



INTER ALIA

NEWSLETTER OF THE MANATEE
COUNTY BAR ASSOCIATION

MARCH APRIL 2026

*News, invitations,
photos and more*

**IT'S TIME FOR BENCH BAR 2026
AT THE ST. REGIS RESORT
LONGBOAT KEY**

Highlights of The 2nd DCA visit

**CONFERRAL OR CHECKBOX?
RULE 1.202 ONE YEAR LATER**

*Coming Up: March Membership
Luncheon*

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Conferral or Checkbox? Rule 1.202 One Year Later

By Simone A. Taitano, Esq., YLD Director

It has now been more than a year since the Florida Supreme Court's amendments to the Florida Rules of Civil Procedure took effect, and by now most trial attorneys have adjusted their muscle memory accordingly. The headline changes are familiar: Rule 1.510's revised summary judgment deadlines; Rule 1.280's early initial disclosures requirement; and of course, Rule 1.202's "meet and confer" prerequisite for many non-dispositive motions.

Rule 1.202 is Florida's "talk first before filing" rule. Before filing certain non-dispositive motions, the movant must confer with opposing counsel in a good-faith effort to resolve the issues raised in the motion. The motion must also include a "Certificate of Conferral" stating when and how the parties conferred and whether the opposing party agrees or disagrees with the relief requested. If the other side does not respond, the movant must describe the efforts taken to accomplish dialogue.

On paper, Rule 1.202's goal is simple. It was adopted to reduce unnecessary motion practice, facilitate communication, and thereby alleviate scheduling backups by requiring the parties to try to work out disputes before bringing them before the Court. So why, a year in, are reactions still mixed and hearing times still hard to come by?

In practice, Rule 1.202's "good faith" requirement can look different depending on the attorney and the dispute, resulting in a wide range of approaches to what compliance under the Rule looks like.

For example, in some cases, conferral is achieved the long way: counsel may circulate a draft motion in advance and then block out time to actually talk it through in hopes of resolving the issue. Other times, it is more streamlined: no draft motion, just a quick email: "I plan to file X motion, do you object?" And sometimes, conferral simply becomes a box to check: a last-minute email with minimal detail and a deadline to

respond, sent shortly before filing, with no real back-and-forth before the motion hits the docket. At that point, the certificate can start to look less like proof of attempted dialogue and more like proof that an email was sent.

The point is not that there is one "correct" way to confer in every situation. Ideally, the effort would be proportional to the motion and the dispute. For routine or largely administrative motions, a brief exchange may genuinely be enough, as opposed to discovery disputes, which often involve workable issues, and conferral only serves its purpose if counsel makes a good-faith effort to engage in a substantive back and forth.

But that is also where Rule 1.202's limitations show. The rule does not require "meaningful" conferral so much as it requires certified conferral, defeating the overall purpose of the rule. The same certificate of conferral can accompany both substantive and minimal efforts to resolve disputes.

Ultimately, Rule 1.202's impact a year in is still an open question. There are no reported appellate decisions on Rule 1.202. There is one circuit decision from the Seventh Judicial Circuit (*Cantona v. Turner Pest Control, LLC*, 2025 Fla. Cir. LEXIS 337 (Fla. 7th Cir. Ct. Mar. 21, 2025)), in which the Court denied a Motion, without a hearing, for the failure to confer. It is unclear from the opinion how the Motion came before the Court, but the Motion was denied without prejudice upon a finding that it failed to include a certification.

Rule 1.202 has made reaching out before filing a motion routine, but because "good faith" leaves room for discretion, and the sufficiency of conferral is not consistently tested or enforced, practice varies widely. In many cases, that means the certificate becomes the most concrete requirement, while the conferral itself can range from genuinely productive to simply checking a box. That leaves the question: is Rule 1.202 reducing motion practice, or is it simply an extra step before the same dispute ends up in court anyway?

DISCLAIMER: The views and opinions expressed in each Inter Alia article are solely those of its respective author and do not necessarily reflect the views or opinions of the MCBA or its Board of Directors.

