



# INTER ALIA

AUGUST 2018

NEWSLETTER OF THE MANATEE COUNTY BAR ASSOCIATION



## President's Message

*by Alexandra D. St. Paul, Esq., President*

Thank you for the privilege of serving as your President this year. This is the first of what will be a message from your President in each Inter Alia. These will be brief messages concerning the state of our Bar Association, current programs and events, plans, goals and other topics of the day. We have a very good and viable voluntary Bar, providing many services to our members and the legal community, with good participation and support from our Board and committees, YLD and the general membership. Having said that, there are things we hope to accomplish to improve our association.

While we have good participation at one level, it could be better. There are any number of our members who seldom attend our luncheons or other functions. We hope this year to increase attendance and participation by both senior members, who may have sort of dropped out of participating, and others who just have not developed a habit of taking part, even if it is just coming to the luncheons and mingling with others.

One way we plan to attract more participation is to have more fun, while still meeting our main mission. There is no substitute for each of us getting to know other lawyers and building relationships with each other. We will try to have more events that are not only interesting, but fun to attend. You cannot have too much fun in life and sometimes the good times feel too infrequent. Watch these pages for more events and reach out and urge someone you know to begin attending our luncheons and other events. At luncheons sit with people you do not know, and engage in conversation. Don't just mingle with people you already know well. Expand your circle of lawyer friends. I believe that this will serve us all well.

## Dues Renewal

### Deadline Has Passed!

The Dues Renewal deadline of July 30th, has now passed. If you haven't renewed, but would like to, please contact the MCBA office at [MCBA@ManateeBar.com](mailto:MCBA@ManateeBar.com) for details. Please don't delay and miss out on all the great benefits the MCBA offers its members.

## New Member Benefits And Discounts On Services

If you haven't done so, please visit <https://www.floridabar.org/member/benefits/>. Currently, three new member benefits are being considered to add to the more than 60 free or discounted products and services already offered to Florida Bar members listed at <https://www.floridabar.org/member/benefits/>. From sending packages to sending flowers, from booking hotels to searching case law, and from refinancing loans to buying car insurance, the Member Benefits Committee works diligently to identify potential discounted member benefits that Bar members will find useful.

More than a dozen Florida Bar Member Benefit providers offer free trials, demos or initial services, including practice resources, legal forms and legal research. Under consideration at this meeting are adding discounts and services from Law Office Support Services, Tali, and Digital Age Marketing Group.

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## Manatee County Bar Association Honors Service To Community

At the Annual Meeting of the association in June 2016, the Manatee County Bar Association recognized two members for their record of service to our community. In the 20th annual presentation of the awards, Bradenton attorney Jaime L. Delgado received the William C. Grimes Award for Lifetime Achievement in Community Service and attorney Tracy B. Pratt received the Community Service Leader Award. The purpose of the awards is to highlight members of the Bar Association who provide service to the community through participation in organizations and activities beyond the scope of the Bench, Bar and mandatory pro bono legal services.



*left to right: President Elect Charles Telfair, President Alexandra St. Paul, Jaime "Jim" Delgado, Tracy Pratt, and Imm. Past President Paul Grondahl*

Attorney Jaime Delgado was born in El Paso, Texas. After high school, he enlisted in the United States Air Force and was an Inertial Navigation Systems Specialist on F4 Wild Weasels. He graduated Summa Cum Laude from Inter-American University of Puerto Rico and earned his law degree from Stetson College of Law and a master's degree in Business Administration from Stetson University. A partner in the law firm of Kallins Little Delgado, and past winner of the MCBA Community Service Award, Delgado primarily practices in the areas of Personal Injury and Criminal Defense.

With a wide range of charitable and civic affiliations, he has been a Past President of the Gulf Coast Latin Chamber of Commerce, Past President of METC, Past President of Manatee Community Action Agency, and is the current Chair of the Community Leadership Council for USF Sarasota-Manatee. He is a current member of Legal Aid of Manasota, UPL Florida Bar Committee and the current Attorney Coach for the St. Stephens Episcopal School Mock Trial Team. He also has served as a Judge in the Teen Court Program and is a past member of the 12th Judicial Circuit Florida Bar Grievance Committee.

Mr. Delgado summarizes his most significant contribution to community service by saying: "Community service is very simple for me. I try to help out wherever I can. It is a way for me to try and shape policy at a local level. I must admit, I have very little involvement in professional organizations as I concentrate on more educational or non-profits. As a first-generation citizen, I know that it only takes one generation to change the path of a family."

For these reasons and more, attorney Jaime L. Delgado has earned the 2018 William C. Grimes Award for Lifetime Achievement in Community Service.

