



INTER ALIA

MAY 2020

NEWSLETTER OF THE MANATEE COUNTY BAR ASSOCIATION

NOTE:

The Manatee County Bar Association leadership has determined, based upon the updated CDC guidelines that all in person events are cancelled until further notice.



Random Observations during Covid-19 Lockdown

By Greg Hagopian, MCBA Director & Past President

Can anybody really explain to me the differences between Symptomatic v. Asymptomatic v. Anti-body positive v. Anti-body negative v. Herd-immunity, and what it all means?

Going to court. The “Socratic” and “adversarial” methods in their most modern hi-tech iteration. Jury trials, picking a jury, are relics of the past. Establishing that rapport with the venire will have to wait. Now we get to hone our litigation skills via Zoom. Always wondering if the deponent is in his/her pajamas or boxer shorts while answering questions remotely under oath, typically displaying only their torso or above. In many cases, the camera is pointed directly up the person’s nose. Quite flattering. The parties’, and court reporter’s, phones going off, barking dogs, crying babies, loss of wi-fi signal, etc. Not having to shave, even though I have a Zoom video hearing with a live judge, so long as I wear a mask and you can’t see my face.

Getting up real early. Who doesn’t enjoy the 6:00 am sound of the alarm clock every weekday in the pitch black? Cooking breakfast and getting the children ready for school and adults off to work. Walking the dogs, again in pitch black darkness. Exhausting right? Not to mention the added cost of having “grazing” teenagers eating and snacking at all hours of the day and night. Definitely not suffering from sleep deprivation now.

School - Academics. Too much homework, not enough homework, this teacher is too tough, this teacher doesn’t push us enough, etc. Staying up past midnight on a weeknight trying to get homework/test prep done (usually because procrastinated and waited to cram it all the night before). The school district and the teachers are certainly doing the best they can with the cards dealt to them, but let’s face it: online “learning” is just not the same. Real teachers with real students in actual (albeit moldy) classrooms, having to walk in pouring rain and/or oppressive heat and humidity between classes is sorely missed. No worries about sleeping in, being tardy, heading home early, skipping the entire day, running to Taco Bell for lunch, or having to procure a genuine note from “Epstein’s mother.” SAT (completely cancelled), ACT (cancelled and maybe online), AP exams (online) and college applications all on hold. Much stress for aspiring collegians as well as the current ones prematurely sent home with no firm return date in sight.

Football...where do I begin. Being a lifelong New England Patriots fan, never in my wildest dreams did I think Tom Brady, and now Rob Gronkowski, would join the Tampa Bay Bucs. I don’t even need to buy a new jersey because I have a classic TB12 New England jersey. I usually try to make one trip to Gillette Stadium every year, but now my friends up North are joking that they want

to travel to Florida see the new “Patriots.” Oh wait, that depends on if they even play games this year and actually have an NFL season. There is talk that if they play games, it will be without fans in the stadium. Florida Gators: Dan Mullen had the Gators knocking on the door of an SEC Championship and possible BCS playoff. Now what? School may be online in the Fall with no students on campus. If they play games, again it may be in front of an empty stadium. Lakewood Ranch Mustangs: Coach West in his inaugural season brought the Mustangs back to relevancy going 7-4 after being 0-11 the year before. The student body, fans, and community are all excited to see just how far they can go in 2020. But, the FHSAA cancelled Spring sports completely. That included Spring football practice and games. There is talk of doing away with Freshman and Junior Varsity programs in all sports. Abbreviated schedules with no students in the stands. Athletic Directors are searching for ways to keep their athletic programs afloat, including figuring out ways to pay sports officials when there is the chance of zero live gate and zero concessions revenue.