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MCBA CALENDAR OF EVENTS

- Wednesday, March 11, 2026**MCBA YLD Board of Directors Meeting
- Thursday, March 12, 2026** Online Ethics CLE
- Wednesday, March 25, 2026**Membership Luncheon
- Wednesday, April 1, 2026** MCBA Board of Directors Meeting
- Wednesday, April 8, 2026**MCBA YLD Board of Directors Meeting
- Thursday, April 16, 2026** Online Mental Health CLE
- Wednesday, April 29, 2026** Table for Ten w/ Judge Whyte
- Friday, May 1, 2026** Annual Beach Social
- Wednesday, May 6, 2026** MCBA Board of Directors Meeting
- Friday, May 8, 2026** 12th Circuit Bench Bar Conference
- Wednesday, May 27, 2026** Law Day Membership Luncheon
- Wednesday, June 3, 2026** MCBA Board of Directors Meeting
- Wednesday, June 10, 2026** MCBA YLD Board of Directors Meeting
- Wednesday, June 24, 2026** Annual Membership Luncheon

*dates are subject to change

Welcome New Members

Karla M. Armstrong, Esq.
 Florida State University
 Date Admitted to The Florida Bar, 2025
 Firm/Office: Persson, Cohen, Mooney, Fernandez & Jackson, P.A.
 Area(s) of Practice: City/County/Local Government

Maura O. Isaacs, Esq.
 Ave Maria School of Law
 Date Admitted to The Florida Br, 2013
 Firm/Office: McNary Law
 Area(s) of Practice: Family Law, Criminal Law,
 Estate Planning

Paula L. Parisi, Esq.
 Texas A&M
 Date Admitted to The Florida Bar, 2002
 Firm/Office: Sessums Law Group
 Area(s) of Practice: Family Law, Mediation,
 Medical Malpractice

MCBA SPECIAL CLE EVENT 2026

**ONLINE CLE:
Being A Lawyer: Civility, Ethics & Professionalism**



Join us as we explore the essence of what it means to be a lawyer beyond the courtroom and billable hours. Through real-world insights and practical strategies, we discuss the principles that define a fulfilling and ethical legal career—kindness, resilience, professionalism, adaptability, and more. From building strong client relationships to maintaining well-being and integrity, this session provides a roadmap for lasting success in the legal profession. Attendees will learn how to navigate challenges, uphold the highest professional standards, and find deeper purpose in the practice of law.

James G. Vickaryous, Esq.
Read more about James.

**THURSDAY, MARCH 12, 2026 NOON - 1:00 PM
ON ZOOM**

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Java With The Judges 2026



In February, our annual Java with the Judges was a wonderful and well-attended event, bringing together members of the bar for a relaxed and engaging morning of conversation with the judiciary in the Layon F. Robinson, II Law Library.



This exclusive MCBA event, proudly sponsored by our Young Lawyers Division, featured members of the Manatee County bench along with judges from the Florida Second District Court of Appeal, who were in town to hear Oral Arguments. Attendees enjoyed the opportunity to connect with both trial and appellate judges in an informal setting over coffee, fostering meaningful dialogue and strengthening professional relationships.



We are grateful to all the judges who took time from their busy schedules to join us and to our Young Lawyers Division, Grimes Galvano, and Berlin Patten Ebling for sponsoring such a successful and impactful program.

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- Personally: I was born and raised in Turkey. My name translates into "Lucky". I have 2 dogs that I love. I enjoy playing golf and spending the day at the beach with a nice cigar.

MCBA
SPECIAL CLE EVENT
2026

ONLINE CLE:
The Trauma Informed Legal Practice



Michael F. Barnes
Ph.D., MAC, LPC

Join us as we discuss:

- Statistics on attorney turnover/firm turnover
- Differentiating Trauma-Informed Legal Practice for Client Wellbeing and Legal Professional Wellbeing



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Key responsibilities include: Conducting extensive and complex legal research; drafting pleadings, memorandums, and resolutions/ordinances; and assisting attorneys in litigation matters from case inception through trial.