Tracy currently serves as the currently serves as the Vice Chair of Project 180, a non-profit that helps individuals reintegrate from prison back into community life. Highlights from her resumé include working with Innocence Project New Orleans, and helping death row exonerée, John Thompson, start a first-of-its-kind housing and transitional support program for exonerées; and, working with the Louisiana Civil Justice Center to coordinate legal aid services around the state after Hurricane Katrina, and to coordinate free legal assistance for those effected by the BP oil spill.

Here in Florida, she has been the Vice President of Healthy Start Manatee and is a current member of the Florida Association of Criminal Defense Lawyers, and the Florida Association of Women Lawyers.

In accepting her award, she discussed how "growing up poor, in a single mom household" shaped her future as one that wants to be an advocate for those who are most vulnerable.

For her dedication to many good causes and her support of youth in our community, Tracy Pratt is a worthy recipient of the 2018 Community Service Leader Award. Nominations for the awards were submitted by fellow members of the Manatee

County Bar Association. To ensure the integrity of the judging, a panel of community representatives was assembled by Committee Chair Fred Moore. Members of the judging panel that evaluated the nominations and selected the recipients included founder of Grapevine Communications, and founder of the women's giving circle, Sisterhood For Good, Angela Massaro-Fain, and the Honorable Charles Sniffen, of the 12th Judicial Circuit.



### BARNES WALKER, GOETHE, HOONHOUT, PERRON & SHEA, PLLC

The firm's attorneys practicing in the areas of Wills, Trusts and Estates are currently accepting referrals and new clients in the following areas:

- Estate planning;
- Probate and trust administration;
- Probate, trust and guardianship litigation
- Homestead issues
- Elder Law
- Elective share
- Rights of surviving spouse
- Public benefits and Medicaid planning
- Veteran's benefits
- Guardianship.



#### Jeffrey S. Goethe, Esq.

- Admitted to the Florida Bar in 1990
- Florida Bar Board-Certified in Wills, Trusts & Estates
- Fellow, American College of Trust and Estate Counsel
- AV-rated by Martindale-Hubbell
- Current member and past chair of the Florida Probate Rules Committee
- The Florida Bar's RPPTL Section Executive Council, Homestead Committee Co-Chair, Bar Journal Co-Chair
- Past Director and President of the Manatee County Bar Association



#### Lawrence W. Thomas, Esq.

- Admitted to the Florida Bar in 1985
- Past Director and Secretary of the Manatee County Bar Association
- Practice areas include wills, trusts, estates, guardianship and elder law



#### M. Brandon Robinson, Esq.

- Admitted to the Florida Bar in 2015
- United States Department of Veteran's Affairs Accredited Attorney
- Executive Board Member, Thomas E. Penick, Jr. Elder Law Inn of Court
- Combat Veteran, United States Marine Corps
- Practice areas include wills, trusts, estates, guardianship, elder law, and veteran's benefits

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## HIGHLIGHTS FROM THE JUNE 2018 ANNUAL MEETING



*Board of Directors 2018-19*



*Team Delgado staff*



*Tracy Pratt accepting the Community Service Award*



*Paul and Jennifer Grondahl leading the Pledge of Allegiance*



*Jaime "Jim" Delgado accepting the Lifetime Achievement Award*



*Jim Delgado*

## Attorney Mark Barnebey Selected to 2018 Florida Super Lawyers

Bradenton-Sarasota, Florida (June 18, 2018) – The law firm of Blalock Walters, P.A. is pleased to announce that attorney Mark P. Barnebey has been selected to the 2018 Florida Super Lawyers list. Each year, no more than five percent of the lawyers in the state are selected by the research team at Super Lawyers to receive this honor.



Barnebey is Florida Board Certified in City, County & Local Government law and has over three decades experience in the areas of local government, land use and real estate law. Barnebey represents a variety of governmental bodies, including counties and municipalities, special districts, and community development districts, and land use clients. Barnebey is also AV® Preeminent™ Peer Review Rated, *Martindale-Hubbell*.

Super Lawyers, a Thomson Reuters business, is a rating service of outstanding lawyers from more than 70 practice areas who have attained a high degree of peer recognition and professional achievement. The annual selections are made using a patented multiphase process that includes a statewide survey of lawyers, an independent research evaluation of candidates and peer reviews by practice area. The result is a credible, comprehensive and diverse listing of exceptional attorneys.

