



INTER ALIA

AUGUST/SEPTEMBER 2015

NEWSLETTER OF THE MANATEE COUNTY BAR ASSOCIATION

IN MEMORIAM

R.B. "Chips" SHORE, III 1941-2015

A lifelong resident of Manatee County, Chips Shore served the citizens throughout his distinguished career as a public servant and elected official. In 1972, he was selected as City Clerk and treasurer for Bradenton, Florida. In 1976, the citizens of Manatee County elected him as Clerk of the Circuit Court and Chief Financial Officer where he served proudly and had the longest tenure ever for any clerk in Manatee County. He had also recently filed to run for a 10th term.

A pioneer and a visionary for electronic judicial records, Clerk Shore was one of the most recognized and accomplished circuit court clerks in Florida and the nation. A method Shore and his office developed to access online court records without compromising security, for example, was adopted statewide last year. Other technological advances on Shore's watch include e-filing and Smart Bench, a judicial application for judges to access court records.

He was also known locally for his work in restoring historical buildings in Manatee County and on July 15, 2015, he helped un-



veil the Manatee County Historic Courtroom. The courtroom was part of the original construction of the 1913 courthouse. In 2008, when the Manatee County Judicial Center opened, the room, which was often referred to as "Courtroom E," sat abandoned and unused. "For more than 30 years, it has been my dream to restore this courtroom," said Shore, "It's been a long road but the results are absolutely worth it." Shore died unexpectedly on July 29, 2015.

In a letter dated August 4, 2015, Chief Judge Charles Williams of the 12th Judicial Circuit wrote to the Manatee County Commission saying, "We are very pleased that the dedication of the historic courtroom happened when it did and that Chips was able to preside over something that he had worked so hard to bring to fruition. We would like to propose that the Manatee County Commission name the historic courtroom in honor of Chips Shore and that the small museum that is attached to it have some tribute to his legacy."

(continued on pg. 9)



INVESTITURE CEREMONIES

for

The Honorable TERI KAKLIS DEES

Friday, September 18 – 4:00 pm
The Honorable R.B. "Chips" Shore
Historical Courtroom

Manatee County Historic Courthouse
(Address: 1115 Manatee Ave. W., Bradenton –
Public entrance is on the north side of the building)
All are invited to attend.

Judge Lee Haworth Presented with Chief Justice Award for Judicial Excellence



The newly-established Chief Justice Awards for Judicial Excellence recognize one county court judge and one circuit court judge who demonstrate exceptional commitment to the judicial branch and who personify judicial excellence, embodying qualities such as strength of character, integrity, fairness, open-mindedness, knowledge of the law, sound judgment, professional ethics, intellectual courage, compassion, and decisiveness. These prestigious awards are presented by the chief justice of the Florida Supreme Court at the annual education programs for each level of the trial court. At this year's Florida Conference of Circuit Court Judges, Chief Justice Labarga presented

(continued on pg. 4)

ELDERCARING COORDINATION

Informational Meeting with Judge Lee Haworth

Tuesday – September 15 @ Noon

8th floor MCJC

Brown-bag luncheon (BYOL/bring your own lunch)

A brown-bag luncheon meeting for interested Manatee Bar members has been scheduled for Tuesday – September 15, 2015 at 12:00 Noon in the MCJC – 8th floor multi-purpose room.

Under the direction of Hon. Chief Judge Charles Williams, the 12th Judicial Circuit has joined the Florida Chapter of AFCC Association of Family & Conciliation Courts Task Force to begin implementing the Eldercaring Coordination Pilot Program the fall of 2015, along with seven other Judicial Circuits in Florida.

Eldercaring Coordination is a dispute resolution option specifically for those high conflict cases involving issues related to the care and needs of elders. Eldercaring Coordination is to complement, not replace, other services such as provision of legal information or legal representation, individual/family therapy, medical, psychological or psychiatric evaluation or mediation.