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If this position aligns with your skills, please visit www.mymanatee.org to complete an application for the open paralegal position. Don’t miss the opportunity to join our team!

Please direct questions to Patricia Nolan at patricia.nolan@mymanatee.org.

Members and Scouts at Merit Badge Day and Scout Sunday!



Recently Judge Gilbert Smith, MCBA Secretary Brian Iten, Manatee County Sheriff Rick Wells, and State Representative Bill Conerly were spotted at various scouting events teaching at Merit Badge Day & taking part in Scout Sunday!

The group taught local scouts at Peace River Presbyterian Church on Saturday morning, February 7th. The class included interactive discussions with instructors and a mock trial. Scouts were cast as all characters in an energetic jury trial. Also featured was “Any Given Monday” sponsored by the MCBA many years ago.

And, on Scout Sunday, February 8th, Judge Smith was spotted again, wearing his scouting uniform, celebrating with Pack 22 at Palma Sola Presbyterian Church.

Troop 22 has a special meaning to the MCBA and Judge Gilbert Smith. Troop 22 is the actual troop where Judge Smith earned his Eagle Scout Award, where he has been a member since 1963!

Local scouts will receive the actual law merit badge at a “court of honor” with a date later this year.



Judge Gilbert Smith, MCBA Secretary Brian Iten, State Representative Bill Conerly and Manatee County Sheriff Rick Wells with scouts at Merit Badge Day



Judge Gilbert Smith at Scout Sunday at Palma Sola Presbyterian Church



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ROBERT L. SCOTT

The Manatee County Bar Association is mourning a former president of the MCBA. On January 7, 2026, Robert L. "Bob" Scott passed away at 90 years old. Throughout his career as an attorney, he was active in the MCBA. On June 26, 1974, at the annual luncheon meeting, Bob was sworn in as the 1974 – 1975 president. He was born on December 30, 1935, in Corey, Pennsylvania, but the family moved to Tampa when he was young. Bob graduated from Plant High School with a goal to become an attorney. He then graduated with his bachelor's degree in 1957 and law degree in 1960 from the University of Florida. Bob began his legal career

with the firm of Dye & Dye where he worked all of his career. He became an outstanding attorney and mentored many young lawyers. Bob became a shareholder, and the name of the firm evolved to Dye, Cleary & Scott. He practiced there until he retired in 2006. Bob's shares the distinction of being in Jack Manson's mural as a young lawyer. In 1967, He was elected as a Bradenton City Councilman where he served for several years. At that time, Bob was one of the only lawyers who had ever served on the Bradenton City Council. Soon after he moved to Bradenton, he became involved in the community. In addition to being involved in the MCBA, Bob was extensively involved with many organizations including the Manatee County Girls Club (director), Optimist Club and the Bradenton Jaycees (director, secretary). Even though he has been retired for many years, he will be missed in the legal community.

2026 MEET THE BENCH 12TH JUDICIAL CIRCUIT - FAMILY DIVISION

SARASOTA COUNTY JUDICIARY: THURSDAY, MARCH 26TH
MANATEE COUNTY JUDICIARY: FRIDAY, APRIL 24TH
TIME: 12:00 - 1:00 PM
WHERE: ZOOM CONFERENCE
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Kevin R. Horan
 FBI Supervisory Special Agent , (Ret.)
 Precision Cellular Analysis, Co-Founder

Wednesday, March 25, 2026

**Manatee Performing Arts Center- Kiwanis Hall
 11:30 Networking & Lunch, Noon Meeting Start**

Cell phone and digital evidence now appears routinely in criminal and civil litigation. This program provides attorneys with a practical, courtroom-focused understanding of how mobile, app, vehicle, and network data are created, obtained, interpreted, challenged, and presented — emphasizing limitations, common mistakes, and strategic considerations.

