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BAR ASSOCIATION**

TALLAHASSEE BAR BULLETIN

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6 ARTICLES

Florida Bar Civil Rule Changes,
Thought Leadership, Family Law
Update, Stricter Requirements for
Filing Ethics Complaints, Garnishment,
2023 Legal Trends Report

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PRESIDENT'S MESSAGE

FRIENDS, I HOPE THIS MESSAGE FINDS YOU WELL, ENJOYING SUMMERTIME, AND STAYING COOL.

First and foremost, I want to express my gratitude to each and every one of you for your dedication and commitment to the legal profession. Your hard work and passion for justice truly make a difference in our society, and I am proud to lead such a talented and driven group of individuals.

We had another great Candidates Forum this year, on July 24. And we've uploaded a recording to our Facebook page. Click [here](#) to watch! Thank you to all who contributed to making that event such a great success. We hope you will mark your calendar for the annual Chili Cook Off coming up October 23 at Goodwood. This signature event sells out every year and proceeds benefit the Legal Aid Foundation of Tallahassee. Details on entering a team are [here](#), and we'll shortly open individual ticket sales. Check our website or contact our Executive Director for more info. Further continuing education seminars and workshops are also scheduled in the coming months. All of these events will provide valuable opportunities for professional development and networking, so join us!

In addition to our educational offerings, we have some engaging social events planned, so stay tuned.

The latest issue of the Florida Bar News includes a quote from Florida Supreme Court Chief Justice Muñiz lauding the "culture of excellence" an award recipient had cultivated. As he suggests, judges and lawyers should strive for this culture of excellence. This is a great reminder of our core mission at the TBA—and part of what makes us such a great crew. The importance of upholding the highest ethical and professional standards in our practice cannot be understated. As legal professionals, we have a responsibility to act with

integrity, honesty, and respect for the law at all times. By maintaining these principles, we not only protect the reputation of our association but also uphold the trust and confidence of the public at large.

I encourage you to stay engaged and involved in the Tallahassee Bar Association. Your voice and perspective are invaluable, and we welcome any feedback, suggestions, or ideas you may have for how we can better serve our members, the legal profession, the Second Circuit community, and the public in furtherance of the trust they have placed in our hands.

In closing, I want to once again express my gratitude for your dedication to the TBA and the legal profession. Together, we can continue to make a positive impact on the legal profession and our community.

Thank you for your continued support, and I look forward to seeing all of you at our upcoming events!

Warm regards,



Sid Bigham, TBA President
sbigham@bergersingerman.com
850-521-6728



Sidney Bigham is a partner in Berger Singerman's Government and Regulatory Team and Eminent Domain practice group. He is based in Berger Singerman's Tallahassee office where he handles eminent domain, environmental, civil, governmental, administrative, and land use litigation matters, as well as related appeals. Sid loves the Tallahassee Bar Association!

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AMENDMENTS TO THE FLORIDA RULES OF CIVIL PROCEDURE

By Heather Savage Telfer

The Supreme Court of Florida issued an order May 23, 2024, amending the Florida Rules of Civil Procedure to create a framework for the active case management of civil cases with a focus on adhering to deadlines established early based on the complexity of the case, require initial discovery disclosures, implement a continuing obligation to supplement discovery, and require proportional discovery. “At issue” rule and continuance rule are significantly amended. The amendments were proposed by the Civil Procedure Rules Committee in response to a referral from the Court after the Court declined to accept its Civil Workgroup’s proposal. The Court adopted the proposed amendments with modification. As a summary:

Rule 1.200 (Case Management; Pretrial Procedure)

The rule is completely rewritten to assign a case to 1 of 3 tracks (complex, general, or streamlined) within 120 days of being filed. (a) has 18 types of proceedings that are exempted from the rule. (b) details how cases are assigned as complex, general, or streamlined. (c) details how to change a track assignment. (d) includes what must be in the case management order, strict enforcement of deadlines, and the timing of the issuance of the case management order. (e) addresses extensions of times and modification of deadlines. (f) indicates that notices of unavailability have no effect on the deadline in the case management order. (g) is what to do if a party is unable to meet the case management deadlines. (h) details what occurs if a trial does not occur within the trial period. (i) allows the chief judge of the circuit to create forms that adhere to rule 1.200. (j) details how to schedule, what can be addressed, preparation requirement, proposed orders, and failure to appear during a case management conference. (k) details what occurs during a pretrial conference.

