



# INTER ALIA

JUNE 2022

NEWSLETTER OF THE MANATEE COUNTY BAR ASSOCIATION

## Improving Youth Protection in the Digital Age

By Brian Iten, Esq., MCBA Secretary

As observed by Chief Justice John Roberts, cell phones “are now such a pervasive and insistent part of daily life that the proverbial visitor from Mars might conclude they were an important feature of human anatomy.” *Riley v. California*, 573 U.S. 373, 385, 134 S.Ct. 2473, 2484, 189 L. Ed. 2d 430 (2014). And when it comes to American youth, the Martian’s conclusion would likely be that the cell phone was essential to sustain life. Knowing as much, it should come as no surprise that many adults now use texting, instant messaging, and – to a lesser degree – email, to communicate with the young people in their lives. That development, however, should give pause to parents when the adult in question holds a position of trust which history has shown – time and again – is subject to abuse. Fortunately, a simple solution exists. Disappointingly, it is not widely used by the schoolteachers, coaches, religious leaders, and other youth group facilitators involved in the lives of the most vulnerable members of our community.

The solution is a prohibition on one-on-one contact between the above-described adult and child in all electronic communications, remedied by having the author of the message copy the youth’s parent or guardian in each and every digital conversation. In 1987, Boy Scouts of America (now Scouts BSA) introduced “two-deep leadership” as part of its Youth Protection Training, which includes a ban on one-on-one contact between an adult volunteer and a youth, other than the volunteer’s own child. According to Bryan Wendell, the founder of Bryan on Scouting, a blog for the BSA’s adult leaders, in Scouts BSA “[t]here should be no one-on-one online or digital activities (games, social media, etc.) or electronic communications.” “[Scout] leaders should include or copy a parent or another leader in all online communications, ensuring no one-on-one contact exists in text, social medial or other forms of online or digital communication.” The Church of Christ of Latter-Day Saints has similarly promulgated guidelines which declare that to “protect youth and children, [church] leaders should avoid one-on-one situations – including contact through phone, texts, social media, and so on – with a youth or child . . . .”

“The mission of youth organizations to educate children, [coupled with] the naiveté of children . . . dictate that the law recognize a spe-



cial relationship between youth organizations and their members such that the youth organizations are required to exercise reasonable care to protect their members from the foreseeable conduct of third persons.” *Evans v. Ohio State Univ.*, 680 N.E.2d 161, 181 (Ohio Ct. App. 1996). It thus follows that reasonable protective measures should be taken by schools and volunteer organizations to protect both the youth and the adults who choose to communicate with them via electronic communication.

Those measures should include clear written policies prohibiting one-on-one contact between children and the adults in whose care they have been entrusted. The creation of barriers to abuse should be a top priority of both the risk management professionals and lawyers who serve schools and youth organizations. Mandating “two-deep” digital contact would certainly be a great place to start.

## ASSOCIATION PROPOSES 2022-23 BOARD OF DIRECTORS SLATE

The MCBA Nominating Committee proposed the following slate for the 2022-23 MCBA Board of Directors. All members in good standing are encouraged to attend the Annual Meeting on Wednesday, June 29th at noon at Kiwanis Hall to cast their vote:

President, Faith Brown  
President Elect, Aaron Crittenden  
Treasurer, David Wilcox  
Secretary, Brian Iten  
Immediate Past President, Stephen Dye

Directors:

Dustin Wagner  
Andre Perron  
Daniel VanEtten  
James Lynch  
Robert Farrance  
Alexandria Nicodemi  
Grace Reeves

# ATTENTION MEMBERS – THE 2022-23 DIRECTORY AND COURTHOUSE POSTER PROJECT IS UNDERWAY!



In celebration of our 120th year, the MCBA will be producing our own printed 2022-23 Member Directory and Resource Guide, as well as the membership poster! The Board of Directors voted unanimously to approve the directory and poster production at their May meeting. David Berube, of CG&B Publishing will be producing the directory and poster at no cost to the association. Ads to be included in the directory will be sold on a first come, first serve basis and space is limited. The poster is produced every 10 years and many hang proudly on the 2nd floor corridor of the Manatee County Judicial Center.