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## MCBA Swears in 2018-19 Officers & Directors



At the June 2018 General Membership Meeting, Judge Gilbert Smith, Jr. gave the oath of office and swore in the 2018-19 Board of Directors and the Young Lawyers Division Board of Directors. Congratulations to the following:

PRESIDENT:	Alexandra St. Paul
PRESIDENT-ELECT:	Charles Telfair
SECRETARY:	Elizabeth Moneymaker
TREASURER:	Stephen Dye

DIRECTORS Rebecca Proctor, Marisa Powers, Jay Horne, Lori Dorman, Greg Hagopian, Christine Allamanno, YLD President: Aaron Crittenden and Immediate Past-President: Paul Grondahl



Young Lawyers Division Board of Directors:

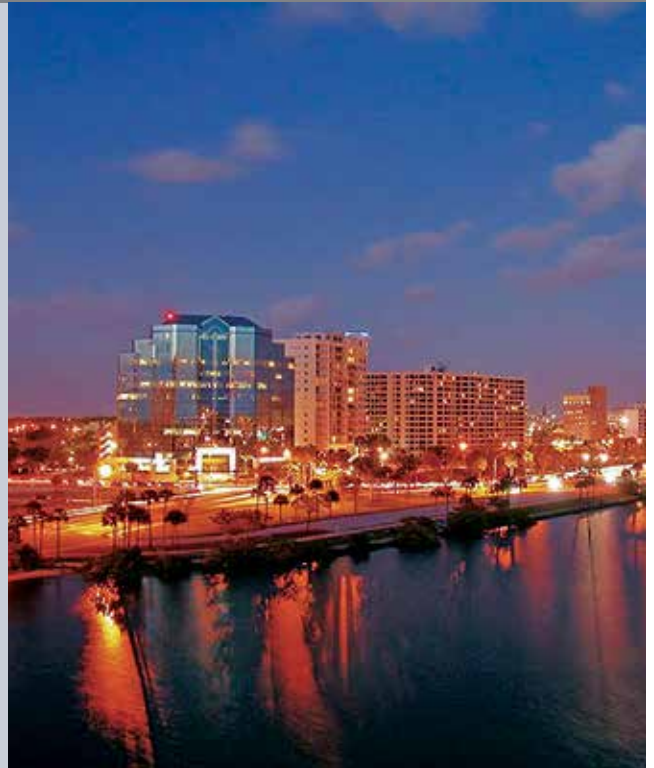
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## Attorney Matthew Lapointe Appointed Chariman of Manatee Chamber of Commerce Healthcare Committee

Bradenton-Sarasota, Florida (June 12, 2018) – The law firm of Blalock Walters, P.A. is pleased to announce that healthcare attorney Matthew J. Lapointe has been appointed chairman of the Manatee Chamber of Commerce healthcare committee.

“We look forward to Matt’s leadership as chair of our healthcare committee, which addresses business priorities related to healthcare in our community,” said Jacki Dezelski, President and CEO of the Manatee Chamber. “From the opioid crisis to employee well-being, the Committee explores policy and program development with a business perspective.”

Lapointe is a Principal in the firm’s healthcare and corporate law practice groups. In his healthcare law practice, Lapointe advises physician groups, dentists, assisted living facilities and other health care institutions. In addition to counseling these clients on matters common to all businesses, such as personnel issues, financing, and corporate governance, he advises on compliance with the HIPAA Privacy and Security Rules, the federal anti-referral law, anti-kickback law, Medicare and Medicaid compliance, as well as compliance with state licensing laws. Lapointe has handled numerous health care transactions, including the purchase and sale of physician practices, nursing homes, and assisted living facilities.

Lapointe also represents companies and entrepreneurs in the full range of business and corporate matters and serves as general outside counsel to business owners in all sectors of the economy. He advises business owners on day-to-day issues, such as personnel problems, as well as on strategic issues, such as business succession planning and business sales and acquisitions. He works with start-ups as well as mature businesses, solving challenging problems with practical solutions.

Lapointe was selected for inclusion in *The Best Lawyers in America*© (2018).



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**TUESDAY, SEPTEMBER 11, 2018**

8:00 a.m. - 10:30 a.m.

**COMMUNITY FOUNDATION OF SARASOTA COUNTY**

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## YLD News & Happenings

### The Tide Shifts Back in the Settlor's Favor: A Statutory Reassertion of Primacy for the Settlor's Intent

By Trevor Quinlan, Esq., YLD President Elect

In recent years, trust and estate legal scholars have bemoaned an erosion of historical deference to a trust settlor's intent in jurisdictions that have adopted the Uniform Trust Code (UTC). These scholars complained that the primacy of the settlor's intent would become secondary to the economic interests of trust beneficiaries in proceedings that involved trust construction, modification or termination as a result of the UTC's "Benefit-of-the-Beneficiary" rule. See, e.g., Sarah S. Butters and Ausley McMullen, *"Beneficiary Rights Yield to Testamentary Freedom – A 2018 Legislative Update on the Elimination of the Mandatory Benefit of the Beneficiary Rule in Florida"*, 38th RPPTL Legislative & Case Law Update (2018).<sup>1</sup> The "Benefit-of-the-Beneficiary" rule was incorporated into Florida law when Florida adopted modified version of the UTC in 2006. The recent scholarly treatment of this rule raised alarms within the Real Property and Probate Law (RPPTL) Section of the Florida Bar, causing the Section to turn a critical eye towards the components of the "Benefit-of-the-Beneficiary" rule contained in Florida's modified UTC. *Id.* In short, the RPPTL Section became increasingly concerned that the tide had gone out on the settlor's intent under the UTC, and corrective measures were warranted.