Mr. Horan is a retired FBI Supervisory Special Agent and former Assistant Prosecutor with over 30 years of experience in criminal investigations, cellular forensics, and courtroom testimony. Co-founder of Precision Cellular Analysis (PCA), providing expert witness services and advanced cellular analysis for law firms, law enforcement, and prosecutors nationwide. Recognized for leadership in the FBI’s Cellular Analysis Survey Team (C.A.S.T.), development of national investigative standards, and award-winning service to the law enforcement community.

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Special Thanks to Our Annual Sponsors



Highlights of February Membership Luncheon

We were privileged to welcome Chief Judge Diana Moreland and Judge Gilbert Smith Jr., who presented an engaging and insightful program titled The History of the Judicial System in Southwest Florida from 1855–1979, along with the introduction of Legends of the Bench – Part One. Their presentation offered a compelling look back at the development of our courts—from the early days of frontier justice to the modernization of the judicial system that shaped the bench we know today.

Through historical anecdotes, archival highlights, and reflections on the individuals who helped define the judiciary in our region, attendees gained a deeper appreciation for the resilience, integrity, and dedication that have long characterized the Southwest Florida legal community. The introduction of Legends of the Bench promises to be an exciting ongoing series, preserving the stories and contributions of those whose leadership has left a lasting mark on our courts.

We were also honored to receive a special update from Matthew Lucas, Chief Judge of the Florida Second District Court of Appeal. Chief Judge Lucas provided valuable insights into developments at the appellate level and underscored the important role the Second District continues to play in shaping Florida law.

Joining him were distinguished guest judges from the Second District Court of Appeal, Judge Daniel Sleet and Judge Susan Rothstein-Youakim, whose presence further highlighted the strong connection between our local bench and the appellate court.

The luncheon was filmed by METV, ensuring that this important historical presentation can be preserved and shared more broadly within the community.

With a full room, an exceptional panel of judicial leaders, and a program that honored our past while looking to the future, February’s luncheon was a powerful reminder of the strength and legacy of our judiciary. We look forward to continuing the Legends of the Bench series and to future opportunities to celebrate the history and leadership that guide our courts.

Special thanks to our sponsors for making this event possible!



Judges Farrance, Smith, Jr., Nicholas and Sniffen enjoying the luncheon



Judge Smith presenting program



2nd DCA Chief Judge Lucas giving update as MCBA President James Smith looks on



JA Donna McCammond, Judge Smith, Jr., and Deputy Shaun Ram smile for the camera



Judges Farrance, Mercurio, Steele, Doyle, Smith, Jr., Gould, Nicholas, Inman, Legler and Sniffen gather for a quick photo



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REMEMBERING D. ROBERT “BOB” HOYLE, ESQ.



D. Robert “Bob” Hoyle, passed away on Sunday, February 8, 2026, in Bradenton at the age of 72. Bob was born on March 16, 1953, in Columbus, OH. He was a proud member of the Class of 1971 at Westland High School where he was an amazing athlete who played football and wrestled during his high school years. He was also inducted into the National Honor Society. Bob

then went on to attend Harvard University where he received a degree in Biology in 1975. After graduating from Harvard, Bob became a high school biology teacher and athletic coach. Not a fan of the harsh Ohio winters, Bob moved to sunny Florida where he continued to teach and coach. But, after several years, Bob decided he needed a career change and left Florida to attend law school back in Columbus. Bob attended Capital Law School and graduated in 1986. He then returned to sunny Bradenton, FL where he practiced law for almost 40 years.

Bob retired as a full-time attorney in 2021 but continued to work part-time as a mediator. Bob served in several

professional organizations, some of which were as the Chair of the Executive Council of the Alternative Dispute Resolution Section of the Florida Bar and as Chair of the Florida Bar Council of Sections. He authored numerous articles that were featured in various law-related publications and gave several presentations at law conferences and seminars.