Eldercaring Coordination focuses on reducing the level of conflict in families so that the family members are able to focus more productively on the issues at hand and work with others in their support system to provide legal advice, guidance and care. This process of “eldercaring coordination” will:

- Help manage high conflict family dynamics so that the elder, family and stakeholders can address their non-legal issues independently from the court;

- Ready the elder and family to work with collaterals to address medical, care and financial issues, avoiding delays and resulting in better decisions for the elder;
- Foster self-determination of the elder and family for as long as possible;
- Promote safety by monitoring situations at high risk for abuse or neglect, as it relates to elders and vulnerable adults;
- Provide a support system for the elder and family during times of transition, and;
- Reduce the need for court intervention in family issues concerning the needs and care of elders.

There will be various meet and greet sessions with the Bar, other organizations and entities to inform and familiarize them with the Eldercaring Coordination concept in the near future.

Hon. Judge E. Lee Haworth will address Eldercaring Coordination at the Manatee Bar’s Probate/Estate Section brown bag luncheon meeting on Tuesday, September 15 in the MCJC 8th floor multi-purpose room, and at the Sarasota Bar Probate/Estate Section luncheon at Michael’s on the East on September 24, 2015.

The 12th Judicial Circuit is excited about this Pilot Program and encourages members of the Bar to participate.

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IN MEMORIAM



Jim Birkhold, the Clerk at the Second District Court of Appeal and before that a long time attorney in Bradenton died in an automobile accident in Lakeland on August 16. He was 66 years old.

I met Jim on my first day of employment at the Public Defender's Office in January 1979 when we were assigned to the misdemeanor division. As part of our duties we were assigned to first appearances where we would represent persons arrested within the past 24 hours.

Behind old courtroom C on the 3rd floor of the Manatee County Courthouse was what can only be described as a holding pen. Jim cautioned me to keep my distance from the inmates as the conditions were less than sanitary; he, on the other hand, went right up to the barrier and spoke individually to each arrestee in English or Spanish (he was fluent) and evinced a genuine concern for both their legal and personal concerns. There was no need for Jim to tell me how to behave as an attorney; I just needed to observe.

As the years went by I realized that there was no better resource than Jim for legal analysis, developing trial strategy and tactics, for dealing with difficult clients, and for navigating the difficult waters of representing indigent defendants.

Jim and I remained very good friends for many years until he relocated to Lakeland where he took up new responsibilities well suited to his intellect and interests. Over the last year we had intermittent contact. On the day before his death I received an email from him proposing we go to a baseball game.

My friend and colleague Jim Birkhold was a fully developed character. He was brusque, acerbic, empathetic, smart, helpful, prickly, good-hearted, wise, loyal. In short he was a human being with undeniable strengths and virtues and a smattering of flaws which made him uniquely human.

I'll always be indebted to Jim for befriending me when I arrived in Bradenton and for being such a valued and supportive colleague. May he rest in peace.

~Judge Peter A. Dubensky

WILL SEARCH

Janet C. Smith

Born in 1927, and last known address on Timberlake Drive in Palm Aire Country Club, Sarasota, FL died August 4, 2015 in Bay County, FL. (Panama City Beach)

George S. Smith

Born in 1926, and last known address on Timberlake Drive in Palm Aire Country Club, Sarasota, FL died July 10, 2015 in Bay County, FL (Panama City Beach).

Their known relatives live in New York and Colorado and have been unsuccessful in locating a Last Will and Testament. Please contact Janet Smith (daughter) at (631)278-0078 or Doria Smith (daughter) at (719)323-3925 with any pertinent information.



INTER ALIA

Along with the greats like Newsweek, Ladies Home Journal and The Onion.... **INTER ALIA GOING ELECTRONIC**

After much discussion citing cost saving measures and 'green' sensibilities, the MCBA Board of Directors has voted to discontinue the printed version of *Inter Alia*. This issue is the second of a three issue phase out of the hard copy printing and mailing of our membership newsletter. At the end of that time, *Inter Alia* will then be circulated electronically to members in a downloadable PDF version which can be printed or viewed from your desktop. It will also be posted on our website (www.manateebar.com), along with other back issues.