The Section's principal cause for concern was the following provision of the aforementioned "Benefit-of-the-Beneficiary" rule:

"The terms of the trust prevail over any provision of this code except... (t)he requirement that a trust and its terms be for the benefit of the trust's beneficiaries." § 736.0105(2)(c), Fla. Stat. (2017) (emphasis added).

However well intentioned, this language provided trust beneficiaries a basis to oppose either a portion of a trust, or the entirety of a trust, if they felt the trust terms were contrary to the beneficiaries' own economic interests. Conceivably, Section 736.0105(2)(c) provided beneficiaries an opportunity to oppose a trust's terms even if the purported benefit that would result from avoidance of the trust term was not the benefit the settlor intended to convey to the beneficiary, as the statute ostensibly permitted any trust term to be overridden in favor of the beneficiary's interests.

Viewed through this lens, the "Benefit-of-the-Beneficiary" rule presented legitimate cause for concern among estate and trust planners. Imagine crafting a sophisticated wealth transfer plan designed to implement a client's specific wishes over a course of years, only to have the client's trust assailed after death by trust beneficiaries claiming that an outright distribution would better serve their interests than the incremental distribution scheme requested by the client. If decisional law surrounding the "Benefit-of-the-Beneficiary" rule began to unduly favor beneficiaries' interests over a settlor's expressed intent, estate plans with restricted distribution schemes might devolve into hollow gestures.

Rather than relying on decisional law to shift the tide back in the settlor's favor, the RPPTL Section took proactive measures to elim-

inate "Benefit-of-the-Beneficiary" rule from the Florida Trust Code, shepherding Senate Bill 478/House Bill 413 through the 2018 legislative session. Effective July 1, 2018, this legislation eliminated the "Benefit-of-the-Beneficiary" language from Section 736.0105(2)(c) and clarified that the "Interests of the Beneficiaries" under the Florida Trust Code means "the beneficial interests intended by the settlor as provided in the terms of a trust." § 736.0103(11), Fla. Stat. (2018) (emphasis added). These changes are intended to reassert the primacy of the settlor's intent in Florida's modified Uniform Trust Code and assuage fears that Florida trusts could become increasingly mutable by beneficiaries seeking relief from restricted distribution schemes.

While the RPPTL Section's legislative initiative was successful, it was undertaken largely to in response to scholarly concerns. Thus, the question naturally arises, were beneficiary interests actually being favored over expressions of settlor intent in our court rooms?

Enter the Second District Court of Appeals' timely ruling in *Horgan v. Cosden*, issued one week prior to the effective date of the aforementioned trust code revisions.<sup>2</sup> See *Horgan v. Cosden*, 43 Fla. L. Weekly D1176 (Fla. 2d DCA May 25, 2018). The *Horgan* opinion does not specifically address the former "Benefit-of-the-Beneficiary" provisions that were eliminated from Section 736.0105(2)(c), but the underlying dispute pitched the alleged best interests of trust beneficiaries against the intent of the settlor and the case is indicative of the issue the RPPTL Section sought to address with the legislative changes.

*Horgan* was originally heard in the Twelfth Judicial Circuit Court on a motion for summary judgment. The trust's lifetime income beneficiary and the trust's residuary beneficiaries had agreed to terminate the trust in favor of an outright principal distribution to be divided amongst themselves, and the beneficiaries sought approval from the Circuit Court for the trust termination. *Id.* One co-trustee, who was the settlor's son and the lifetime income beneficiary of the trust, agreed to the termination. *Id.* The other co-trustee, a friend and personal assistant of the settlor who had already received an outright distribution under the trust, objected to the termination. *Id.* The Circuit Court granted summary judgment in favor of the beneficiaries, finding that the agreement to distribute the principal advanced the best interests of the beneficiaries by avoiding unnecessary trustees' fees, administration expenses and market fluctuations. *Id.*

The Circuit Court's ruling isn't surprising. The judgment was rendered prior to the July 1, 2018 Trust Code changes, and beneficiaries, who bear the impact of changes, presented a unified front. The beneficiaries could have easily portrayed the objecting co-trustee as obstinate and interested solely in trustee's fees, since the objector already received their distribution and the other interested parties wanted similar treatment. In a beneficiary focused statutory framework, the objecting trustee's position could be viewed as less than compelling.

