



# INTER ALIA

NOVEMBER/DECEMBER 2019

NEWSLETTER OF THE MANATEE COUNTY BAR ASSOCIATION

## Electronic Wills for Florida!

*By Rebecca Proctor, Esq., MCBA Director*



I really didn't believe it would ever happen, but it has. The Florida Legislature has passed, and the Governor has signed, House Bill 409 into law, effective June 7, 2019. Under this law, a person can create and execute an Electronic Will. Under Fla. Stat. §732.521, an "Electronic Will" means a testamentary instrument, including a codicil, executed with an electronic signature by a person in the manner prescribed by this code, which disposes of the person's property on or after his or her death and includes an instrument which merely appoints a personal representative or guardian or revokes or revises another Will. An "Electronic signature" means an electronic mark visibly manifested in a record as a signature and executed or adopted by a person with the intent to sign the record.

As estate planning practitioners, traditionally, the testator/testatrix, the witnesses and the notary are all in the same room and witnessing everyone signing the Will. With this new law, this requirement is satisfied by the testator, the witnesses and the online notary being present and electronically signing by means of audio-video communication technology.

In addition, House Bill 409 made amendments to the Florida Power of Attorney Act as they relate to the "super powers". Essentially a principal (one who creates the Durable Power of Attorney document) cannot execute super powers in his or her document if the document is witnessed remotely. Further, a vulnerable adult cannot create their Durable Power of Attorney document through audio-communication technology.

For a practitioner to be effective in their advocacy for their clients and protection of their practice, one must become very familiar with the new law as well as the required audio-communication technology procedures. There is an elaborate process set forth in detail in Fla. Stat. Section 117, so please be sure to familiarize yourself with online notarization, recording requirements, electronic journaling, witnessing, security and storage of the electronic documents by qualified custodians. The world of legal technological advancements has become a reality and we are moving onward and upward!

*Rebecca J. Proctor, Esq.  
Proctor Elder Law, PA*

Please join us as we celebrate the season!



## Holiday Party

Please join us for our hosted bar and cocktail buffet.  
Thursday, December 5, 2019  
5:30 - 8:00 pm  
Bradenton County Club

Free for MCBA Members and \$25 for guests

RSVP by November 28th to  
MCBA@ManateeBar.com

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# PRESIDENT'S MESSAGE - NOVEMBER 2019

*By Charles W. Telfair, IV, esq.*  
**Welcome Judge Doyle!**

On October 4th, former chief assistant state attorney, Heather Doyle, was sworn in as a County Judge of the 12th Judicial Circuit to fill the vacancy created by the resignation of Judge Henderson.

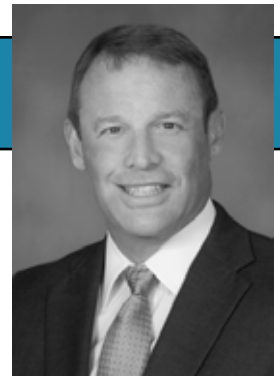
Judge Doyle received her undergraduate degree from the State University of New York at Albany and obtained her law degree from Stetson University.

She has dreamed of becoming a judge since she was in middle school and for all the right reasons. In a 2014 "40 under 40" article, Judge Doyle, then serving as the chief assistant in the prosecutor's office, made clear that her goal is to make the biggest difference she can in her community while being mindful to use her authority with integrity. She believes in a life of service and understands the large responsibility that entails.

As a prosecutor, Judge Doyle often worked extra hours including late nights and weekends. During her "spare time," Judge Doyle served as the President of Bradenton Kiwanis and as a mentor in the Take Stock in Children program in Manatee County.

Her husband, who works at the Sarasota County Sheriff's Department, and her 11 year old daughter are her biggest cheerleaders. In fact, Judge Doyle said that her daughter could not have been more excited about her mom's nomination to be the replacement for Judge Henderson.