PAID Members will receive notification on how to have their photo included in the Directory and on the poster – information will be provided in the upcoming weeks.

The project will be undertaken during the 2022-23 Dues Renewal process, beginning in June, 2022. **DUES ARE DUE ON JULY 1st - ONLY THOSE WHO ARE MEMBERS, BOTH NEW AND RENEWED by JULY 15th\* WILL BE INCLUDED (this includes mailing time for those who submit checks)!**

**ABSOLUTELY NO EXCEPTIONS – SO RENEW EARLY!**

Look for your Dues/Membership Renewal Form in this issue of Inter Alia. We DO NOT mail them. Complete your Dues Renewal Form in its entirety – the information will be used to create/update your directory information.

Be part of our 2022-23 Membership Directory and Poster - Just another great benefit to being a member of the MCBA!

## Mediation Services BOB HOYLE

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- Business and commercial litigation
- Personal Injury

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Bradenton, FL 34209

Calendar availability and full bio at [floridamediators.org/Robert Hoyle](http://floridamediators.org/Robert_Hoyle)



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- Capital University Law School, J.D., Cum Laude, 1986
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- Chairman, Florida Bar Council of Sections 2018-2019
- Certified Circuit Civil Mediator
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Andre R. Perron, Esq.  
[aperron@barneswalker.com](mailto:aperron@barneswalker.com)

James C. Davis, Esq.  
[jdavis@barneswalker.com](mailto:jdavis@barneswalker.com)



\*Initial fees paid in accordance with Florida Bar Rules

## YLD News & Happenings

### YLD Relaxes as Part of Health & Wellness Month

The YLD hosted a relax and mingle event on Friday, May 27th to encourage members to slow down, relax and enjoy each other's company. The group gathered at Three Keys Brewery for a low key Happy Hour to kick off Memorial Day weekend and support local, small business. Sponsored by YLD President, Dustin Wagner, Esq and his firm, Lightning Law, the weekend was off to a great start.



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# ANNUAL MEETING

## MCBA Elections for 2022-23

### WEDNESDAY, JUNE 29, 2022

### LUNCH BEGINS AT 11:45 AM

### KIWANIS HALL - MPAC



Special Speaker:  
FL State Senator  
Jim Boyd



Special Speaker:  
FL State Representative  
William C. "Will" Robinson

FREE FOR MCBA MEMBERS/\$30 FOR GUESTS  
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MON., JUNE 27TH DEADLINE TO [MCBA@MANATEEBAR.COM](mailto:MCBA@MANATEEBAR.COM)

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## Welcome New Members

**Michael Fayard, Esq.**

Stetson College of Law  
 Year Admitted to The Florida Bar, 2008  
 Firm: Fayard Law, PLLC  
 Area(s) of Practice: Criminal Law, Family Law

**Paul C. Grivas, Esq.**

Florida State University  
 Year Admitted to The Florida Bar, 2007  
 Firm: Grivas Law Group, PA  
 Area(s) of Practice: Estate Planning, Real Estate/Land Development, Intellectual Property

**Patrick A. Iyampillai, Esq.**

Stetson College of Law  
 Year Admitted to The Florida Bar, 2017  
 Firm: Hale Law  
 Area(s) of Practice: Personal Injury, Civil Litigation, Insurance

## OUT & ABOUT

Congratulations to retired Circuit and 2nd DCA Judge John Blue for winning the 2022 Outstanding Manatee High School Alumni Award (career category). Judge Blue was recognized at the Manatee High School Alumni Association meeting on May 19th. Judge Blue was the President of the MCBA in 1975-76.



Judge John Blue and Judge Gilbert Smith, Jr. take a moment to smile for the camera at the Manatee High School Alumni Association meeting.