Members who wish to continue to have a hard copy mailed to them should notify the Bar Office, either by phone (741-4091) or e-mail (manatee.bar@manateeclerk.com). An option was also provided on your recent dues renewal statement.

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Bar Member SPECIAL

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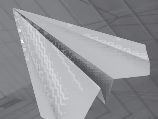
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(Judge Lee Haworth, continued from pg. 1)

the 2015 Chief Justice Award for Judicial Excellence to Judge Lee Haworth, Twelfth Judicial Circuit.

"Judge Haworth embodies judicial excellence," the nomination letter began, calling particular attention to his "integrity, innovation, sound judgment, ethics, courage, and compassion." Judge Haworth's accomplishments are indeed far-ranging, but his achievements in two areas especially stand out: his innovations in addressing the foreclosure crisis and his efforts to improve the lives of children.

Judge Haworth, who was elected to the Twelfth Circuit Bench in 1989 and will be retiring at the end of August 2015, was serving as chief judge when the foreclosure crisis began sweeping through Florida. Seeing the foreclosure caseload begin to mushroom in his circuit, in December 2008, he implemented the Homestead Conciliation Program, which established a process for giving homeowners a court-ordered chance to work out a solution with lenders; for this, he was praised for having "gotten out in front of this issue way ahead of everyone else." Then in late 2009, he was called to serve on the supreme court's Task Force on Residential Foreclosure Cases, which was established to respond on an emergency basis to the residential mortgage foreclosure crisis in Florida; the managed mediation process Judge Haworth had established in his circuit became the model for the state.

Judge Haworth is perhaps most widely known for his efforts to improve the lives of children who come in contact with the courts. In addition to serving on the supreme court's Steering Committee on Families and Children in the court, he spearheaded initiatives that improve safety for foster care children and has worked extensively with his circuit's Family Guardian Ad Litem Program. In 2000, he was "recognized for outstanding child advocacy by the Supreme Court and the Governor of the State of Florida for [his] dedication to abused and neglected children and service to the Guardian ad Litem Program."

Judge Haworth also established his circuit's Courts Assisting Veterans Program and played an important role in the development of an interactive application that enables judges to view and work on electronic court records—an application that judges in nearly 40 Florida counties now use.

~Reprinted from Court News – 2015, The Office of the State Courts Administrator

CALENDAR

September 9 – Young Lawyers Division meeting

12:00 Noon – 1st floor Conference Room @ MCJC
All young lawyers are invited to attend.

September 9 – Retirement Dinner for Judge Lee Haworth

Michael's on East
(See flyer enclosed)

September 10 – YLD Joint Networking Social

5 – 7 pm - World of Beer

September 15 – Eldercaring Coordination Informational Meeting

12:00 Noon – Brown-bag luncheon
8th floor Multi-purpose room – MCJC

September 18 – Investiture Ceremonies for Judge Teri Dees

R.B. "Chips" Shore Historical Courtroom
Manatee County Historical Courthouse
4 pm

September 30 – General Membership Meeting

11:45 am – Pier 22
Speaker: Sheila Tuma, Chief Branch Disciplinary Counsel
The Florida Bar

October 7 – MCBA Board of Directors Meeting

12:00 Noon
1st floor Conference Room
MCJC

October 8 – Family Law Section Meeting

12:00 Noon
8th floor Multi-purpose room – MCJC
Topic: Proposed changes to Family Law Rules

October 28 – General Membership Meeting

11:45 am – Pier 22
Speaker: Bill Schifino, President-elect
The Florida Bar

November 4 – Board of Directors meeting

12:00 Noon
1st floor Conference Room
MCJC

November 6 - Judge James Parker Retirement Party

DeSoto County Turner Agri Civic Center in Arcadia
Time TBD - Bus Transportation Available