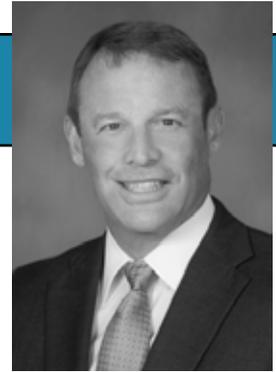
All Spring Sports were cancelled, not even midway through the season. Particularly distressful for those programs that were gearing up for deep playoff runs. Those high school athletes in their junior year hoping to get “looks” from college athletic programs to “showcase” their skills are completely out of luck. Waiting until next Spring is not of much benefit because it will be too late for college admissions.

Marching Band. All the weeknight practices culminating in Friday night shows and weekend competitions throughout the State. The Marching Mustangs of Lakewood Ranch are coming off their best finish in years, having placed third in Class 4-A at the State Finals in Daytona Beach this past November. “Virtual” music doesn’t quite work like a science or math class. Most of the band has not, and will not, so much as touch their instruments for over six (6) months heading into Fall marching season. No Spring marching band sign-up and prep. Summer camp cancelled. Again, serious doubts about whether there will even be a Fall season.

Exercise in general. Going to the gym is an arrestable offense these days. So is any type of group exercise and/or sporting event. The “adult league” pick-up basketball/soccer/football game in the local park is off limits. Heck, even going for a friendly neighborhood jog can get you some pretty vicious looks if you dare to get too close and are not wearing a mask.

At least we are all catching up on our sleep and binge-watching educational programming the likes of: Tiger King; Ozark; Trolls World Tour; and The Last Dance.

PRESIDENT'S MESSAGE - MAY 2020



By *Charles W. Telfair, IV, MCBA President*
MCBA Updates During Covid 19:

Covid-19. A term that will be forever etched in our memories. Who would have believed 5 months ago that our lives and businesses would be put on hold or “shut down” due to a virus? Yet, here we are.

The leadership of the MCBA, and our Executive Director, have been discussing regularly what the Bar can do to assist our members during this time. Our Bar has always been a tremendous asset to our members, but now, membership is invaluable.

This month, we rolled out our new “online” membership directory, under the FIND AN ATTORNEY tab, on our website, at www.manateebar.com. There, all current member attorneys can be found with their name, information, and a photo (if you have one on file with us). This online directory is available to the public, 24/7. The information was taken from your membership forms. You will have an opportunity to update your forms when you renew your dues, beginning next month.

We will utilize a Zoom platform for our upcoming Law Day, and June Annual Meeting. Law Day will feature Congressman Greg Steube, as he gives a “State of the Union During Covid 19” update to our membership. Definitely, a historic moment! Our June Annual Meeting will feature State Representative Will Robinson as he updates us on what is happening at the state level. Very timely!

As an added benefit, we will host two additional virtual General Membership meetings in July and August. On Wednesday, July 29th, the four candidates running for County Court are being invited to speak to our membership. On Wednesday, August 26th, we will be featuring Chief Judge Kimberly Bonner. Stay tuned for more information regarding these two meetings.

Our Judges have been adjusting to the court changes and doing their best to keep our membership informed. Graceann is busy keeping you in the loop with many updates and emails.

We are also planning to continue our CLEs in a virtual format over the summer and we are currently working on the approvals and quality programming.

Dues renewals are scheduled to be sent out shortly, as our year ends on June 30th. However, the MCBA board has decided to grant an extension until September 15th for any members that are experiencing hardship. We ask that you please pay your dues on time, but dues will not be found delinquent until September 15th, 2020. If you need assistance with your dues, please contact our Executive Director, Graceann Frederico at mcba@manateebar.com. If your dues are paid by July 30, 2020, you will be entered into a drawing for a \$100 gift card to Amazon.