"I am so humbled and thrilled for this opportunity to further serve Manatee County," Judge Doyle recently told the Bradenton Herald, "I hope to be the kind of Judge that this county can be proud of." We are sure she will be. Congratulations and welcome, Judge Doyle.





## DATES TO REMEMBER:

November 13, 2019	YLD Board of Directors Meeting - MCJC
November 21, 2019	Diversity & Inclusion Committee Meeting - MCJC
December 4, 2019	Board of Directors Meeting - MCJC
December 5, 2019	MCBA Holiday Party at Bradenton County Club
December 6, 2019	Investiture of Judge Matt Whyte – Gilbert Smith Jury Assembly Room
December 11, 2019	YLD Board of Directors Meeting - MCJC
December 19, 2019	Diversity & Inclusion Committee Meeting - MCJC
January 8, 2020	Board of Directors Meeting - MCJC
January 15, 2020	YLD Board of Directors Meeting - MCJC
January 16, 2020	Diversity & Inclusion Committee Meeting - MCJC
January 29, 2020	General Membership Luncheon Pier 22
February 5, 2020	Board of Directors Meeting - MCJC
February 12, 2020	YLD Board of Directors Meeting - MCJC
February 20, 2020	Diversity & Inclusion Committee Meeting - MCJC
February 26, 2020	General Membership Luncheon Pier 22
March 4, 2020	Board of Directors Meeting - MCJC
March 11, 2020	YLD Board of Directors Meeting - MCJC
March 19, 2020	Diversity & Inclusion Committee Meeting - MCJC
March 25, 2020	General Membership Luncheon Pier 22
April 1, 2020	Board of Directors Meeting - MCJC
April 8, 2020	YLD Board of Directors Meeting - MCJC
April 16, 2020	Diversity & Inclusion Committee Meeting - MCJC
May 6, 2020	Board of Directors Meeting - MCJC
May 13, 2020	YLD Board of Directors Meeting - MCJC
May 20, 2020	LAW DAY Luncheon *Note: This is NOT the last Wednesday of the month
May 21, 2020	Diversity & Inclusion Committee Meeting - MCJC
June 3, 2020	Board of Directors Meeting - MCJC
June 10, 2020	YLD Board of Directors Meeting - MCJC
June 18, 2020	Diversity & Inclusion Committee Meeting - MCJC
June 24, 2020	General Membership Luncheon Pier 22

\*dates are subject to change

### MCBA 2019-20 SECTION CHAIRS:

Solo/Small Firm Section:	Steele Williams, Chair
Probate Section:	Rebecca Proctor, Co-Chair Alexandra St. Paul, Co-Chair
Real Property Section:	Joe Battaglia, Chair
Family Section:	Faith Brown, Chair

The Manatee County Bar Association supports diversity and inclusion in our membership and welcomes lawyers of all backgrounds, ethnicities, races, religions, cultures, sexual orientations and abilities. As part of this initiative, the Manatee County Bar Association has created the Diversity and Inclusion Committee (DAIC) and fully supports its mission to increase the diversity of our membership and the local legal community.

## The MCBA Announces the 100 Club Firms

Lancaster & Eure  
Boyer & Boyer  
Mackey Law Group, P.A.  
Lisa Gonzalez Moore, Attorney  
Heintz & Becker  
Barnes Walker, Goethe, Perron, & Shea, PLLC,  
Barnes Walker Title, Inc.



The “100 Club” is a special recognition within the MCBA reflecting our members’ commitment to the advancement of the legal profession while enhancing the community. To become a member of the “100 Club”, every attorney in your office must be a member of the MCBA. Firms with 100% attorney participation will be:

- Listed in Inter Alia
- Listed on the MCBA Website
- Sent a special “100 Club” badge to be used in their marketing materials

The MCBA’s “100 Club” is open to renewal each year, as it does not automatically renew due to changes in firm rosters from year to year. Firms must renew each year to participate. Deadline: October 31, 2019

## Attorney – Bradenton

Grimes Goebel Grimes Hawkins  
Gladfelter & Galvano, P.L.