Rule 1.201 (Complex Litigation)

The rule is amended to refer to rule 1.200 concerning how to designate or redesignate a case as “complex.”

Specifies that motions for continuance are governed by rule 1.460. Requires a case management order be issued within 10 days after the initial case management conference. Requires parties to notify the court if a case management conference or hearing time is unnecessary.

Rule 1.280 (General Provisions Governing Discovery)

(a) is new and requires initial discovery disclosures. (b) is amended to include, specifically, proportionality in discovery. New (g) requires an ongoing requirement to supplement or correct discovery disclosures and responses. New (k) requires that every discovery request, response, or objection be signed by an attorney of record, if the party is represented; and prohibits unsigned disclosures, requests, responses, or objections.

Rule 1.440 (Setting Action for Trial)

(a) is rewritten to state that the failure of the pleadings to be closed will not preclude the court from setting a case for trial. (b) removes the “at issue” provision; requires the filing of a motion to set a trial; and requires the moving party to serve a copy of the motion on the presiding judge. New (c) details when and how the court sets a trial period. Court Commentary states that the rule no longer requires a case to be “at issue” before the case is set for trial and ties the date of the trial directly to the trial period set forth in the case management order.

Rule 1.460 (Motions to Continue Trial)

The rule is completely rewritten. (a) states that motions to continue trial are disfavored and should rarely be granted and then only on good cause shown. (b) requires that a motion to continue be in writing and signed by the named party requesting the continuance, unless made at trial or for good cause shown. (c) details the timing for filing a motion. (d) details the required contents of the motion. (e) requires trial courts to use all appropriate methods to avoid continuances. (f) indicates that trial dates should be set in collaboration with lawyers and self-represented litigants. (g) allows sanctions if there is dilatory conduct

on the part of a lawyer or named party. (h) details the contents of an order on a motion for continuance.

Heather is a Senior Attorney for the Rules Program at The Florida Bar.



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THE POWER OF THOUGHT LEADERSHIP: BUILDING INFLUENCE AND ATTRACTING CLIENTS

By Sam Peltier



In today's online world, lawyers are not confined to the courtroom or the office. With the introduction of social media, podcasts, and other digital platforms, legal professionals have an unprecedented opportunity to distinguish

themselves from their peers as thought leaders in the legal space and beyond.

What is a thought leader?

A thought leader is someone turned to by peers and others when a credible voice is needed on any given subject. Thought leaders are recognized as authorities in a specific field, known for their innovative ideas, expertise, and influence. These individuals share their experiences and expertise across mediums and are often solicited for speaking engagements, interviews, and other opportunities.

Thought leaders don't have to be on national TV to have an influence. Take YouTube for example. There are many different channels on the site that provide insight and commentary, all the while boosting their credibility and network. Every day, in every community, residents and businesses alike turn to thought leaders to help them decide as they face challenges or try to understand emerging cases and controversies.

Thought leadership enhances a lawyer's status and reputation and is a powerful tool in promoting their practice and soliciting potential clients.

So, how can you become a thought leader?

Find Your Space: Focus on a specific area of law in which you have intimate knowledge and experience. This allows you to provide deep, insightful content that resonates with your target audience and builds

credibility. Specialization is critical, whether in intellectual property, contract law, criminal law, or corporate litigation.

Leverage Social Media: Social media is a powerful tool for reaching a broader audience and establishing your online presence. Use platforms like LinkedIn, Twitter, and Facebook to share your content and engage with your audience. Join relevant groups and participate in discussions to increase your visibility.

Public Events: Public speaking is a great way to showcase your expertise. Look for opportunities to speak at industry conferences, webinars, and seminars. Presenting at events positions you as an authority in your field and provides excellent networking opportunities.