With the pandemic, the MCBA Nominating Committee and Board of Directors have asked me to continue as President of the MCBA through 2020-21, a privilege for which I am thankful. Also, Steve Dye will be returning as the President Elect, Alix St. Paul as Immediate Past President, David Wilcox as the Treasurer, and Brian Iten as Secretary. Christine Allamanno is retiring, Lori Dorman has asked to rotate off the Board but will remain as the chairperson of the Diversity & Inclusion committee, and Melissa Casanueva will be rotating off as YLD President. We thank them for their service! The updated slate will be voted on by the membership at our June Virtual General Membership meeting and can be seen below:

MCBA 2020-21 SLATE:

PRESIDENT:	Charles Telfair, IV
PRESIDENT-ELECT:	Stephen Dye
SECRETARY:	Brian Iten
TREASURER:	David Wilcox
DIRECTORS:	Rebecca Proctor
	Mary Levine
	James Lynch
	Faith Brown
	Greg Hagopian
	Andre Perron
YLD PRESIDENT:	Alexandra Nicodemis
IMMEDIATE PAST-PRESIDENT:	Alexandra St. Paul

We are currently collecting responses from a survey we have sent out to our membership regarding Covid 19 and how it has impacted our law practice. As I write this, the data is coming in. We will be reviewing the information once the survey closes. Your input is needed as we try to plan and adjust to the needs of our members.

Keep reading your emails and Inter Alia to keep up-to-date!

On behalf of the MCBA Board of Directors, please feel free to reach out to us at any time. We are here for you!



YLD News & Happenings

Enjoying Manatee County

by Alexandra Nicodemi, YLD President Elect

Last year the YLD News and Happenings Section of the Inter Alia detailed the various volunteerism efforts and contributions made by our Manatee County Bar members. Normally, I would follow suit and write about what the YLD has planned for the spring or any future events. But, this year is different. The YLD doesn't have much "news" or "happenings." Our day-to-day schedules, work, and routines look very different than they did this time last year. There is one thing, however, that hasn't really changed—the weather.

Springtime in Florida feels much like summer except without the guaranteed afternoon showers. The weather is perfect and there's no time like the present to step outside and enjoy the great outdoors. Manatee County provides some of the best recreational activities and facilities in the state with 33 parks, 12 preserves and, of course, our beautiful beaches. Here is a list of outdoor recreational activities available to residents of Manatee County:

1. All preserves are open. Manatee County has 11 preserve trails: Duette, Emerson Point, Jiggs Landing, Leffis Key, Moody Branch, Neal, Perico, Riverview, Robinson, Rye and Ungarelli. Most are multipurpose trails perfect for walking, running and biking. Many preserves also offer a place to cast a line and fish too.
2. Paddle through the Blueway Trails. Manatee County boasts 75 miles of paddling trails in marine and fresh waters. Blue-

way Trails connect to the Manatee River, Perico Bayou, and Palma Sola Bay. The following parks and preserves have open canoe/kayak/paddleboard launches: Bennett Park, Bunker Hill Park, Emerson Point Preserve, Fort Hamer Park, Jiggs Landing Preserve, Robinson Preserve, and Rye Preserve. For more information visit: https://www.myanatee.org/departments/parks___natural_resources

3. Golf. Both Manatee County Golf Course and Buffalo Creek Golf Course are open. Rental and bag handling services are temporarily suspended.
4. Disc Golf. G.T. Bray Park has an 18-hole disc golf course. It has rubber tees with tee signs. The park is flat and lightly wooded. The course has recently been slightly modified and there are plans for new tee signs.
5. Beaches and boat ramps have reopened. Public parking at the County's three public beaches will be open from 10 a.m. to 9 p.m.
6. Catch the sunset. Beach parking doesn't close until 9 p.m. which gives you plenty of time to set up a picnic and soak in that famous Gulf Coast sunset.

Please continue to follow the guidance offered by the CDC while participating in any of the above listed activities. We are very fortunate to live in an area that offers so many outdoor recreational activities during this time. Stay safe and enjoy the great outdoors!