(“AV” rated law firm) is seeking  
an experienced litigation attorney.

Candidates should have excellent research and writing skills, along with practical case management experience including attending hearings and conducting depositions.

Candidates should also be proficient at Microsoft Office, Westlaw, and billing software.

Competitive salary with benefits based on experience. Candidates should submit a cover letter, resume, writing sample, and salary history to

[jdanziger@grimesgoebel.com](mailto:jdanziger@grimesgoebel.com).

**Communications will remain confidential.  
We are not accepting third-party/recruiter  
submissions.**

## **Norton, Hammersley, Lopez, & Skokos, P.A. – Sarasota, FL**

Norton, Hammersley, a full-service AV-rated downtown Sarasota law firm is seeking an experienced senior-level litigation attorney in construction and commercial litigation.

Candidate must have 1st chair trial experience, strong litigation skills (including taking and defending depositions, discovery dispute, and motion practice).

Florida Bar admission required; the ideal candidate should have good marketing skills and experience in management.

Benefits include competitive salary and bonus structure; medical and 401K, and a partnership track opportunity.

## **CHAPMAN MEDIATION**

As both a Certified Circuit Civil Mediator and a trial attorney Board Certified in Business Litigation, I have over 28 years of experience in a broad range of disputes, including construction, business, condominium/HOA, real estate, non-compete, property tax and probate/trust matters. Let me put this experience to work for you in helping you resolve your client's case - at your office or mine.



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## MCBA DISCOUNT TO “Giving the Hunger the Blues” VIP tickets!

Peter Anderson, of Bank United, our Gold Level Annual Sponsor is extending a discount to our membership to Giving the Hunger the Blues. Peter produces the area's largest charity music festival and this year, Giving Hunger the Blues will be celebrating the music of Woodstock as they raise money to feed the less fortunate during this Holiday season. Peter is offering a \$10 discount to MCBA members on our VIP package. The VIP experience includes special parking, special seating, Sonny's barbeque dinner, 3 adult beverages provided by our partners, Loaded Cannon Distillery, Nautical Gin, and GoldCoast Eagle (Budweiser and craft beer products). These VIP tickets are limited.

MCBA members can go to [www.GivingHungertheBlues.org](http://www.GivingHungertheBlues.org) to purchase tickets using the code MCBA1116.

Get your tickets, quick!

*Giving Hunger the Blues will be held on  
Friday & Saturday, November 15-16.*




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## Young Lawyers Escape!

In October, the Young Lawyers Division held an evening social event at Escape Room of Bradenton. Two teams battled the clock as they tried to escape from their themed rooms using only the clues provided. Team Blitzkrieg escaped with minutes to spare.....the others, not so much!



### 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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## YLD News & Happenings



### We Still Have Time to Make a Difference

By Jami Worley, YLD Director

A couple of months ago I got a German Shepherd puppy. She is a non-stop ball of energy and as sharp as a whip. Naturally, with a puppy comes things like proper training, socialization, frustration, feelings of failure and being overwhelmed, and eventual surrender to the adorable furball with teeth who is now curled up in my lap. Making sure she grows up to be well-mannered is my responsibility and something that will happen over the course of her life. Six weeks of training as a puppy does not mean I now have a perfect dog for life. I have to continue training and challenging her to make sure she stays on the right track.

The same could be said for those practicing law. This is not however a note on the importance of continuing our education (although that is important). It is instead a reminder of the importance of being and remaining active in our community and giving back in ways that positively reflect on the legal community. One event or donation is better than nothing, but we should strive to do more. As November is Veteran's Remembrance Month and Veteran's Day is near, I thought it might be helpful to share with you all some of the local opportunities that can assist servicemembers and veterans in our community.