Stay Updated: The legal field is constantly evolving. Stay informed about the latest developments, cases, and regulations in your area of law. Being up-to-date ensures that your content remains relevant and valuable to your audience. Maintain your intellectual curiosity and consistently seek new opportunities to contribute innovative thoughts to emerging areas of law.

Consistency is Key: Consistency is crucial in thought leadership. Regularly update a blog, social media channels, and other platforms with fresh content. A consistent presence helps maintain your visibility and keeps you top-of-mind for potential clients. Thought leadership can help lawyers promote their businesses and attract clients. By finding their niche, sharing valuable insights, engaging with audiences, and demonstrating value, lawyers can separate themselves from the pack and unlock otherwise unavailable opportunities.

Sam is an Account Executive with ESP Media Co. Sam, an accomplished communicator and strategist, has worked on behalf of local, state, and federal organizations and elected officials for the last decade.

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FAMILY LAW: RECENT LEGISLATIVE UPDATES

By Eric Schab



Over the past couple years, there have been some major legislative changes to the Florida Statutes governing family law. This article summarizes a few of those developments to assist lawyers who may not regularly practice in the area of family law

to be aware of them, so that they may seek out further information as needed.

A. Alimony Reform

In 2023, the Florida Legislature reformed the alimony statute, section 61.08. Permanent periodic alimony was abolished. More parameters were established for durational alimony. Specifically, an award of durational alimony may not exceed a set percentage of the length of the marriage (the percentage varies based on whether the marriage is “short-term,” “medium-term,” or “long-term”), and is not available at all for marriages lasting fewer than 3 years. The amount of durational alimony is capped at the lesser of either the requesting party’s actual need or 35% of the difference between the parties’ respective net incomes. “Bridge-the-gap,” rehabilitative, and temporary alimony remain available for shorter marriages.

The Legislature also added statutory factors for the court to consider when deciding whether to terminate or reduce a payor’s alimony obligation based on their reasonable retirement.

B. Child Custody

In 2023, the Legislature also made significant changes to section 61.13. Significantly, the Legislature established a presumption for 50/50 timesharing in all child custody cases. Either party may overcome that presumption. A party seeking to do so must prove by a preponderance of the evidence that equal timesharing is not in the best interests of the child. The court must still consider all statutory factors set forth in section 61.13(3).

The Legislature also relaxed the standard for a party to modify an existing parenting plan, by removing the requirement that the changed circumstances warranting a modification be “unanticipated” at the time the original plan was established. Further, if the original parenting plan was a long-distance parenting plan, and a party moves so that they are now residing within 50 miles of the other party and child, this move is statutorily defined as a substantial and material change in circumstances that would justify a modification of the existing parenting plan.

C. Property Issues

Governor DeSantis recently signed House Bill 521, which substantially clarifies section 61.075, the statute pertaining to the division of marital property. The new law unpacks what constitutes “good cause” for the trial court to make a partial distribution of marital property while an active case remains pending. The bill also limits the circumstances in which the addition of a spouse to the deed of premarital real property is considered a “gift” of said property to the other spouse. Finally, the new law adds substantial guidance on how a marital business is to be valued by a trial court.

Eric is an Associate at Max Factor Law, where he practices family law, specializing in litigation of contested divorces and child custody matters.

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NEW LAW CREATES STRICTER REQUIREMENTS FOR FILING ETHICS COMPLAINTS AT BOTH STATE AND LOCAL LEVEL

By Glenn Burhans Jr., Bridget Smitha, Hannah E. Murphy, and Robert Walters



The Florida Commission on Ethics serves as the primary watchdog for officers and employees of Florida and its political subdivisions. It is the statewide independent commission responsible for investigating complaints of breach of the public trust by public officers and employees and issuing public reports, including of violations pursuant to chapter 112, part III, Florida Statutes, i.e., the Code of Ethics. In addition to the Florida Commission on Ethics, many political subdivisions have their own local ethics commissions, such as the Tallahassee Independent Ethics Board. While these agencies have been responsible for ensuring the integrity of our public institutions for years, [Senate Bill 7014, signed into law](#) by the Governor on June 21, 2024, significantly changes these commissions and their powers.