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Special Message from Judge Dana Moss:

Judge Moss has scheduled an “open” Pretrial Conference for South County misdemeanor criminal cases in Venice on Thursday May 28, 2020, from 10:00am to 11:00am. Any attorney wishing appear by telephone or video via Zoom during that time to address a case(s) should email Kelly Berney at kberney@jud12.flcourts.org no later than 4:00pm on Friday, May 22nd. Please provide your client’s name and case number in the email. Kelly will respond with a confirmation and the credentials to appear by telephone or video through Zoom. Attorneys may appear any time during the hour set aside for the hearing. If the Court receives an overwhelming response, additional time will be added to accommodate the case flow. Please be advised that the clerk will not be able to add on cases during the Zoom meeting. The deadline for adding cases to the docket is May 22nd to allow the Clerk’s Office sufficient time to docket the matters and prepare court appearance records in advance of the hearing. South County is looking forward to the re-opening of the Criminal Division through Zoom.

A FOND FAREWELL April 30, 2020

By Judge Robert Farrance



In these times of social distancing, this will be my only current opportunity to say thanks to all of you, on this, my last day as a Manatee County Judge. I do hope to serve and be back on the Bench as a Senior Judge in a year (the mandatory waiting period). And, I have every intention of still having a face to face gathering in the safe future, and thank each one of you personally for your professionalism, collegiality, respect, and most of all, your friendship.

I have been a member of the Manatee Bar since 1976, and I could not be more proud of our organization. Further, as a County Judge since 1999, I have been so fortunate to interact with so many of you, and with hundreds of judges from around the state, and confirm that we are truly blessed to practice in the 12th Judicial Circuit.

I have also been so fortunate to have Kelly Zoellner as my Judicial Assistant from Day 1, and she will now be JA to Judge Matt Whyte, who will soon learn how lucky he is to be able to work with her. Thanks also to the prideful work of Sue Revell and Graceann Frederico as Directors of our local Bar. The last 20 years have literally flown by, but I could not have asked for a more rewarding experience. I will continue to be an active member of the Manatee Bar Association and look forward to seeing each of you in the, hopefully, near future.

*Stay Safe,
Bob*

Manatee County Bar Association Launches Online “Find An Attorney” Feature

The MCBA is proud to announce the launch of its “Find an Attorney” feature on the MCBA website. The public and members can now utilize the “Find an Attorney” tab to search active Manatee County Bar Association attorneys by name, firm, or “area of practice”. “At a time when the community is seeking out attorneys to assist with legal issues, we launched this feature to make the process of finding a local attorney a bit easier”, MCBA Executive Director Graceann Frederico stated.

Information displayed was taken from the information provided to the MCBA. Attorneys will have another chance to update their information during the 2020-21 Dues Renewal process.

The “Find an Attorney” feature is free to use, and can be found on the association’s website at www.manateebar.com.

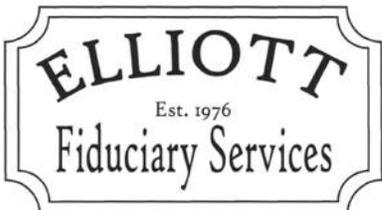
DATES TO REMEMBER:

- May 27, 2020 LAW DAY Luncheon *Note: **VIRTUAL MEETING! SIGN UP NOW!**
- June 3, 2020 Board of Directors Meeting – **VIRTUAL MEETING**
- June 4, 2020 TECHNOLOGY/WORKING REMOTELY CLE
VIRTUAL CLE – details to come
- June 10, 2020 YLD Board of Directors Meeting – **VIRTUAL MEETING**
- June 18, 2020 Diversity & Inclusion Committee Meeting –
VIRTUAL MEETING
- June 23, 2020 Family Section CLE – **VIRTUAL MEETING** - details to come
- June 24, 2020 General Membership Meeting- **VIRTUAL MEETING!**
- July 29, 2020 Meet the Judicial Candidates – **VIRTUAL MEETING**
- August 26, 2020 Town Hall Membership Meeting with Judge Bonner
– **VIRTUAL MEETING**
- September 17, 2020 Judge Robert Farrance Retirement Party
– Pier 22 – more to come
- September 30, 2020 General Membership Luncheon Pier 22-
Chief Justice Canady

*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



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LAW DAY

State of the Union During Covid 19

WEDNESDAY, MAY 27, 2020

NOON VIRTUAL: ZOOM



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U.S. Congressman
Greg Steube
Florida's 17th
District

Thank You to Our Sponsors:



You MUST RSVP by May 22nd to MCBA@ManateeBar.com A link will be sent with your Zoom log in credentials prior to the meeting. Questions for Congressman Steube must be sent to Graceann no later than May 22, 2020.