## DATES TO REMEMBER:

- June 14, 2022      TECH SUMMER SCHOOL – Free CLE
- June 21, 2022      ART EXHIBIT RECEPTION – 5th Floor MCJC
- June 29, 2022      Annual Luncheon Meeting – Kiwanis Hall
- July 12, 2022      TECH SUMMER SCHOOL – Free CLE
- August 3, 2022      MCBA BOARD OF DIRECTORS PLANNING MEETING
- August 9, 2022      TECH SUMMER SCHOOL – Free CLE

\*Dates are subject to change

- PERSONAL INJURY MATTERS
- REAL ESTATE LITIGATION
- MEDICAL MALPRACTICE
- BUSINESS AND COMMERCIAL LITIGATION
- LABOR AND EMPLOYMENT ISSUES
- PRODUCT LIABILITY
- LOCAL GOVERNMENT DISPUTES
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Website: [www.grimesgalvano.com](http://www.grimesgalvano.com)  
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## MCBA BENEFITS

at a glance

The Manatee County Bar Association offers a wide range of benefits and resources to its members. We've been serving the Manatee County legal community since 1902!

### BE SEEN

Gone are the days of hanging your sign and clients would appear. Our members are seen by others on our website, social media, and at both membership-wide and community events!

### CLE COURSES

We offer numerous CLE courses throughout the year - many are FREE for our members! No need to travel, and incur an extra expense, when you can be on your way to fulfilling your CLE requirements with us!

### NETWORKING

Build your law practice network by attending our luncheons, events, meetings, and socials. Your lunches at our General Membership Meetings are included in your dues!

### ONLINE DIRECTORY LISTING

Your membership includes a basic listing in our searchable online directory. The public can find you when they search our online directory for a local attorney!

### INTERACT WITH YOUR JUDGES

Our judges often can be found teaching or participating in our CLEs, and attending our various events!

### REFERRALS & MENTORING

MCBA attorneys are known for their professional manner and willingness to assist other attorneys with referrals and mentoring!

## JOIN OR RENEW TODAY!

All this and more is included in your MCBA dues! At only \$225 annually, it's still the best deal around!

Visit our website at [www.manateebar.com](http://www.manateebar.com) or email our office at [mcba@manateebar.com](mailto:mcba@manateebar.com)

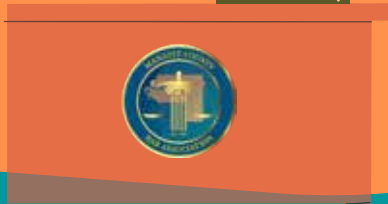


# Manatee County Bar Association TECH SUMMER SCHOOL

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## TUESDAYS AT NOON ON:

**June  
14**

### Creating Beautiful Microsoft Documents

*Creating legal documents is a part of every lawyer's day-to-day practice. Knowing how to take advantage of a word processor's powerful automation and document development features can help any lawyer serve their clients more efficiently and with minimized errors in their document products. [Register for this session HERE](#)*

**July  
12**

### Outlook & Email Management Tips

*Failure to respond, failure to communicate, failure to supervise, and missed deadlines are the leading malpractice claims that plague today's lawyers. Learn how the most powerful email and information managers can help you better organize emails, contacts, calendars, and tasks. [Register for this session HERE](#)*

**August  
09**

### Essential PDF Skills for Legal Professionals

*No law firm should be fully operating in the digital world without a good understanding of Adobe Acrobat. With more and more of our colleagues, courts, and clients expecting PDF output, understanding how Adobe Acrobat works along with all the features it has to offer, is the key to mastering digitizing your documents to PDF. (While this session will be conducted in Adobe Acrobat DC, most of the features and tips discussed apply equally to other Acrobat versions and other professional PDF tools and services.) [Register for this session HERE](#)*

Zoom CLE held on each date from Noon to 1:00 pm.  
To Register Yourself or Staff, see links above!