First, the new law establishes an entirely new requirement that allegations in written complaints submitted to the Florida Commission on Ethics be “based upon personal knowledge or information other than hearsay.” See Ch. 2024-253, § 6, Laws of Fla. (amending § 112.324(1)(a), Fla. Stat.). This requirement will also apply to the procedures adopted by local commissions. See *id.* § 8 (creating § 112.326(2)(b), Fla. Stat.). This new requirement will significantly increase the burden on those submitting ethics complaints, and no longer permit complaints based upon news reports or other secondary authority. Now, those eligible to submit ethics complaints are limited to individuals who: (1) possess firsthand knowledge of the occurrence of a breach of public trust, and (2) are willing to attest to it

publicly. Separately, the new law prohibits the initiation of a complaint or investigation by the governing body of the political subdivision, agency, or any entity created to enforce the standards. See *id.* (creating § 112.326(2)(c), Fla. Stat.). This means that the entity tasked with enforcing the code of ethics is not able to initiate its own investigations.

Lastly, it requires political subdivisions and agencies that adopt their own standards of conduct and disclosure requirements to include a provision establishing a process for the recovery of costs and attorney fees where a complaint has been filed with malicious intent to injure the reputation of the party subject to the complaint, including candidates for office. See *id.* (creating § 112.326(2)(d), Fla. Stat.).

Supporters believe these changes are necessary to prevent the filing of complaints against elected officials for nefarious purposes in election years. They also consider these changes to be common sense solutions for setting a consistent standard statewide, requiring local commissions to meet the same standards as the Florida Commission on Ethics.

Opponents believe that it will raise the threshold so high that the Code of Ethics cannot be enforced, particularly where parties do not generally engage in unethical conduct in view of the public. They also argue the risk of corruption going undiscovered is even greater where eyewitnesses are not willing to identify themselves publicly by personally filing a complaint.

Glenn Burhans, Jr. | Shareholder

Glenn represents clients in complex civil and government-related matters throughout Florida and across the country. He is experienced in class actions, governmental investigations and litigation, land use and development litigation, election and political activity law, and administrative proceedings. While much of his practice involves representing corporations against the government, Glenn often represents government agencies and officials. He also consults on drafting proposed legislation and ballot initiatives, conducts internal investigations, and handles appeals in various federal and state jurisdictions.

Robert Walters | Associate

Robert focuses his practice on Florida administrative law, regulatory compliance, civil litigation and appeals, government affairs, and election law. Robert primarily advises clients under investigation by various State of Florida agencies and boards including Florida Department of Business and Professional Regulation, Florida Department of Agriculture and Consumer Services, Florida Office of Financial Regulation, and other cabinet-level agencies. He also serves on the Board of Directors of The Young Lawyers Section of the Tallahassee Bar Association.

Bridget Smitha | Shareholder

Bridget focuses her practice on corporate defense and complex commercial litigation appearing in state and federal courts in Florida and across the nation, as well as before the Judicial Panel on Multidistrict Litigation. Bridget also frequently assists political committees and candidates to navigate Florida’s election and campaign finance laws. Additionally, Bridget is often involved in registering trademarks, obtaining or transferring alcohol licenses, and seeking rule waivers from the Florida Housing Finance Corporation.

Hannah E. Murphy | Associate

Hannah is a litigator who focuses her practice on privacy law, consumer protection, and elections. She also serves on the Marketing Committee for Tallahassee Bar Association and as Meetings Coordinator Co-Chair for Tallahassee Women Lawyers.