NEXT MEETING

Wednesday – September 30, 2015

11:45 am – Pier 22

Speaker: Sheila M. Tuma

Chief Branch Discipline Counsel

The Florida Bar

Lawyer Regulation -Tampa

Topics - Ethics, Trust Accounting and Fees

BARNES WALKER, GOETHE, HOONHOUT & PERRON, CHARTERED

is pleased to announce that
KRISTINA HAGER SNYDERMAN, ESQ.
has become an Associate with the Firm.

A 2007 *cum laude* graduate of the University of Florida, Kristina Snyderman received her B.A. in Criminology with a minor in dance. She obtained her J.D. from Stetson University College of Law in 2010 and was admitted to The Florida Bar in 2011. While at Stetson, she was recognized with the distinguished William F. Blews Pro Bono Service Award. She is a member of the Junior League of Manatee County and the Manatee County Gator Club. Snyderman has joined the firm's litigation department and will concentrate her practice in the areas of real estate, construction and general civil litigation.

Chapman joins Blalock Walters, P.A.

The law firm of Blalock Walters, P.A. is pleased to welcome attorney Anne W. Chapman to its firm. Chapman focuses on representing clients in a wide range of labor and employment law issues including defending public and private sector employers in discrimination, harassment, retaliation and wage-hour litigation in state and federal court and before administrative agencies. Her practice also involves providing companies with advice and counsel concerning day-to-day employee relations issues and legal compliance. Chapman earned her Juris Doctor from the University of Miami School of Law in 2004 and a Bachelor of Arts in History from University of Florida in 2000.

Chapman joins Blalock Walters from Kunkel Miller & Hament, where she exclusively advised and defended employers concerning labor and employment matters. She was also an associate attorney at Russo Appellate Firm, P.A. in Miami after serving as a certified legal intern for the United States Attorney's Office.

"The firm is thrilled to have Anne join us as the leader of our Labor & Employment practice area," says Jonathan Fleece, Managing Partner. "This focus continues to be a critical and growing component of the firm's services and as our clients are facing increasing challenges in the employment law arena, we continue our dedication to helping them in this regard. Anne's combined experience, skills, personality and commitment to our community make her a perfect addition to the Blalock Walters team."

Chapman serves on the board of directors of the Sarasota Chapter of Florida Association of Women Lawyers. She is a member of Manatee County Bar Association, Sarasota County Bar Association, and Sarasota Manatee Human Resource Association. Chapman can be reached at 941.748.0100 or achapman@blalockwalters.com

Cowan Earns Board Certification



Lewis, Longman & Walker Attorney **Jennifer R. Cowan** recently earned Board Certification in City, County and Local Government Law from The Florida Bar. Ms. Cowan's practice focuses on local government, public pension, land use, and litigation. She represents local governments as general and special counsel in matters related to annexations, interlocal agreements, procurement, contract management, construction contracting, collective bargaining, employment law, ethics, public records, Sunshine Law, and property issues. Ms. Cowan advises public employers on Federal and State laws pertaining to government retirement programs, prepares pension plan documents and amendments, assists local governments in evaluating pension reform options, implementing plan changes, and joining FRS. Ms. Cowan assists private and public clients in matters concerning Development of Regional Impacts (DRIs), Notices of Proposed Change (NOPCs), comprehensive plan amendments, zoning issues, impact fees reimbursements and disputes, and development of CDDs. Ms. Cowan has represented public and private clients in civil litigation involving contract disputes, discrimination matters, public record violations, Sunshine Law violations, construction defects and negligence actions. Ms. Cowan has also represented clients in appellate matters involving Sunshine Law and public record violations, and annexation challenges. She can be reached at (941) 708-4040 or at jcowan@llw-law.com.