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Sarasota Circuit Civil Division INVITES YOU!

The Sarasota Circuit Civil Division will be hosting a Virtual Town Hall using ZOOM on Thursday, May 21, 2020 at noon – 1:15 p.m.

This Town Hall will focus on civil jury trials in Sarasota, changes to the 2020 and 2021 trial schedules, and thoughts on post - COVID-19 operations in the Sarasota Circuit Civil Division.

The Sarasota Circuit Civil judges will take questions, both in advance as well as during the Town Hall. Advanced registration is required by using the link below:

https://zoom.us/webinar/register/WN_KTdJC35DRc2-DTjPkTH_TA



**SAVE THE NEW
DATE**

09 17 20
THURS

**JUDGE ROBERT FARRANCE
RETIREMENT PARTY**

Pier 22 5:30 PM

The graphic features a light beige background with a decorative border of red, white, and blue confetti at the top and bottom. The text is arranged in a clean, modern layout with large, bold, sans-serif fonts. The date '09 17 20' is displayed in white on red square backgrounds, with 'THURS' in blue below it. The event title and location are in red and blue text.



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The MCBA's Spring Social Aka "Beach Party" Has An Interesting History

What exactly is the history of our "Beach Party"? When the coronavirus pandemic caused us to have to cancel our annual tradition, a few of us started to ponder this very question. As we sat at home, quarantined, on the very day our event was to be held, we began to research the history of the party we had grown to love and cherish. With the click of a few emails, thus we began our quest. The first to respond, of which we had no doubt, was our beloved Judge Gilbert Smith, Jr., who has blessed us with his keeping of our MCBA history. We often refer to him as our "in house MCBA Historian". Other members chimed in and we present for your enjoyment, our literary work on the history of the MCBA Beach party:

After the Manatee County Bar Association was reorganized in 1904, it did not take long for the members to begin socializing together. Since all the members in the MCBA were men, many of the parties were men only. There was always a member who invited everyone over for a party. John Vanderipe or Gordon B. "Gabby" Knowles hosted a party at their house several times. Judge Walter Tucker also hosted a party at his house where he served smoked mullet, that he and others had caught that morning.

During the 1950's, 1960's and early 1970's, members of the MCBA had a beach party at different locations on Anna Maria Island. There was always a member who hosted a party at their home on the island. There were not many women who were members of the MCBA and they did not attend those parties. There are many colorful stories that came out of this era and some of them are, actually, true!

Just ask one of the senior members of the MCBA.

At one of the last beach parties during that time, Jack Manson arranged for James Wallace to take a photograph of everyone who attended the event. Jack used the photographs to paint his famous mural of the MCBA, which is displayed on the 1st floor of the Manatee County Judicial Center. A close inspection of the mural reveals that the parties were pretty lively and a lot of fun.

As time went on, the annual social event changed from a beach party to another event, with lawyers and judges bringing their spouses to the event. By this time, there were several women attorneys, and many attended the event. From 1988 through 1992, the social was at Linger Lodge and then in 1993 it was at the Harrison Ranch. In 1994, the MCBA had a golf tournament and dinner as its spring social.