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YOUNG LAWYERS SECTION News

On July 25th, in front of a packed house at FSU's Champions Club, the Tallahassee Bar Association Young Lawyers Section (TBA YLS) held a Continuing Legal Education Panel discussion on Name Image and Likeness (NIL) Law and Student Athlete Compensation. TBA YLS was able to bring together a variety of panelists tackling the emerging issues in student athlete compensation from different perspectives. Panelists included Representative Chip LaMarca; Michael Mattimore, Managing Partner at Allen Norton; Paul Aloise, NFLPA Agent and Attorney for Rubin & Rubin; and Tasha Fisher, Associate Athletic Director for Governance and Compliance. This event was moderated by Ms. Emma Kate Ledyard, a former ESPN Reporter and former Division 1 Athlete. Panelists were asked a variety of questions: how Florida's NIL Law came into existence; how Florida has adapted to the ever changing playing field of NCAA NIL compliance; what potential conflicts can arise from NIL contracts; the regulation of NIL agents; and the potential issues of NIL contracts preventing players from entering the transfer portal. Panelists were also asked about recent cases making their way through the federal court system. This includes a case requiring revenue sharing between universities and their athletes. Also discussed was the possibility of student athletes becoming employees of their universities, and the challenges that come with college athletes being employees of their universities.



TBA YLS was privileged to have the Florida Channel covering the panel discussion. TBA YLS hopes this panel discussion will help continue the conversation in improving Florida's NIL Laws and help to create an equitable system that will balance the priorities and interest of both universities and its student athletes. This event would not have been possible without TBA YLS's wonderful sponsors, Lexitas and Ledyard Media Group; the hospitality of FSU's Champions Club; the willingness of our panelists to freely discuss the issues; and the many hours of work TBA YLS Members put into this event. TBA YLS hopes to continue future CLEs that bring to the forefront emerging issues in the law and help foster conversations that bring forward possible solutions.

GARNISHMENT: FROZEN BANK ACCOUNTS AND TAPPED PAYCHECKS . . . HOW GARNISHMENT WORKS AND WHAT TO DO ABOUT IT WHEN YOU GET THE CLIENT'S CALL

By Robert G. Churchill, Jr., Esq.



Many attorneys have experienced the urgent call from a client, friend, or acquaintance saying something like, "Help, my bank account has been locked up! What can I do?"

This is a basic primer on garnishment and a toolkit for knowing major landmarks in a post-judgment garnishment action.

What Garnishment Is, and Why It Is

After voluntary payment, garnishment is the most popular method of collection of money from a judgment debtor, usually accomplished either through (1) the legal seizure of funds in a bank account, or (2) the court-ordered mandate that a third party—typically an employer—pay the creditor out of the regular funds payable to the judgment debtor.

How A Garnishment Works—Garnishment Procedure and Strict Timelines

Garnishment is governed by chapter 77, Florida Statutes. Considerable revisions of these laws over decades have resulted in a procedural thicket that is difficult for practitioners and courts to apply and understand. What follows are the highlights:

A. Garnishment is initiated without notice to the debtor or debtor's attorney. See § 77.01, et seq., Fla. Stat. The right of notice afforded to the debtor is after a writ of garnishment is issued. This is to prevent the debtor from moving targeted funds before a garnishment writ is issued;

B. Once initiated, a garnishment requires more than one round of time-critical notices to the debtor to be effective, and subsequent paperwork to be filed on time, or the garnishment should be dissolved. See §§ 77.041, 77.055, Fla. Stat.;

C. The judgment debtor's defenses to garnishment are waived unless raised within strict timelines after the debtor is notified of the garnishment. See *id.*; § 77.07, Fla. Stat.;

D. Once all of the notices and defenses are timely filed, the court should hold an expedited evidentiary hearing where the debtor may prove up any pled defenses to garnishment. § 77.041(3), Fla. Stat.

Defenses to Garnishment for Individuals

There are many avenues to claim protection of frozen funds in a bank account. Typically, these are that the funds are exempt from a creditor's collection (e.g., social security funds, money owned by other third parties, or wages earned by a "head of family"). Where a continuing (recurrent) garnishment has been initiated against a debtor's paycheck, the most common exemption is the "head of family" wage exemption.

Judicial Discretion for Modification/Reduction of a Garnishment in Small Claims Court

Even where a debtor has no right to demand a garnishment be dissolved or reduced, a Florida county judge has the discretionary authority, for matters within the small claims jurisdiction of the court, to require a reduced payment plan that is lower than the Federal maximum garnishment. See Fla. Sm. Cl. R. 7.210.