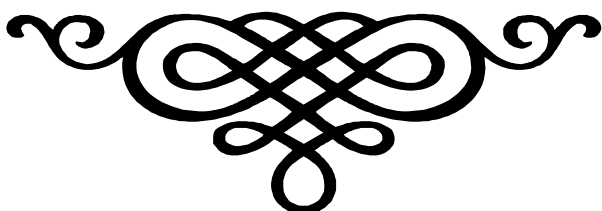
Fowler-Hermes Addresses Conference

Jennifer Fowler-Hermes, partner at Kunkel Miller & Hament, spoke at the 70th Annual Workers' Compensation Educational Conference in Orlando, Florida, as a panelist for the session titled "They Say Breaking up is Hard to do: Termination, Co-Employment and the Dreaded Retaliation Claim."

Kunkel Miller & Hament, with offices in Sarasota, Tampa, Apalachicola and Ft. Myers (satellite), is a labor and employment firm representing employers exclusively in virtually all industries, both private and public sector.

DUES ARE DUE

This past July, annual dues renewal notices for the 2015-2016 Bar year (July 1, 2015 – June 30, 2016) were sent to all current Manatee Bar members via email. Thank you to all those who have responded with your membership renewal for the year ahead. If you have any questions regarding your dues, please contact Sue in the Bar Office via e-mail at manatee.bar@manateeclerk.com.



Al-Anon Offers Help For Friends, Families Of Alcoholics

A message from the District 12 AFG Public Outreach Committee

Alcoholism is a disease which is widespread and debilitating to families. We at District 12 Al-Anon Family Groups provide support to families and friends of problem drinkers. Alcoholism is often hidden. The problem is there, although many times neither the family nor the problem drinker will face or admit that it exists.

When clients come to you for a divorce, a restraining order, or help with delinquent children, you become their counselor in many aspects of their lives. If you suspect your client is or has been affected by a problem drinker, we suggest you or your client contact Al-Anon. Many families have taken their initial steps towards recovery through their attorney's recommendation to contact Al-Anon and/or Alateen.

Al-Anon is a mutual support program for families and friends of alcoholics. Alateen, part of Al-Anon, is for the teenage members of the family who are affected by another's drinking. Both Al-Anon and Alateen are free of charge, confidential and anonymous, spiritual (not religious), and non-professional.

If your client is an alcoholic, you can help the family by referring them to Al-Anon when the drinker is:

- denying or "covering up" a drinking problem
- being referred for professional alcoholism treatment or to Alcoholics Anonymous (AA)

- experiencing dramatic behavioral shifts due to drinking
- making the family's situation worse by drinking

You can help your non-alcoholic clients by referring them to Al-Anon in situations where:

- they have lost control of their behavior because of someone else's drinking

- a family situation has worsened due to alcoholism
- children are being affected due to alcoholism in the home

At Al-Anon/Alateen group meetings, family members can begin to improve their own attitudes and behaviors. They can benefit from contact with others who have similar problems, and learn how alcoholism has impacted their lives. We recognize that you are in a unique position to refer your clients to Al-Anon. If you wish more information or would like to request literature or meeting lists to provide to your clients, please email us at D12POchair@gmail.com, or phone 864.556.3840, or visit our website, www.al-anon12.org.

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Thursday, September 10

5:00 pm - 7:00 pm

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CALL FOR HISTORICAL ARTIFACTS & MEMORABILIA HISTORIC COURTROOM MUSEUM



Excuse me, but what is a gumball machine doing in a historical courtroom exhibit? Just one reason why preserving our history is important. Do you have anything to contribute?

As part of the restoration of the Historic Courtroom in the Manatee County Historical Courthouse, a museum was added on the third floor within the entrance to the courtroom's balcony. The museum will display artifacts from Manatee County's legal community of judges, lawyers, clerks, paralegals, bailiffs and others. The artifacts will be on loan from anyone wishing to contribute, and the person loaning an item to the museum will have a written contract memorializing the loan agreement.