For more information, contact Graceann at

[MCBA@ManateeBar.com](mailto:MCBA@ManateeBar.com)



**Do you want your  
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Membership Directory  
& Resource Guide?**

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## **Searching for Will for Peggy Steeley/Peggy Mitcheltree**

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**DOB: January 24, 1943**

**DOD: January 27, 2022**

**If you have any information,  
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. . . . NOTICE . . . .  
2022-23 DUES RENEWAL  
MANATEE COUNTY BAR ASSOCIATION

Manatee County Bar Association **Annual Dues** for current members are **\$225.00\*** for the year (July 1<sup>st</sup> through June 30<sup>th</sup>). This notice is payable upon receipt. Please return this completed form with check payable to:

Manatee County Bar Association ~ P.O. Box 796 ~ Bradenton, FL 34206

*Note: Renewals may also be paid online at [www.manateebar.com](http://www.manateebar.com)*

*\*Subject to a 3.5% administration fee\**

**~ UPDATE YOUR CONTACT & PRACTICE INFORMATION AS YOU WOULD LIKE IT TO APPEAR IN OUR DIRECTORY ~FORM MUST BE COMPLETED IN ITS ENTIRETY**

Member Name: \_\_\_\_\_ FL. Bar #: \_\_\_\_\_  
(lastname, firstname, middle initial)

Complete name of firm: \_\_\_\_\_

Street Address: \_\_\_\_\_ Ste: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Cell: \_\_\_\_\_

E-mail address: \_\_\_\_\_

Other Manatee County Address (if not firm address): \_\_\_\_\_

List 3 primary *areas of practice* (use attached list to make your selections)

Primary: \_\_\_\_\_ Secondary: \_\_\_\_\_

Secondary: \_\_\_\_\_

FL Bar Certifications held: \_\_\_\_\_

Federal Court Admissions: \_\_\_\_\_

Law School: \_\_\_\_\_ Year Admitted to The Florida Bar: \_\_\_\_\_

Languages Spoken, other than English: \_\_\_\_\_

Other State(s) Admitted to Practice Law: \_\_\_\_\_

**\*Annual dues paid by credit card require a 3.5% Administration Fee totaling: \$232.86**

**If using a credit card, please pay via our website at [www.manateebar.com](http://www.manateebar.com)**

For Office Use: Check #: \_\_\_\_\_ Amount: \$ \_\_\_\_\_ CC: \$ \_\_\_\_\_ Date recvd: \_\_\_\_\_



.....COMMITTEE and SECTION PREFERENCE.....

Please indicate your interest for the 2022-23 Bar Association year:

SECTIONS: Practice sections offer continuing legal education programs and events focused on relevant topics. Section involvement provides lawyers with a forum to enhance their substantive practice skills, and to interact with others practicing similar areas of law. Please indicate your interest in any of the Sections listed below:

- Family Law, Real Property, Probate, Estate, Guardianship, Solo/Small Firm, Young Lawyers (40 yrs. & younger)

COMMITTEES: Please indicate your choice(s) below.

- Membership: To include recruitment/retention of members and beneficial services for members.
Youth Related Education: To include activities relating to civics education, classroom speaker's bureau and youth education programs.
Events: To include the planning and preparations for social activities throughout the year, to include Law Day, Spring Beach Party and Holiday Party in December.
PR/Communications: Solicits and reviews monthly articles for the Inter Alia, press releases, etc.
Community Service: To include the coordination of the annual Community Service recognition awards and participation in local community service projects.
Heritage Committee: Collects and preserves the history of the MCBA
ByLaws Committee: Reviews and creates proposed revisions as needed
Technology Committee: All things social media, photography, taping, editing, etc.
Diversity Committee: Promotes and encourages diversity

Yes No Are you interested in Pro Bono volunteer opportunities?
Yes No Are you a Young Lawyer (40 yrs. or less -or- 5 yrs. or less in practice)?

\*\*Please complete all pages\*\*

Disclosure: Association dues, except as noted below, may be deductible as professional or business expenses, to the extent allowable by law. Dues and other contributions to local, state or national associations are not deductible as charitable contributions for federal income purposes.

BE SURE TO COMPLETE ALL INFORMATION - SOME INFORMATION WILL BE USED IN THE MEMBERSHIP DIRECTORY.

MCBA YEAR IS JULY 1 - JUNE 30th. ALL MEMBERS MUST RENEW BY JULY 1ST TO BE CONSIDERED ACTIVE.