Closing Thoughts

With sufficient attention to procedural requirements, garnishment is a powerful tool for collection. And with an attentive defense, a garnishment can be dissolved to free up frozen money, create breathing room for the debtor, and permit an arms-length negotiated settlement of an outstanding judgment debt.

TBA member Robert Churchill is the founder and managing partner of Churchill Law Group, PLLC, a consumer and small business protection law practice. He has represented consumer debtors and civil plaintiffs in garnishment actions since opening his practice in 2006.

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2023

Legal Trends Report



Clio



As the legal industry's most in-depth examination into the state of legal practice, [Clio's 2023 Legal Trends Report](#) brings together critical insights on the biggest challenges facing modern law firms. Below, we'll outline some of our key findings and what they mean for legal professionals.

Law firms are growing steadily, but must improve collections

Legal professionals are opening more files and billing more than ever. On average, they are working over 40% more cases and billing 70% more compared to 2016. Legal professionals are also collecting 72% more than in 2016.

Key performance indicators—i.e., utilization, realization, and collection rates—also indicate that legal professionals are enjoying steady growth and improved performance in 2023. However, we note decreased performance when it comes to overall collection rates, suggesting that law firms are struggling to get paid.

Manage law firm cash flow with “lockup”

To help understand why law firms may be struggling with collections, law firms must also pay close attention to how quickly and consistently they are getting paid. Far too many firms find their revenue held in “lockup”—the period in which billable work has either not been invoiced or collected.

Lockup consists of three components:

- Realization lockup. This is the amount of revenue that is unbilled at any given time (also known as “work-in-progress lockup”).

- Collection lockup. This is the amount of revenue that is uncollected at any given time (also known as “debtor lockup”).
- Total lockup. This is a combination of revenue held in both realization and collection lockup.

Our analysis indicated that the median realization lockup among law firms is 38 days, and the median collection lockup is 45 days. These calculations indicate a total lockup of 97 days, meaning that, at any given time, law firms have performed over 3 months' worth of work that has either not been billed out or not been collected.

One proven method of reducing your law firm's lockup period is using cloud-based legal practice management (LPM) software, which can largely automate billing and remove roadblocks that would otherwise delay the billing and collection process. For example, our analysis indicated that Clio customers experienced an average lockup period that was 43 days shorter than the median lockup period.

Improve how law firms bill and get paid with KPI levers

Outside of the billable work that lawyers and other legal staff perform daily, being able to capitalize on that work is critical to realizing the time and resources that a firm invests in its clients.

However, many law firms struggle to invoice their work and collect payment. Almost 1 in 3 legal professionals agree that their firm takes too long to get bills out to clients, and less than half say that they bill in a timely fashion. This year, we've uncovered several “KPI levers,”

or software features that make a big difference in improving realization and collection rates, including email billing and bulk billing. These findings underscore the cumulative impact that technology can have on law firm performance.

AI and the future of law

The advent of large language model AI marks the most significant technological development in recent years, and we're at the precipice of another massive technological advancement that promises to radically enhance the legal profession.

On average, lawyers appear hesitant to wholly adopt AI technology. These feelings appear to be at odds with the perceptions of the public. For example, clients are more likely than legal professionals to think that:

- AI's benefits outweigh the costs (32% vs. 19%).
- The justice system could be improved with AI (32% vs. 19%),
- Courts should use AI (27% vs. 17%), and
- AI improves the quality of legal services (32% vs. 21%)

Despite this hesitance among legal professionals, 19% of lawyers are using AI in their practices and 51% want to use it in the future. Furthermore, 71% of legal professionals who want to use AI in the future say they want to do so within the next year.

For more insights on the state of legal practice, [download the 2023 Legal Trends Report today.](#)



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ALBERTO GARCIA MARRERO

Our Bulletin profile this month is on attorney Alberto Garcia Marrero.

Alberto is a law clerk for Judge Thomas D. Winokur at the First District Court of Appeal. Alberto handles criminal, civil, and administrative appeals. He received his J.D. from Florida State University College of Law, and his master's in business administration and bachelor's in international business from Florida International University. While at FSU, he served as Editor-in-Chief of the Journal of Transnational Law & Policy, President of the Cuban American Bar Association chapter, and as an Associate Justice of the university student supreme court.