Bob enjoyed bodybuilding, fishing, golfing, bowling, running, weightlifting, cycling (he completed the rigorous Pelotonia ride in Ohio) and sitting in his driveway waiting for neighborhood dogs to walk by so he could give them treats. In 2015, he also became a published author when he finished his book, “How Much Can You Control: A Guide to a Lifetime of Consistent Improvement Through Safe Weight Training.”

The members of the MCBA will miss Bob. He is survived by several family members and many friends. Services were held at Tidd Family Funeral Home in Hilliard, Ohio.

For those who wish, please consider a memorial donation to two organizations close to his heart: Jordan’s Crossing Resource Center, 342 North Hague Avenue, Columbus, OH 43204, on-line: www.jordanscrossingcolumbus.org, or ZERO Prostate Cancer, 201 North Union Street, Mailbox 110, Alexandria, VA 22314, on-line: www.zerocancer.org.

Judge Megan Leaf Sworn In at Twelfth Judicial Circuit Investiture in Sarasota



In January 2026, the legal community celebrated the investiture of Judge Megan Leaf, marking her official commencement of service on the Sarasota County Court of the Twelfth Judicial Circuit. The ceremony welcomed Judge Leaf to the bench following her appointment by Governor Ron DeSantis toward the end of 2025, to fill the judicial vacancy created by the retirement of Judge David Denkin. MCBA President James Lynch, President Elect Dan Van Etten, and YLD Past President Patrick Iyampillai presented gifts on behalf of the Manatee County Bar Association.

As of early January 2026, Judge Leaf has been assigned to preside over matters in South County Criminal/Civil Division F of the Sarasota County Court.



Photos by: Chelsea Chana / Chasing Grace Photography

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The Intangibles

Highlights from January Membership Luncheon



MCBA Past President Faith Brown, MCBA Past President Charles Telfair, MCBA Director Joe Battaglia, Julie Benjamin, Capt. Tom Chaby, MCBA Past President Dustin Wagner, MCBA Director Kari Martin, MCBA President James Lynch

Our January General Membership Luncheon opened the year with an exceptional and impactful program featuring Navy Captain Tom Chaby, a distinguished Navy SEAL and seasoned leader in Naval Special Warfare.

Drawing from decades of service in one of the most elite military communities in the world, Captain Chaby delivered his presentation, "The Intangibles," focusing on the unseen qualities that define true leadership and high-performing teams. His career as a SEAL provided powerful real-world context for his message — experiences forged in high-stakes, high-pressure environments where preparation, trust, and accountability are not optional, but essential.

In "The Intangibles," Captain Chaby explored the traits that cannot be measured on paper yet make all the difference: mental toughness, humility, discipline, resilience, integrity, and commitment to mission. He emphasized that while skills and credentials are important, it is character and consistency that ultimately determine success.

Through compelling stories from his time leading SEAL teams, he illustrated how elite organizations are built on trust and shared responsibility. He spoke about decision-making under pressure, the importance of clarity in communication, and the necessity of holding both oneself and others accountable — lessons that resonate deeply within the legal profession.

Captain Chaby's message challenged attendees to evaluate their own leadership approach and to focus intentionally on developing the intangibles that elevate both individuals and organizations. His presentation set a strong and purposeful tone for the year ahead and left members inspired to lead with greater intention, discipline, and integrity.

Special thanks to Julie Benjamin with Dex Imaging and our annual sponsors for this CLE Event!





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TABLE FOR 10 YLD DINNER EVENT

Young Lawyers Division

This event is a small, intimate dinner for MCBA young lawyers providing casual conversation and comradery with featured guest and host Judge Matt Whyte.

Limited to only 9 YLDers!