If you have any items which you believe are appropriate for the museum, please contact Cathy Slusser, Director of the Historical Records Library at 941-741-4074. Cathy will meet with you to inspect your item(s) and if appropriate, enter into the loan contract with you, and transport the item(s) to the museum.

If you have any questions, please do not hesitate to call Cathy.



An interesting photographic timeline.

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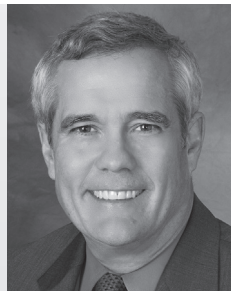
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- Florida Arbitrator
- Federal Mediator
- Harvard College, B.A., 1975
- Capital University Law School, J.D., cum laude, 1986
- Harvard Law School Mediation Program

Welcome New Members

MATTHEW BOBULSKY – B.A., Business Administration – Eckerd College (2006); J.D., Barry University School of Law (2013). Admitted to The Florida Bar in 2015. Mr. Bobulsky is an associate with the Esposito Law Group, P.A. and practices in the areas of Litigation, Bankruptcy, Probate/Estate Planning.

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DREW F. CHESANEK – B.A., Business – University of Miami (2010); J.D., Florida Coastal School of Law (2015). Admitted to The Florida Bar in 2015. Mr. Chesaneck is an associate with Mackey Law Group, P.A. and practices in the areas of Civil Litigation, Business Law and Family Law.

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HILLARY L. JOHNSON – Florida State University (2009); J.D. Faulkner Law (2012). Admitted to The Florida Bar in 2012. Ms. Johnson is an associate with The Law Place, practicing in the areas of Traffic, Criminal Law and DUI.

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W. MATTHEW KOWTKO – B.S., Business Administration and Business Economics – Georgia State University (2010); J.D. Barry University School of Law. Admitted to The Florida Bar in 2013. Mr. Kowtko is a sole practitioner in the areas of Civil Trial, Family Law and Contract Dispute.

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matt@mkowtkolaw.com

ANDREW T. MARSHALL – B.S., Professional Aeronautics – Embry Riddle (2005); J.D., Thomas M. Cooley (2009); LL.M., Thomas M. Cooley Law School (2012). Admitted to The Florida Bar in 2013. Mr. Marshall is an associate with Price, Hamilton & Price, Chtd. and practices in the areas of Civil Litigation, Insurance Defense Litigation and Construction Litigation.

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DIANE MCGINNESS – B.A., English w/Honors – Florida Atlantic University (1980); J.D. – University of Florida (1984). Admitted to The Florida Bar in 1985. Ms. McGinness is an associate with Price, Hamilton & Price, Chtd. and practices in the areas of Civil Litigation, Insurance Defense Litigation and Construction Litigation.

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AARON THOMAS – B.A., Business Administration, Entrepreneurship – Mars Hill College (2010); J.D. – Florida International University (2014). Admitted to The Florida Bar in 2015. Mr. Thomas is an associate with Najmy Thompson, P.L. and practices in the areas of Commercial Real Estate, Government Law and Business Law.

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Bradenton, FL 34205
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Email: athomas@najmythompson.com

(Chips Shore, continued from pg. 1)

On August 26, 2015, the Manatee County Commission officially designated and renamed the courtroom as “The R.B. Chips Shore Historical Courtroom.” “Based on the foregoing findings, the Manatee County Commission finds that Mr. Shore’s integrity in office and incalculable positive contribution to his community more than qualify him for the honor requested by the Circuit Chief Judge,” County Attorney Mickey Palmer read from the proclamation.

Chips Shore graduated from Stetson University with a Bachelor of Science degree in Economics and Finance. He has also participated in post-graduate studies at Stetson University College of Law; New York University Institute of Finance; Stonier Graduate School of Banking at Rutgers University; and Florida Atlantic University, Institute for Municipal Finance Officers professional study.