## Areas of Practice

Administrative	Eminent Domain	Legal Malpractice
Admiralty and Maritime	Employee Benefits	Litigation/Trial Advocacy/Advocacy
Adoption	Energy, Environment/Natural Resources	Media
Agricultural	Entertainment, Arts and Sports	Mediation
American and International	Environmental and Land Use	Medical Malpractice
Animal Law	Equal Opportunities	Mergers and Acquisitions
Antitrust and Trade Regulation	Estate Planning	Military
Appellate Practice	Family	Natural Resources
Arbitration	Finance and Investments	Occupational Safety and Health
Asian and Comparative	General Practice	Ocean and Coastal
Asset Forfeiture	Global Technology	Patent
Aviation	Governance and Rule of Law	Personal Injury
Banking	Government	Probate and Trust Litigation
Bankruptcy	Government Administration and Regulation	Product Liability
Biotechnology and Genomics	Government and Administrative	Professional Liability
Business	Government and Public Policy	Public Finance and Bonds
Business and Taxation	Government Contracts	Public Interest
City/County/Local Government	Guardianship	Public Utilities
Civil Litigation	Health	Real Estate
Civil Rights	Health Administration	Real Estate/Land Development
Civil Trial	Immigration and Nationality	Securities
Commercial Litigation	Indigenous and Native American Law	Social Security Disability
Communications	Insurance	State and Federal Govt & Admin Practice
Condominium and Planned Development	Intellectual Property	Sustainable International Development
Constitutional	Inter-American	Tax
Construction	Intercultural/International Human Rights	Technology and Science
Consumer	International	Toxic Torts
Contracts	International and Comparative	Trademark
Copyright	International Business	Transportation
Corporate	International Economic	Trial
Criminal	International Environmental	Trusts and Estates
Criminal Appellate	International Legal Studies	Urban Affairs/Urban Studies
Debtor and Creditor	International Litigation and Arbitration	Wills, Trusts and Estates
Dispute Resolution	International Taxation	Workers' Compensation
Education	Internet	Workers' Compensation/Claimant
Elder	Juvenile	Workers' Compensation/Defense
Election, Campaign and Political	Labor and Employment	Zoning, Planning and Land Use

## Florida Bar Certifications and Federal Admission Listings

### Florida Bar Certifications:

Admiralty & Maritime Law  
 Adoption Law  
 Antitrust & Trade Regulation Law  
 Appellate Practice  
 Aviation Law  
 Business Litigation  
 City, County & Local Government Law  
 Civil Trial  
 Condominium & Planned Dev. Law  
 Construction Law  
 Criminal Appellate  
 Criminal Trial  
 Education Law  
 Elder Law  
 Health Law

Immigration & Nationality  
 Intellectual Property Law  
 International Law  
 International Litigation & Arbitration  
 Juvenile Law  
 Labor & Employment Law  
 Marital & Family Law  
 Real Estate  
 State & Federal Govt, & Administrative Practice  
 Tax Law  
 Wills, Trusts & Estates  
 Workers' Compensation

### Federal Court Admissions:

US Court of Appeal for the Eleventh Circuit  
 US District Court Middle District of Florida  
 US District Court Northern District of Florida  
 US District Court Southern District of Florida  
 Florida Middle District Bankruptcy Court  
 Florida Southern District Bankruptcy Court  
 Florida Northern District Bankruptcy Court  
 United States Supreme Court  
 US Court of Appeals for Veterans Claims  
 US Court of Appeals for the Armed Forces  
 US Court of Federal Claims  
 US Court of International Trade  
 US Tax Court

## 5 THINGS TO KNOW ABOUT US: ANNUAL MCBA SPONSOR



Nota by M&T Bank is banking built for law firms. Designed with attorney insights, Nota is a no-cost, cloud-based platform that provides business banking solutions for attorneys managing solo and small law firms. Here are 5 things you should know about us:

1. **Exclusive Member Benefits:** As a New Nota User, you can get access to one-of-a-kind deals with industry-related companies, such as LawPay and Lawline
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# ART EXHIBITION



Join us as we celebrate the opening of our "Reflections" art exhibit featuring the art of the residents of Westminster Communities of Bradenton.