Alberto has been a member of the Tallahassee Bar Association since 2021. He served on the YLS Board as a law student member and is now YLS Secretary.

Why do you find it important to stay involved with voluntary bar associations, like TBA?

As a young attorney learning the best practices of the trade, involvement with a voluntary bar association is key to success. Often, the support of my peers and colleagues provides me with the answers I seek when trying to solve an issue at work or in learning how to best assess a legal problem. Having that support from the TBA is essential. Not only do I have the opportunity to hear from others, but I also get to build a network with other young attorneys in the community—which is not easy when we are all working towards bettering our careers. The TBA, and similar bar associations, provide a much-needed respite from our day jobs to allow us to come together as a community; and that is something that I think has kept me involved for all these years.

What motivates you?

My motivation comes from my family. Immigrating from Cuba, I saw firsthand the struggles of my parents, and the words “get an education” echo through my mind. Much of what I have worked toward is to repay the great debt I owe my parents for starting over in a foreign country to give my brothers and me a better future. And my motivation for the law comes from the appreciation I have for our system of government. I spent much of my time growing up learning about the history of Cuba and the country I left behind—but also about my new home, federalism, separation of powers, and the delicate balance that the founders

built into our system. That education quickly turned into admiration for the thought that went into ensuring that a country could work for its people, something my people in Cuba lost sixty-five years ago.

Eventually, that appreciation turned into motivation—to do what I could to maintain the system I came to cherish deeply. From then on, I knew I wanted to be an attorney and work toward helping make a more perfect union through the law. That desire brought me to the judicial branch to support what I think is an important pillar of our separation of power principle. Every day I wake up and know that I am playing a part in helping keep the republic that has given me many opportunities. And that keeps me focused on the task at hand.

What do you do for fun?

Cook! The kitchen is my favorite room in the home. Growing up my father was the cook at our house, and he learned from my grandfather whom I never met. In a way, spending time with my father in the kitchen was like spending time with my grandfather, learning the skills that were taught to my father. Eventually, I outgrew my father's repertoire and decided to learn more, and that led to several cookbooks and countless hours of watching cooking videos to learn new recipes and ways in which to make different foods. But now and then I return to my roots and make some delicious Cuban food like Ropa Vieja or Vaca Frita, or even just a simple white rice and fried egg—

which often was the only thing my parents could eat when food was scarce. Still, I think Marnie (my other half) prefers when I make some intricate French sauces to go with every dish.

When I am not in the kitchen, however, I am either binge-watching a favorite TV show, reading a book of the very series I was watching (recently it is the Wheel of Time series), or listening to a historical audiobook—almost done with my Thomas Jefferson biography! And when inspiration kicks in, Marnie and I decide to travel. It does not have to be far or long, but a trip here and there helps to keep the spirit young.

If you were stranded on a desert island and could have one thing, what would it be, and why?

An axe. With it, I can chop firewood, carve a fishing spear, use it as a cooking utensil, and protect myself. And should it get dull I can always sharpen it with rocks on the island to extend its lifespan for as long as I need it. With it, I can also chop down trees to build a shelter. With enough time, I could even use it to carve out logs to build a small cabin. Eventually, someone would notice a cabin on a deserted island and decide to investigate. Thus, the axe would also be the tool of salvation!

What is the best piece of advice you were ever given?

The best piece of advice I ever got was one that we all hear so often: “keep your head down and do your best.” Not because it made me want to be another cog in the wheel, but because it emphasized the importance of knowing your strengths and when to best use them. We all have ideas, desires, and ambitions, but they do not always line up with God’s plan. So, when I hear keep your head down and do your best, I think: observe, learn, and work hard. Eventually, the time comes to pick up your head and say your two cents, and that may lead to an actual difference in the situation. But if you try to always be involved and

always try to opine, your voice loses its value and impact. Sometimes, a well-crafted response, idea, or opinion is far more useful than a quick quip or “smart” *non sequitur*.

If you could change one thing about the practice of law, what would it be and why?