As I have puppies on my mind, I will start with Valor Service Dogs, based out of Tampa. This is a wonderful organization that "helps wounded post-9/11 veterans and first responders regain their independence, return to civilian life, and maintain successful partnerships through the training and placing of mobility assistance and PTSD service dogs." Volunteers are needed to raise the puppies that will eventually be given to a veteran in need. Maybe raising a puppy is not something you have time for, but there are additional opportunities to donate needed supplies or your firm could even sponsor a puppy! <https://valorservicedogs.org/>

Staying on the canine theme, another opportunity to help is through Pact for Animals. We all hear stories of the spouses, children, and other family members left behind during a deployment. What is less talked about is the beloved pets of servicemembers. If a servicemember is deployed and there is no one to step up and take care of their pets, a terrible choice may be forced- taking the furry loved one to a shelter. This is where Pact comes in. Through their Military Foster Program they match up servicemembers in need with citizens willing to foster their pets during their deployment. This is a fantastic way to help alleviate a major stressor for that servicemember while overseas. Again, if taking in a new pet is not an option at this time, there are a variety of other ways you can make a difference. <https://pactforanimals.org/military-foster-program/>

Maybe you are not a dog person but like the idea of helping local veterans. Manasota Operation Troop Support (MOTS) provides an excellent way to make a difference. Each month MOTS sends between 35-50 boxes to servicemembers with ties to Manatee and Sarasota counties. These boxes contain everyday normal items we take for granted, like cards of appreciation, chapstick, batteries, oatmeal packets, candy, and coffee. MOTS also helps support the local family members and children of those deployed. There are monthly "packing parties" (next one is November 16th) where the boxes are actually packed by the community, opportunities to sponsor mailings, collecting needed items, or participating and assisting in their numerous fundraisers. <https://motsfl.pagevamp.com/donate>

These are all wonderful and worthwhile organizations to get involved with and I encourage you all to learn more.

November 1st was Love Your Lawyer Day. A day created to encourage those of us practicing law who encounter less than polite thoughts about our profession. We can do something about those misperceptions. There are only two months left in 2019. So get involved, show the community we make a difference, and let's head into 2020 on a positive note!



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Se habla Espanol





Please join us for some delicious 'cue  
as we wish farewell to  
**DONNA McCAMMOND**

**NOV. 20**

**WHEN:** 11:45 a.m.-  
1:15 p.m.

**WHERE:** \*MPR, 8th FL

\*Lunch may be moved to the  
jury assembly room if the  
number of RSVPs is too high

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**\$5/person**

RSVPs and \$\$\$ to Nancy  
or Judith by Nov. 18



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## Highlights from the October General Membership Luncheon

The MCBA was host to guest speakers, Florida Bar President John Stewart and Florida Board of Governors Representative Scott Westheimer, at its October 30, 2019 General Membership Meeting. President Stewart and Representative Westheimer gave updates regarding the Florida Bar, and some insight into changes and enhancements to be rolled out, including more CLE content within Legal-Fuel.





## The MCBA Celebrates Student Artists!

On November 5, 2019, the fifth floor of the Manatee County Judicial Center hosted area student artists, their teachers and families, in celebration of their newly displayed artwork. Approximately 60 art enthusiasts gathered to hear from the students about their inspiration for their creations and enjoy lite bites while viewing the 5th floor gallery. Special Guest, Ruby Begonia, a 12th Judicial Circuit Therapy Dog, made an appearance and delighted attendees. Students received certificates in honor of their artistic accomplishments on behalf of the MCBA and Young Lawyers Division. Art Creations in the Courthouse is an annual event, sponsored by the Young Lawyers Division and made possible by a grant from the Florida Bar. This year's coordinators were Grace Reeves and Jami Worley, both YLD Directors. Please stop by the MCJC, 5th floor to view the display.