On May 11, 1995, the MCBA celebrated its spring social at the Grimes family beach house on Anna Maria Island. Lawyers, judges and their spouses, and special guests were invited to the party. With the generosity of the Grimes family, and various sponsors, the MCBA has continued the social each year at that location. For many years, the menu included Jack Manson's "famous grilled steak sandwiches" cooked by Jack himself, boiled crawfish or shrimp, corn on the cob, shrimp and a variety of desserts. There is always more than one keg of beer and a variety of other beverages to sip while watching the sunset. Occasionally, a cigar or two is lit and only the most courageous enter the poker game, which many times went late into the evening. Once in a while, Judge Doug Henderson showed up to play bluegrass. To build good will among its members, the MCBA continued to hold its spring social each year at the Grimes beach house on Anna Maria Island. For those who attended, it was great time for lawyers, judges and their spouses, and special guests.

The MCBA spring social has always created a lot of memories.

One member remembers observing "on a particular steamy Florida day, later in the party, on the front porch at the beach house, hunkered down, shooting craps were Bob Knowles, Frank Arpaia and Warren Goodrich. Oblivious to the humidity and their now sticky clothing, just friends having a good time."

Another member recalls "the adults gathering around the Carlsson & Meissner ice cream truck, reliving their youth while sucking on popsicles and eating ice cream sandwiches, drips all over their clothing and not having a care in the world".

Others memories shared:

- * Iceman Scott Reith bringing the ice in coroners unused body bags
- * Mark Nelson, and Eric & Lisbeth Bruce and family prepping and grilling the steaks for sandwiches
- * Kegs with no taps
- * Tim Knowles, the master of cooking sweet corn on the cob
- * Jack Hawkins and crawfish flown in from Louisiana
- * Alan Prather's laughter
- * Jim Dye looking after bar
- * Bob Schermer securing fresh oysters and huge shrimp from Star Fish Company
- * Barry Bell could get a poker game started and see it to the end
- * Parties that continued at the Sports Lounge on Bradenton Beach
- * Bob Schultz' clam fritters
- * Sunsets & green flashes
- * Members of the committee, loyal and solid, returning every year to plan and do whatever needed to be done, cleaning up the mess!
- * The sponsors that return year after year...a good return on their investment
- * Chasing paper plates down the beach
- * The younger lawyers filling in the gaps, and stepping up to become part of the tradition

Covid 19 may have caused our party to cancel this year – but it will be back and better than ever!

(See photos on page 12 and 13!)



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It Takes A Village – Resuming Court Processes!

With Chief Judge Bonner's appointment to the Court Continuity Workgroup, created by Chief Justice Canady's Administrative Order AOSC20-28, she is directed to develop findings and recommendations on the continuation of court operations in a way that protects health and safety and addresses each of the following phases:

- Phase 1: In-person contact is inadvisable and thus in-person proceedings in the courthouse are rare
- Phase 2: Limited in-person hearings are authorized for certain purposes and/or requires use of protective measures
- Phase 3: In-person proceedings are more broadly authorized and protective measures are relaxed
- Phase 4: COVID-19 no longer presents a significant health or safety risk

We know that ramping up to full operations after the health risks from the COVID-19 pandemic subsides is going to take a village, and the Twelfth Judicial Circuit Court wants your input. We invite attorneys and the public to email suggestions, comments, and concerns about resuming court processes to COVIDReopenInput@jud12.flcourts.org.

Please review the administrative order and limit your comments to those issues for which feedback is sought. With the probability of a gradual resumption of standard court operations, it's important that your input pertains to how to effectively accomplish this, as opposed to a general wish list.

Specific complaints or concerns about a particular division policy or judge's requirements should be addressed directly with the presiding judge or administrative judge.

A Message from Chief Judge Bonner:



As many of you are aware, the Chief Justice of the Florida Supreme Court issued an Administrative Order that extends the time limits on face-to-face court proceedings until June 1, 2020, and suspends jury trials until July 1, 2020. This has raised many questions about what court proceedings will look like after June 1. As part of the process of fully reopening face-to-face court proceedings, a statewide work group, of which I am a member, is gathering data and drafting recommendations and guidelines for the Chief Justice's consideration. In the meantime, we will continue to develop protocols to ensure public health through practices such as social distancing as we begin the process of bringing back larger volume dockets.