An honorary member of the Manatee County Bar Association, Inc., Mr. Shore was a Past President of the Florida Association of Court Clerks and Comptrollers; Member of State Treasurer’s Advisory Task Force for 1984, 1986, 1987; Past President of the Florida Family Support Council; Supreme Court of Florida’s Trial Courts Technology Committee, Manatee County Historical Commission; Chair of Florida State Public Access and Electronic Filing Committee; and Florida Counties Investment Trust. He also served on the board and was president of HOPE Family Services.

Mr. Shore was a Certified Clerk of Circuit Court and Municipal Clerk and was awarded GFOA’s Award for Excellence for Achievement Recognition. He was selected as the Clerk of the Year (2001-2002) in the State of Florida for his outstanding contribution and vision in technological advances for the Clerks of Courts. He was featured in the April 2004 issue of the American Bar Association Journal regarding court records. He was chosen as the 2008 National Award of Merit Winner by the American Association of State and Local History for his contributions to historic preservation and heritage education in Manatee County.

He is survived by his wife Carol and four daughters.

VISION 2016



Florida Bar president encourages dialogue on path forward.

The future practice of law is important to all lawyers in Florida and equally important is the local voluntary bar's role to serve its members in advancing the legal profession. Over the next few months, Florida Bar President Ramón Abadín will be teaming up with voluntary bar association's to provide forums and help facilitate member feedback on issues that could affect law practices state-wide.

At the center of the conversation is the Vision 2016 comprehensive study, which addresses four general areas that will affect the future practice of law in Florida: Legal Education; Technology; Bar Admissions; and Access to Legal Services.

While the issue of admission by motion/reciprocity is receiving widespread attention in recent weeks, it is only one of many important topics being studied by Vision 2016. Currently, the Board of Governors has taken no action on this topic, but there are lots of questions from Bar members. The other topics include addressing legal education; supporting Florida's struggling young attorneys; and identifying the issues presented by "do-it-yourself" non-lawyer legal services through emerging technologies.

An open forum for Bar members will be held in conjunction with The Florida Bar's Fall Meeting on Friday, Sept. 18 at 1:00 p.m. at the Tampa Airport Marriott hotel.

- Learn more about it:
www.floridabar.org/vision2016
- Submit comments on motion/reciprocity by Oct. 1 to:
visionbaradmissions@flabar.org
- Dates and locations of town hall meetings can be found:
www.floridabar.org/vision2016

Can't We All Get Along, Here? (Not always.)



LEWIS
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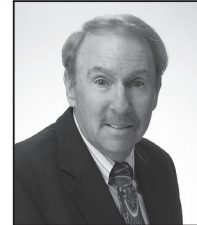
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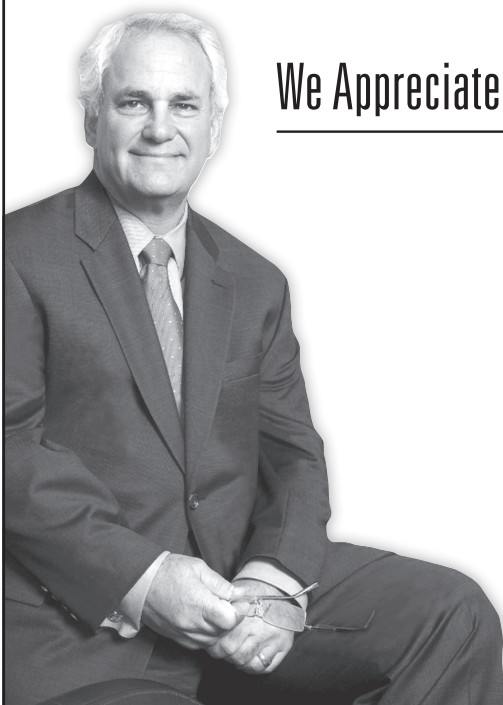
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