(continued on next page)



(*The Tide Shifts*, continued from previous page)

Nevertheless, the objecting trustee persevered and appealed the summary judgment ruling. The Second District Court of Appeal reversed and entered summary judgment in favor of the objecting co-trustee. *Id.* In the appellate court's eyes, an alleged net improvement in the economic benefit to the trust beneficiaries wrought by an avoidance of administrative costs did not justify a disregard for the settlor's intentions. *Id.* The appellate court stated that termination contradicted the expressed intent of the settlor, and the "undisputed facts do not reflect that... termination is in the best interest of the beneficiaries when considered in light of the Settlor's intent" to provide incremental lifetime distributions to her son. *Id.* Selections of the *Horgan* opinion closely resemble the RPPTL Section's legislative change to the "Interests of the Beneficiaries" definition in Section 736.0103(11). The appellate court framed the beneficiaries' best interests inside the bounds of the settlor's intended benefit, which mirrors the new definition in Subsection 11.

One has to wonder if the July 1, 2018 Trust Code amendments would have altered the outcome at the *Horgan* summary judgment hearing. Had the changes been effective at the time of the hearing, the objecting co-trustee could have cited the new "Interests of Beneficiaries" definition in Section 736.0103(11) and referenced the elimination of the "Benefit-of-the-Beneficiary" provision in Section 736.0105(2)(c) to persuade the court that the *Hogan* beneficiaries' best interests had to be viewed within the lens of the settlor's intentions, rather than what might net the beneficiaries a higher economic benefit.

Setting aside speculation on what might have been, the *Horgan* case stands as anecdotal evidence that the RPPTL Sections' legislative initiative was not a mere product of scholastic anxiety. Cases in which beneficiaries interests are pitched against a settlor's intent are being litigated, and in at least one instance the interest of the beneficiaries prevailed over the intent of the settlor at the trial level. Going forward, it will be intriguing to witness the courts balance trust beneficiaries' interests against the intentions of settlors, now that the statutory tides have shifted back in favor of the settlor.

<sup>1</sup>An in depth survey of (i) the scholarly concerns surrounding the "Benefit-of-the-Beneficiary" rule, (ii) the historical common law precedent on primacy of the settlor's intent and (iii) the Real Property and Probate Law (RPPTL) Section's effort to eliminate the rule and its potential adverse effects can be found in Sarah Butters and Ausley McMullen's well written materials cited here.

<sup>2</sup> This opinion has not yet been released for permanent publication.



## LeBarge 2018 Young Lawyers Joint-Social Recap

By Dustin Wagner, Esq., YLD Director

On June 23, 2018, the Manatee County YLD and the Sarasota County YLD came together and departed on the LeBarge Cruise for a memorable joint-social.

We are proud to report that the event was a great time for all and everyone was on their best behavior. To date, LeBarge has not issued a single repair invoice, so great job everyone for keeping it "between the buoys."

For those of you that missed out - there was live music, food and beverage options (for purchase), plenty of elbow-room and... we were on a boat! Maybe next year we will have all the bells and whistles for this event and it will be catered. Hint, hint.

Nevertheless, the turn-out was great. The evening was festive. Once everyone downed a few ice-waters, the partisan wigs slowly started to fade and the banter was effortless. We did not end the night in a big circle singing in harmony. However, there is always next year and it was still a great way for many people to connect with their county neighbor colleagues.

A huge thanks is owed to everyone from Manatee and Sarasota YLD that helped coordinate this event including, but not limited to, Dan and Amanda Tullidge, Bryony Swift and our sponsors, US Legal Support and Carr, Riggs & Ingram, CPAs and Advisors.



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## In Memoriam: J. Harris Rhyne, Esq

by Charles J. Pratt, Jr., Esq.



J. Harris Rhyne passed away on May 30, 2018 at the age of 70. He practiced law in Manatee County from 1978 until his death. His primary areas of practice were Real Estate, Wills, Probate, and Family Law.

Harris is survived by Debra, his wife of 38 years, son, James and daughter, Whitney. Harris was very proud of his two children. He is also survived by his brothers, Chris Pratt and Chuck Pratt, and sisters, Carol Johnson and Lisa Pratt-Clements.

Harris moved to Bradenton in 1950, at the age of two, with his mother, Betty Pratt, and sister, Carol. He graduated from Palmetto High School in 1966, and the University of Florida in 1970. Following college, Harris joined the U.S. Military and thereafter the Florida National Guard, where he rose to the rank of Captain. He graduated from the University of Florida, College of Law in 1977.


Upon Law School graduation in 1978, Harris began working with his stepfather, Jerome Pratt. He worked in the same Palmetto office for his entire legal career. When Jerome passed away, Harris entered into a partnership with his brother, Chris, and Mark Lipinski, under the name of "Pratt, Rhyne & Lipinski, PA." When Mark left to open his own firm, Harris and Chris continued their practices in the same location in Palmetto. Harris' family of lawyers often benefitted from his ability to think through problems and develop unconventional but thoughtful ideas. Even if we did not agree with his conclusions, we had new ideas to consider. We were better lawyers for our relationship with him.

Harris was on the Board of Directors for the Boys and Girls Club of Manatee County for over 20 years.