How this will look in practice is something for which that I have no guarantees; however, at a minimum, I expect many civil, family, and probate/guardianship matters, will continue to use remote technology for the near future. Where available and feasible, and to never compromise due process rights, I anticipate remote technology will be with us for several months in almost every division. Due process cases (including criminal, dependency, domestic violence, and juvenile) will get priority as we phase in face-to-face proceedings. Those of us who work in other divisions will likely have to wait our turn to see a full reinstatement of in-person proceedings, including trials. For civil practitioners, although I wish I had a barometer of when civil jury trials will recommence, it is impossible to give an accurate estimate at this time.

We expect the Chief Justice to begin issuing Administrative Orders with guidelines and limitations around the middle of this month. These Administrative Orders will take the courts beyond June 1 and answer many questions. Please know we are planning for the resumption of in-person court proceedings in a way that guarantees access to courts while being ever mindful of public safety. To the extent we can use technology to accomplish this, we will continue to do so. Finally, we do not intend to overlook self-represented litigants, or others who have limited access to technology; therefore, any long-term plan to get cases adjudicated will necessitate continued collaboration on ways to provide easier access to court proceedings.

Thank you all for your patience and cooperation. I know none of us anticipated 2020 would be so challenging, but by working together, we will ensure that our courts remain open for business and that access to justice is not unduly delayed.



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- Elder Law
- Guardianship administration and litigation
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- Veteran's benefits



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- AV-rated by Martindale-Hubbell
- Current chair of the Florida Probate Rules Committee
- The Florida Bar's RPPTL Section Executive Council, Homestead Committee Co-Chair; Bar Journal Committee Co-Chair; Wills, Trusts & Estates Certification Course Committee Chair; Probate Law and Procedure Committee Co-Vice Chair
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- Past Director and Secretary of the Manatee County Bar Association
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M. Brandon Robinson, Esq.

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Remembering Layon Robinson, Esq.

The MCBA shared the sad news of the passing of long-term member, Layon Robinson, Esq.

In June 1973, Layon F. Robinson II became the first African American to become a member of the Manatee County Bar Association. He was born in Wray, Georgia on September 15, 1943. His family were migrants and they traveled back and forth from Florida to Georgia to New York. Layon’s family settled in Albion, NY, where he graduated from high school in 1962. He began college at Bryant & Stratton and University of Buffalo. Layon joined the U. S. Air Force on June 17, 1963 and was honorably discharged on February 13, 1967. He then graduated from Florida State University with a bachelor’s degree in 1970 and a juris doctorate degree in December 1972. Layon moved to Bradenton and began his legal career as an assistant state attorney for the 12th Judicial Circuit. In 1977, he went into private practice on Main Street in downtown Bradenton. He practiced law until he passed away in May, 2020. Layon was a long-time dedicated member of the MCBA and a leader in the community. Richard Shapiro remembered Layon by saying, “I first met Layon in 1980 or 81. He welcomed me to Bradenton with a big smile and a warm, hearty, handshake. He was a wonderful man, always available to help anybody in need of counsel, regardless of their ability to pay, not to mention his warm, endearing manner.”

Layon will be missed by all.



Remembering Judge Claflin Garst

Claflin Garst Jr. passed away in May, 2020. Judge Garst was born and raised in Manatee County, graduating from Manatee High School. He graduated with his bachelor’s degree from the University of Florida and then enlisted in the Army. After serving for four years, he returned to graduate with his juris doctorate degree from UF. Claflin returned to Manatee County and began his legal career by establishing his own firm in downtown Bradenton. In 1968, he successfully challenged incumbent county and juvenile Judge Robert Rickey at the general election on November 6, 1968. After Article V of the Florida Constitution was revised, Judge Garst was reelected in 1972 and reelected twice without opposition. In 1982, he retired and went back to practicing law but stayed involved in the community. He even stayed involved in politics. For many years, in addition to practicing law, Judge Garst bred Florida cattle with bison to develop a local market of “Beefalo” meat.





