrumental in helping organize the Annual Bench Bar Conference and supporting its presentation.

**Mark your calendars for April 12, 2013.**

More information will be forthcoming as the program is finalized.

**DUES NOTICE FOR MEMBERSHIP IN**  
**THE ST. LUCIE COUNTY BAR ASSOCIATION**

NAME: \_\_\_\_\_ FIRM: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_ CITY/STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_  
PHONE: \_\_\_\_\_ FAX: \_\_\_\_\_ E-MAIL: \_\_\_\_\_  
BAR NUMBER: \_\_\_\_\_ COURTHOUSE BOX #: \_\_\_\_\_  
WEBSITE: \_\_\_\_\_ CERTIFICATIONS: \_\_\_\_\_

**AREAS OF PRACTICE: Please limit to no more than 10:**

- |  |  |  |  |
|--|--|--|--|
| <input type="checkbox"/> Administrative Law    | <input type="checkbox"/> Criminal Defense                    | <input type="checkbox"/> Intellectual Property       | <input type="checkbox"/> Probate                 |
| <input type="checkbox"/> Admiralty Law         | <input type="checkbox"/> Disability Law                      | <input type="checkbox"/> International Law           | <input type="checkbox"/> Real Estate-Commercial  |
| <input type="checkbox"/> Agriculture Law       | <input type="checkbox"/> Divorce                             | <input type="checkbox"/> Juvenile Law                | <input type="checkbox"/> Real Estate-Residential |
| <input type="checkbox"/> Animal Law            | <input type="checkbox"/> Eminent Domain                      | <input type="checkbox"/> Labor Law                   | <input type="checkbox"/> Real Estate-Litigation  |
| <input type="checkbox"/> Appellate             | <input type="checkbox"/> Employee Benefits                   | <input type="checkbox"/> Land Use                    | <input type="checkbox"/> Social Security         |
| <input type="checkbox"/> Arbitration           | <input type="checkbox"/> Employment Law                      | <input type="checkbox"/> Landlord/Tenant-Commercial  | <input type="checkbox"/> Taxation                |
| <input type="checkbox"/> Aviation              | <input type="checkbox"/> Entertainment & Sports Law          | <input type="checkbox"/> Landlord/Tenant-Residential | <input type="checkbox"/> Trusts                  |
| <input type="checkbox"/> Banking Law           | <input type="checkbox"/> Estate Planning                     | <input type="checkbox"/> Legal Malpractice           | <input type="checkbox"/> Water Law               |
| <input type="checkbox"/> Bankruptcy Commercial | <input type="checkbox"/> Family Business/Succession Planning | <input type="checkbox"/> Mediation                   | <input type="checkbox"/> Wills                   |
| <input type="checkbox"/> Bankruptcy Personal   | <input type="checkbox"/> Family Law                          | <input type="checkbox"/> Medical Malpractice         | <input type="checkbox"/> Worker's Compensation   |
| <input type="checkbox"/> Business Law          | <input type="checkbox"/> Guardianship                        | <input type="checkbox"/> Medicare/Medicaid           | <input type="checkbox"/> Wrongful Death          |
| <input type="checkbox"/> Child Support/Custody | <input type="checkbox"/> Health Law                          | <input type="checkbox"/> Patent/Trademark Law        | <input type="checkbox"/> Zoning                  |
| <input type="checkbox"/> Commercial Litigation | <input type="checkbox"/> Homeowner's Assn.                   | <input type="checkbox"/> Pension Law                 |  |
| <input type="checkbox"/> Construction Law      | <input type="checkbox"/> Immigration Law                     | <input type="checkbox"/> Personal Injury – Defense   |  |
| <input type="checkbox"/> Corporate Law         | <input type="checkbox"/> Insurance Law                       | <input type="checkbox"/> Personal Injury – Plaintiff |  |

Other (Please List): \_\_\_\_\_

**BAR DUES FOR 2012-2013:** \$150.00 General Members  
\$75.00 Young Lawyers Division Members  
\$75.00 Full-Time Government Attorneys  
\$30.00 Assistant State Attorneys and Assistant Public Defenders

**JUDGES ARE EXEMPT FROM BAR ASSOCIATION DUES**

**YOU MAY NOW PAY BAR DUES ONLINE BY CREDIT/DEBIT CARD OR ELECTRONIC FUNDS TRANSFER (EFT)  
THROUGH THE BAR'S WEBSITE: [WWW.SLCBA.ORG](http://WWW.SLCBA.ORG)**

**Alternatively, you may submit payment to: St. Lucie Bar Association, P.O. Box 3014, Ft. Pierce, FL 34948**