Harris loved history, particularly military history. He was fascinated by battle tactics in the American Civil War and in World War II. He spent hours poring over historical maps of battles and pointing out the errors the field commanders made. One of Harris' prized possessions was his great grandfather's Civil War rifle because his great-grandfather chose to keep his rifle and walked back to his home, rather than give up his rifle to the Union Army in exchange for food and shelter.


Harris loved the Florida Gators. He was a football season ticketholder for over 40 years. His memory of arcane events in Florida athletic history was phenomenal. Harris so loved the Florida Gators that his Celebration of Life was an Orange and Blue, Florida Gator themed event.


Harris will be missed by all who knew him.



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- FREE Online Cash Management - Basic Services

We also have accounts for businesses with more complex banking needs! Ask your personal banker about one of them today.

<sup>1</sup> \$50 minimum opening deposit. Fees subject to change. Other fees such as NSF, overdraft fees, etc. may apply. Refer to our current Schedule of Fees. <sup>2</sup> Transaction items include checks paid, checks deposited, other debits, and other credits, and deposit tickets. See Schedule of Fees for details. <sup>3</sup> Our valued customers may use ANY ATM anywhere and Fidelity Bank does not charge a non-Fidelity Bank ATM usage fee. If you use another institution's ATM, they may charge you a usage fee; we do not. Plus we'll even reimburse you for 3 non-Fidelity Bank ATM usage fees monthly, up to \$10, when you provide the receipts. <sup>4</sup> Fidelity Bank does not charge for this service, however standard message rates may apply from your mobile carrier. <sup>5</sup> Standard deposit account fees apply. Refer to our current Schedule of Fees. All fees are subject to change. Other terms and conditions apply. See Terms For Mobile Banking Service Agreement for details located online at <https://www.lionbank.com/personal/online-services/mobile-banking>. Third Party data usage and messaging fees may apply. Check with your wireless carrier for details. Mobile Banking app is available on iOS and Android devices only. Apple, iPod, iPad, and iOS are trademarks of Apple Inc., registered in the U.S. and other countries. iPhone is a trademark of Apple Inc., and Android is a trademark of Google Inc. Fidelity Bank is committed to protecting the privacy of your financial information. Mobile Banking features the same level of security as our Online Banking. Please see our Privacy Policy located online at <https://www.lionbank.com/documents/customer-protection-and-education/privacy-policy>.

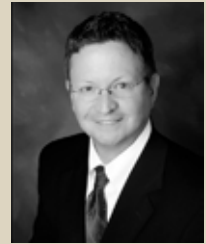


## Dye Harrison Adds Thomas A. Thanas to its Governmental Law Practice

The Bradenton law firm of Dye, Harrison, Kirkland, Petruff, Pratt & St. Paul recently added Thomas A. Thanas as an attorney of counsel to the firm. Thanas will join the City, County, and Local Government practice group of the firm. Thanas has over 25 years of experience in representing cities and villages in the Chicago area and has served as the Corporation Counsel of the City of Joliet and City Attorney of the City of Naperville, the third and fourth largest cities in Illinois, and as the lead attorney for the City of Lockport and Village of Olympia Fields. In addition to extensive local government law experience, Thanas served as the city manager of Joliet for six years, and he was appointed by the Illinois Supreme Court to serve as a circuit judge in Will County, a collar county of Chicago. Thanas also has five years of corporate experience with Harrah's Entertainment where Thanas handled governmental regulatory matters for Harrah's gaming facilities in the Midwest.

Thanas received his undergraduate degree from the University of Notre Dame and his law degree from Valparaiso University School of Law in Indiana. Thanas lives with his wife, Thea, in Bradenton.

Dye Harrison is the second largest law firm in Manatee County, and its legacy firms date back to 1912 in providing legal services. The firm is located at 1206 Manatee Avenue West in a building built in 1905 and that once served as the Manatee River Bank and Trust Co. in downtown Bradenton. The founders of the legacy firms were among the first lawyers in the area with a proud tradition of providing superior legal representation to the citizens and businesses of Manatee and Sarasota counties.



The Bradenton law firm of Dye, Harrison, Kirkland, Petruff, Pratt and St. Paul, PLLC is pleased to announce that Alexandra St. Paul has been elected President of the Manatee County Bar Association and Stephen R. Dye its Treasurer.

Twelve attorneys from the firm have served as President of the Association since 1927.