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Wednesday, April 29th, 2026

5:30 pm

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12TH JUDICIAL CIRCUIT



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SECRETARY OF THE FLORIDA DBPR MELANIE S. GRIFFIN

FLORIDA SUPREME COURT JUSTICE JAMIE R. GROSSHANS

UNITED STATES DISTRICT COURT JUDGE RAAG SINGHAL



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NEWS FROM THE CLERK'S OFFICE:



Operation Green Light: The Manatee Clerk of the Circuit Court & Comptroller invites Manatee County residents whose driver's licenses are suspended due to overdue traffic tickets, court fines or fees to save up to 30% on collection fees on **Saturday, April 11, 2026**, during Operation Green Light. This in-person event will take place from 8:30 a.m. to noon at the Manatee Clerk of the Circuit Court & Comptroller's office located in downtown Bradenton at 1115 Manatee Ave. W., Bradenton, FL 34205.

Event attendees must bring their driver's license and case numbers, if available, as well as cash or a credit card for payment. Each credit card transaction will include a 3.5% non-refundable processing fee. **Only full payment is accepted at this year's event.**

No appointments are required.

The Manatee Clerk of the Circuit Court & Comptroller is opening its Passport Division on Saturday, April 11, from 8:30 a.m. to noon for its annual Passport Saturday event.

Passport Saturday offers anyone with busy weekday schedules an opportunity to apply for a passport outside of regular business hours. The event welcomes first-time applicants, those renewing a child's passport, and adults renewing a passport issued more than 15 years ago.

To save time at the passport counter, the Passport Division recommends applicants fill out their passport application in advance. The application is available for download on the U.S. Department of State's website at <https://travel.state.gov/content/travel/en/passports/how-apply/forms.html>

Passport photos are available on-site for a nominal fee.

Applicants who arrive without a check or money order payable to the U.S. Department of State will need to leave and return with the accepted form of payment, forfeiting their place in line. **Passport Saturday is a walk-in-only event with no appointments available. All applicants must be present when applying.**




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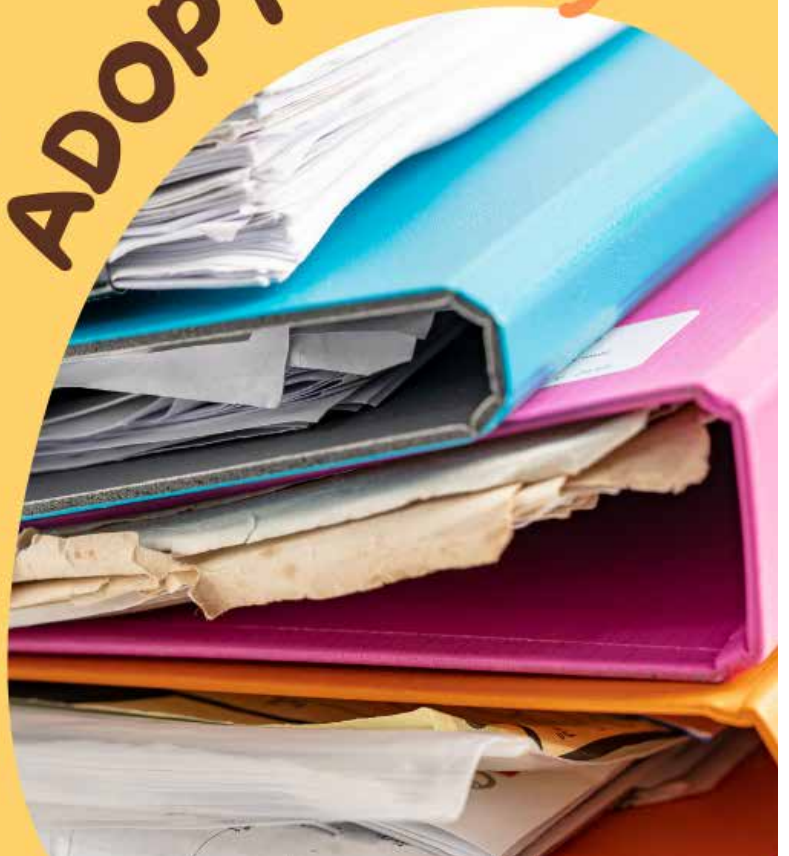


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