**The Florida Bar Standing Committee of Professionalism is seeking submissions for the Group Professionalism Award as well as the William M. Hoeveler Judicial Professionalism Award.**

**The deadline to submit nominations is February 14, 2020. For more information, please visit [www.floridabar.org/prof/pawards](http://www.floridabar.org/prof/pawards)**

## **Legal Aid Looking for Young Lawyer to Coordinate Pro Bono Disaster Assistance**

Pamela Fields, and Legal Aid Manasota, are seeking a Young Lawyer's Division attorney willing to be a point-person to coordinate pro bono assistance after a disaster. This person would go to a state-wide training in Orlando on March 26 and 27, 2020. Hotel and food are free for attendees. For more information regarding the conference please go to the Florida Disaster Collaboration Conference website at: <https://www.lsnf.org/fl-collaboration-conference/>

Interested? Email Pam Fields at: [pamelaf@legalaidofmanasota.org](mailto:pamelaf@legalaidofmanasota.org)

## *Welcome New Members*

### **H. Bowen Summer, Esq.**

United States Merchant Marine Academy, 2007

Stetson University, JD 2014

Year Admitted to the Florida Bar: 2014

Mr. Summer is an associate attorney at Carl Reynolds Law, 820 43rd St. West, Bradenton, FL 34209.

### **Amy K. Kenyon, Esq.**

University of Northern Colorado, BA, 2002

Barry University, JD 2009

Year admitted to the Florida Bar: 2009

. Kenyon is the owner of Kenyon Law Group, PLLC at 1215 Manatee Ave. West, Ste. 105, Bradenton, FL 34205.

## **MEMBERSHIP DRIVE CHALLENGE!**

Beginning today, October 30th and ending December 31st, 2019 we are having a membership drive challenge.

Refer and sign up a new member and you will receive your choice of a MCBA logo Tumbler, \$20 Gift Certificate to O'Bricks or Pier 22. There is no limit.

The new member must complete the application, list the referring member, submit payment, and be approved to be eligible.

At our January General Membership Luncheon, we will announce our MVP of the challenge. They will receive a free quarter page in Inter Alia AND a \$50 Gift Card to Oak & Stone! So, get busy! Graceann has membership applications here today, or you can email her for some.



*The MCBA Congratulates  
Walt Smith  
12th Circuit Court  
Coordinator  
on his retirement!*





HAPPY  
**Thanksgiving**  
BE THANKFUL FOR WHAT YOU HAVE

***The Manatee County Judicial Center  
will be CLOSED Thursday and Friday,  
November 28th and 29th  
in observance of Thanksgiving.***



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for the  
Honorable  
Matt Whyte



Will take place December 6, 2019 at 4:00PM  
*in the*  
Judge Gilbert A. Smith, Sr. Jury Assembly Room  
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## **PUBLIC NOTICE**

### **APPOINTMENT OF FEDERAL PUBLIC DEFENDER**

#### **Middle District of Florida**

The United States Court of Appeals for the Eleventh Circuit invites applicants for the Federal Public Defender position for the Middle District of Florida stationed at Tampa. The Federal Public Defender serves a four-year term and may seek reappointment. The Federal Public Defender, under authority of 18 U.S.C. § 3006A(g)(2)(A), provides criminal defense services to individuals unable to afford counsel and supervises a full-time staff of attorneys and administrative and clerical personnel. A review committee will evaluate all qualified candidates in accordance with the regulations of the Judicial Conference of the United States and the Court of Appeals for the Eleventh Circuit governing the appointment and reappointment of Federal Public Defenders.

The Court is searching for the best qualified person currently available and encourages applications from all qualified persons, including women, members of minority groups, and individuals with disabilities. All applications will be subject to the same standard of review. The current salary is \$166,500. Hiring for this position is subject to the availability of funds. Federal public defenders may not engage in the private practice of law and are subject to judiciary financial disclosure requirements. More can be found at: <http://www.ca11.uscourts.gov/>



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