**Congratulations to  
Terri Cromley  
who has been  
selected as both  
a "Florida Legal Elite"  
and  
a "Super Lawyer"  
for 2018**



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◇ PLANNED LIFE ADMINISTRATORS NETWORK ◇  
◇ MANATEE COUNTY CHAMBER OF COMMERCE ◇  
◇ BETTER BUSINESS BUREAU OF MANATEE COUNTY ◇

## DATES TO REMEMBER:

September 26, 2018	General Membership Luncheon
September 28, 2018	Guardianship CLE ( <i>Probate Sect</i> )
October 17, 2018	Tech Roadshow
October 31, 2018	General Membership Luncheon
November 1, 2018	"50 and Over" Happy Hour
December 7, 2018	Holiday Party, Bradenton CC
January 30, 2019	General Membership Luncheon
Feb/March, 2019	YLD Art in Courthouse
February 27, 2019	General Membership Luncheon
March 5th, 2019	Past Presidents Luncheon
March, 2019	Scavenger Hunt
March 27, 2019	General Membership Luncheon
April, 2019	Beach Party/Social
May 29, 2019	General Membership Luncheon - LAW DAY
June 26, 2019	General Membership Luncheon - Annual Meeting

\*dates are subject to change

## Office space for lease on Manatee Avenue.

**Attorney office and small office  
for assistant with use of  
conference room and kitchen available.**

**Please contact  
Rebecca Proctor at  
Proctor Elder Law PA,  
941-251-6969**

## MCBA 2018-19 SECTION CHAIRS:

Solo/Small Firm Section:	Steele Williams, Chair
Probate Section:	Rebecca Proctor, Chair
Real Property Section:	Joe Battaglia, Chair
Family Section:	Faith Brown, Chair

### *Save the Date*

### **10<sup>th</sup> Annual RED MASS**

*For judges, lawyers, legislators,  
law enforcement officers,  
their families, staff and associates*

*Celebrated by  
Most Rev. Frank J. Dewane  
Bishop, Diocese of Venice*

*24 October 2018 at 5:30 PM  
St. Martha Catholic Church  
200 N. Orange Avenue  
Sarasota, Florida*

Reception hosted by the Catholic Lawyers Guild of the Diocese of Venice  
will follow at the Fr. Fausto Parish Hall at St. Martha

For further information on membership and sponsorships, please contact:

Paul Consbruck, Esq.; Tel: 941-966-6706

Jeanne Bennett, Esq.; E-mail: [jeanne@obrienbennett.com](mailto:jeanne@obrienbennett.com)

### Tampa Bay



### SINGLE GAME TICKETS

- ☐ 4 great infield seats, on aisle,  
7 rows behind the visitor's dugout
- ☐ VIP parking!



**Contact Ed Sobel  
(941) 746-1203**

**[ed@sobelattorneys.com](mailto:ed@sobelattorneys.com)**





## Cunningham Retirement Luncheon

On June 26th, 2018, Judge Teresa Dees hosted a luncheon to celebrate the retirement of Patrick Cunningham, Esq. Pat Cunningham and colleagues from the Drug Dependency Court celebrated his retirement after 44 years of law practice in Manatee County.

*(Photos by Deputy Steve Shields)*



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## REGISTRATION DEADLINE EXTENDED

### SMCALA INVITES YOU TO PARTICIPATE IN OUR NEW & IMPROVED SALARY & BENEFITS SURVEY

The Sarasota-Manatee Chapter of the Association of Legal Administrators is providing your firm with the opportunity to participate in the New and Improved **2018 Salary and Benefits Survey**. The survey will provide statistical information pertaining to salary levels and law firm benefits for staff and associate positions in the Sarasota, Bradenton and Venice areas. The Chapter is soliciting information from all law firms in our local area to provide as much data as possible. **PARTICIPATION IS CRUCIAL!** A copy of the survey with the compiled data and statistical analysis will be available for each participating firm in October, 2018. In plenty of time to provide you with this powerful resource to help with your end-of-year decisions and your 2019 budget.

ALL DATA WILL BE SUBMITTED TO AN INDEPENDENT RESEARCHER TO BE USED FOR THE SOLE PURPOSE OF COMPILING THE AGGREGATE REPORT. THE DATA SUBMITTED TO THE RESEARCHER WILL BE DESTROYED UPON COMPLETION OF THE REPORT.

*Please submit the registration no later than August 17, 2018.*

Please go to <https://tinyurl.com/y7x8v3s6> to register.

---

### WHY YOU SHOULD PARTICIPATE

#### Competitive Advantage

Valid, up-to-date law firm-specific, local compensation information provides a clear competitive advantage. Armed with current market data, you don't pay more or less than you need to remain competitive. You have a clear oversight of the local market and can be assured you are making competitive offers.

#### Decision Making Using the Whole Picture

Law firm compensation data informs the full range of decisions regarding compensation, benefits and rewards. Without it, decisions are made without the benefit of knowing what is trending in our market. Competitive industry data becomes a key element in your firm's decisions for hiring, promotions, salary adjustments and other benefits.

#### Consistent Pay Levels

Comprehensive compensation data on most legal positions ensure that pay is consistent in your firm, even when pay rates differ by job function.

#### Knowledge of Local Current Trends

Regular participation in Sarasota-Manatee Chapter of the Association of Legal Administrator's survey provides trend information by position in our community. Law firms are constantly changing and developing and this survey data enables you to understand what is trending in our local market.