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MCBA Members Adapting During Covid 19!



Several judges and magistrates of the 12th Judicial Circuit Civil Court held a virtual town hall meeting. Approximately 150 attended the event. The Coronavirus Pandemic has disrupted courts across the nation – thank you to the 12th Judicial Circuit for adapting and being innovative during this time.



MCBA Board of Directors Zooming at a Board Meeting



Richard Perlman “Mediating in a Covid World”

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.

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Information for Applicants

The appointment is available June 22, 2020 and continues through September 30, 2021 with a probability of extension.

An applicant must e-mail a cover letter, a résumé, a law school transcript, a writing sample, and a list of three professional references to <https://www.governmentjobs.com/careers/flmd>.

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Florida's Chief Justice expands list of court proceedings to be held remotely during the coronavirus pandemic and extends jury trial suspension to early July

TALLAHASSEE – Acting on the recommendations of a statewide Court Continuity Workgroup, Florida's Chief Justice Charles Canady issued a new emergency order May 4 increasing the list of proceedings state courts will accomplish by remote technology during the coronavirus pandemic.

It also extends the current suspension of jury trials in Florida until July 2. It makes corresponding changes to some legal deadlines by pushing them back until the Monday after the July 4 holiday weekend. In-person jury trials pose a special hazard because they can expose jurors and other courtroom participants to a risk of infection. Future extensions will be considered if needed.

For first-degree murder cases, the new order suspends until July 2 some requirements for in-person preliminary hearings and a requirement that defendants be automatically released from custody if prosecutors are unable to file charges within 40 days.

The order especially focuses on increasing the resolution of cases by shifting as many of them as possible into a virtual environment with remote technology. In addition to work already required under an April 6 order, the amended list now adds the following:

- Non-jury trials, except that all parties must agree to remote non-jury proceedings in criminal, juvenile delinquency, and termination of parental rights cases;
- Alternate dispute resolution cases;
- Status, case management, and pretrial conferences in all case types;
- Non-evidentiary and evidentiary motion hearings in all case types;
- Arraignments and pleas in absentia in county court misdemeanor cases;
- Hearings in juvenile delinquency cases;
- Hearings in noncriminal traffic infraction cases; and
- Problem-solving court staffings, hearings, and wellness checks.

Case types on this list will be held by telephone or other electronic means unless prohibited by the constitution or other law, or where one of the participants is unable to take part because of a lack of required technology or staffing problems caused by the pandemic.

Canady's order embodies the first set of recommendations from the Workgroup on the Continuity of Court Operations, created by an April 21 order. The Continuity Workgroup was asked to submit recommendations as they are developed to guide a phased return to full court operations.

The expanded list of essential proceedings adds to earlier efforts to mitigate the impact of coronavirus while letting courts operate in a way consistent with public safety. Florida's courts have followed emergency guidelines since a March 13 order, when Canady suspended jury trials and took other actions restricting in-person proceedings to enforce social distancing. Subsequent orders extended these limits through the end of May, subject to future orders made necessary by the pandemic.

Chaired by Orlando-area Circuit Judge Lisa Taylor Munyon, the 17-member Continuity Workgroup's mission includes examining the current status of all court proceedings statewide that have been delayed by the pandemic. Where warranted, the Workgroup will propose methods for resolving cases with remote technology and other new procedures. Information about the Workgroup and its meeting minutes are available on its web page.

The move toward more virtual proceedings is a major historical shift in state court operations, which have relied heavily on in-person hearings in the 175 years Florida has been a state. Canady also has asked the Continuity Workgroup to make suggestions for remote procedures that can continue even after the pandemic is over.

All state-court coronavirus emergency orders and advisories are linked on the Florida Supreme Court's website: <https://www.florida-supremecourt.org/Emergency>

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