Refreshments will be served.  
RSVP to Graceann at  
[MCBA@ManateeBar.com](mailto:MCBA@ManateeBar.com)  
Special thanks to the YLD, The Florida Bar  
and



Tuesday, June 21, 2022  
5 – 6 p.m.  
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Steven Heintz is in the less than 1% of Florida lawyers that are board certified by the Florida Bar. Less than 1/2 of 1% are board certified by the National Board. Steve is certified by the National Board of Trial Advocacy



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# ***JOB POSTINGS:***

## ***WANTED: PARALEGAL/LEGAL ASSISTANT***

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Self-starting, detail-oriented individual with strong communication, organizational and MS Word & Excel skills needed for law office as an assistant for a firm litigator. Multiple positions available, full time and/or part time. Experience in litigation support, attorney time entry, and fee billing desired.

Salary commensurate with experience. Benefits available for full time positions, including health insurance, vision, dental, vacation and holidays.

Email resumes to Cyndi Coey,  
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**Jeffrey S. Goethe, Esq.**

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 Florida Bar Board-Certified in Wills, Trusts & Estates  
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 Past President, Manatee County Bar Association



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# Highlights of Law Day 2022

On Wednesday, May 25th, the association celebrated LAW DAY 2022 with a historical presentation entitled “ Shocking Discoveries Around the Buzzards Roost” by the Honorable Gilbert Smith, Jr at Kiwanis Hall in the Manatee Performing Arts Center. Judge Smith gave a fun and informative presentation while donning period costume from the early 1900s. New data regarding Manatee County Bar Association history was brought forth introducing members to trailblazers and characters of the association’s colorful 120 year history. Judge Smith introduced attendees to Bessie E. Sims, Janna Tucker and Harry Sears as follows:

On November 9, 1929, Bessie Ethel Sims made history when she was sworn in by Judge William Harrison as an attorney with The Florida Bar Association. She became the first woman to be admitted and practice law in Manatee County. After being sworn in, Ethel practiced law with Rowe & Grimes for many years. She was recognized as a member of the MCBA but did not attend meetings. Ethel married Charles Williams, an attorney from Sarasota and moved there where they both practiced law and raised a family.



In June 1931, when Janna Tucker graduated from Stetson Law School, at 20 years old, Judge Harrison swore her in as attorney with The Florida Bar Association. Because she was not yet 20 years old, a law was passed by the Florida Legislature, authorizing her to be admitted upon graduation from law school. Janna became the second woman to be admitted and practiced law in Manatee County, she was only 20 years old. She was recognized as a member of the MCBA but did not attend meetings. Janna practiced



law in Manatee County for a few years before becoming the first woman from Manatee County to enlist in the new Women’s Army Auxiliary Corps. She served during WW II and transitioned to the new Air Force branch when it was created. She retired as a Colonel and moved back to Bradenton.



On March 30, 1952, Harry Sears, was sworn in by Judge Harrison as an attorney with The Florida Bar. He became the first black man to practice law in Manatee County. Harry did not attend monthly meetings of the Association however he was recognized by many as an associate member. He was given permission to use the Manatee County Law Library as an attorney by the MCBA. Harry was suspended from the practice by The Florida Bar but was reinstated several years later. While suspended

he worked in construction in Manatee County and volunteered throughout the community.

These are just a few of the historical nuggets Judge Smith shared and it will be included in his new book: *Lawyers & Legends of Manatee County, Second Edition* which will be available later in 2022, just in time to celebrate our 120th birthday!



*MCBA Past President Charles Telfair, Florida Bar President Elect Scott Westheimer, MCBA President Stephen Dye, Hon. Gilbert Smith, Jr., Hon. Lon Arend, Senior Judge Lee Haworth, Senior Judge Tony Johnson, and Hon. Frederick Mercurio.*

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FOR

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**JUNE 30 2022**

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*Inter Alia*, the newsletter of the Manatee County Bar Association, is published 8 months annually and is circulated electronically to local attorneys, judges and law office staff. Issues are later posted to the association website: [www.manateebar.com](http://www.manateebar.com). Rates show are for one issue. Discounts apply to multiple issues on a prepaid basis. Ads should be submitted as high resolution pdf files. Deadline for submission: First of the month.

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