Please contact a member of the Salary & Benefits Survey Committee if you would like to receive more information about this opportunity.

Laura Calderon: 941.365.2304

Sandy King: 941.954.4691

Angela Koehler: 941.408.8008

Janet Danziger: 941-748-0151

Heather Zangara: 941.364.2749



# Family Court Professional Collaborative - 2018 Annual Conference

## *Hot Topics in 21st Century Family Law:*

### *Technology Security, Social Media and Hidden Assets*



SARA BAY COUNTRY CLUB

When: Friday, October 5, 2018— 8:00 a.m. until 5:00 p.m.

Where: Sara Bay Country Club, 7011 Willow St, Sarasota, FL 34243

#### Agenda

- 8:00 a.m. - 8:30 a.m. Registration & Check-in; Breakfast Buffet
- 8:30 a.m.- 8:40 a.m. Welcome - Hon. Judge Donna P. Berlin & FCPC President: Stephanie Hefner Roth, LMHC
- 8:40 a.m.-10:00 a.m. Cases, Statutes and Rules Update - Sharon O'Day, JD & Valerie Fisher, LMHC
- 10:00 a.m.-10:10 a.m. Coffee Break
- 10:10 a.m.- 12:10 p.m. Cyber Security: Protecting Client/Patient Information in the 21<sup>st</sup> Century —Al Brown, JD, LL.M
- 12:10 p.m.-12:40 p.m. Buffet Lunch, FCPC Meeting
- 12:40 p.m. - 2:10 p.m. Uncovering Hidden Assets—Bob Piper, CPA & Chris Wailand, CPA
- 2:10 p.m. - 2:20 p.m. Coffee Break
- 2:20 p.m. - 3:45 p.m. Social Media in Practice & as Evidence—Elizabeth Loeffler, JD
- 3:45 p.m. - 4:00 p.m. Coffee Break / Dessert
- 4:00 p.m.- 5:00 p.m. Judges Panel— moderated by Stephanie Hefner Roth, LMHC

**TO REGISTER ONLINE: <https://conta.cc/2K8wFi2>**

Name: \_\_\_\_\_ Firm: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

Profession: \_\_\_\_\_ Phone: (\_\_\_\_) \_\_\_\_\_

Food preference: ☐ Regular ☐ Vegetarian Badge Name: \_\_\_\_\_

#### **FCPC Membership & Registration:**

- **Membership Renewal:** ☐ Early-bird 8/01-8/14 : \$195 ☐ 8/15- 9/14: \$225 ☐ 9/15 - 9/28: \$250  
(2018 Members renewing for 2019: Price includes Membership fee, Conference attendance, CLEs and CMEs)
- **New Membership Applicant\*:** ☐ Early-bird 8/01-8/14 : \$195 ☐ 8/15 - 9/14: \$225 ☐ 9/15 - 9/28: \$250
- **CEU's for Mental Health Professionals:** ☐ \$25 (\*\*CEU's for conference)
- **Support Staff:** ☐ Early-bird 8/01 -8/14 : \$145 ☐ 8/15 - 9/14: \$175 ☐ 9/15 - 9/28: \$200  
(Includes 2019 FCPC Membership (per By-Laws), Conference Attendance, CLEs and CMEs)
- **Support Staff, Non-Profits & Government Agencies:** : ☐ \$50 for conference attendance only
- **Judiciary / Court Administration / Personnel:** ☐ (no fee)
- **Membership Renewal Annual Fee only (unable to attend conference):** ☐ \$75
- ☐ I am interested in Sponsorship &/or Advertising opportunities, please contact me.

*\*Registration & Membership is open only to professionals practicing in the areas of Law, Mental Health & Finance and qualified for membership in FCPC as per the By-Laws. Please note the annual fee has increased to \$75 and is included in the fee.*

**Return form & check payable to FCPC to:** Chris Wailand at 330 S. Pineapple Ave, Suite #106, Sarasota, FL 34236

**Inquiries:** Michelle Cross or call (941) 362-2665 or [Michelle@CrossCountrywp.com](mailto:Michelle@CrossCountrywp.com)

*FCPC has applied for CLE's, CME's and CEU's\*\*. Certificates will be provided at the close of the conference. No Refund will be provided. Registrants may provide a substitute or may receive all materials and membership for 2019; substitute names must be provided by September 28, 2018. \*\*The Florida Psychological Association is approved by the Florida Department of Health, Board of Psychology and Board of School Psychology to sponsor continuing education for psychologists. The Florida Psychological Association is approved by the Florida Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling as a provider of continuing education. The Florida Psychological Association maintains responsibility for the program and its content.*



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Copy deadline is the 1st of the month.

Payment is expected at time of publication.

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Ad rates are as follows:

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1/2 page	\$90.00
Full page	\$150.00
Ad Layout	\$25.00



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