The business model. Often it is a second thought to many attorneys that the primary purpose of a law firm is to make money; and I have seen that realization lead to resentment of the profession—both from attorneys and laypeople alike. There is nothing wrong with running a business to make a profit, but we provide a service as well—which should always be considered in the business model. Too often I have seen an attorney overpromise about what can be done with a case—likely to bring the business in; and that leads to difficulties in litigating a case that probably should never have been litigated. This leads to disgruntled clients, which makes advancing their interests difficult, and to their mistrust in the profession because they become disillusioned with the way attorneys represent themselves.

I believe—perhaps dewy-eyed—that the better business model for the profession is not to bring in quantity but quality work. That may be difficult for a start-up firm, but over time this outcome can be achieved. In any other business or profession (both in the selling of goods or services), the goal is to maintain customer loyalty because they are satisfied with your service and eventually make them repeat customers, open new markets, and beat out competition with better quality products/services for better prices. This seems lost in our profession when it comes to signing on cases, and I believe that it contradicts the oaths we take to “not counsel or maintain any suit or proceedings which shall appear . . . to be unjust, nor any defense except such . . . [that is] honestly debatable under the law of the land.” That is not to say that difficult cases do not exist—they surely do, and should be vigorously litigated as any other good faith case should. But the folly comes in thinking that **every** case may be litigated and that a decent result can **always** be reached. Some cases are frivolous, and they should never be taken up simply because they can help support a business. I think that once we move past the “whatever walks in the door” mentality as a profession, the better our services will become and the better our reputation will be amongst our peers and the rest of our communities. After all, a basic principle of business is that without a good service, you will eventually go out of business. And that is exactly what I hope every law firm in our State can avoid by focusing on providing great services and not focusing so much on volume work.



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SUMMER EVENTS RECAP

Happy Hour at Jeri's

On June 6, Jeri's Love on a Plate opened up the restaurant after hours for TBA members to enjoy a happy hour. Judges, attorneys, and law students enjoyed drinks and small bites while networking with each other.



Law Day

On the afternoon of May 1, members participated in two separate CLE presentations. First, Lorena Vollrath-Bueno and Sergeant Christopher Corbitt presented "How to Acquire, Authenticate, and Use Electronic Evidence in Trial." Following that, Fred Karlinsky and Chuck Bowen presented "Cybersecurity: Do Lawyers need Insurance for Data Breaches?" Following the CLE presentations, members enjoyed a reception and a program where three speakers discussed what this year's theme, "Voices of Democracy," meant to them.



Candidates Forum

On July 24, members gathered at Stearns Weaver Miller to hear from the 2024 local candidates. Approximately 20 non-judicial candidates addressed the group for 2 minutes apiece, then Sean Pittman moderated a debate among the three candidates for judicial office. This event was recorded and will be made available for members before Election Day. A huge thank-you to both our event sponsors, Stearns Weaver Miller and Panza Maurer!



2024 UPCOMING TBA CALENDAR *of Events*

SEPTEMBER 18 | 5:30pm-8pm

Member Happy Hour co-hosted with YLS
Amicus Brewing

OCTOBER 23 | 5:30pm-8:30pm

Chili Cookoff
Goodwood Museum & Gardens

OCTOBER TBD | TBD

Sidebar Series CLE Lunch
Location TBD

NOVEMBER 07 | 11:45am-1pm

CLE Luncheon & Annual Meeting
Location TBD

DECEMBER 04 | 5:30pm-8pm

Bench & Bar Holiday Party
The Monroe



AROUND THE CIRCUIT

Tallahassee Women Lawyers Upcoming Events

General Membership Meetings

September Lunch Meeting

SEPTEMBER 11 at 6pm
FSU College of Law Rotunda



RENEW your membership

SCAN the QR code or Visit bit.ly/48gn8k7
to renew your membership today!

Book Club Events

AUGUST 29 | 6pm
Sandwich by Catherine Newman
Ology Midtown

SEPTEMBER 26 | 6pm
We are Not Like Them by Christine Pride
& Jo Piazza
Ology Midtown

OCTOBER 24 | 6pm
Headshot by Rita Bullwinkel
Ology Midtown

NOVEMBER 21 | 6pm
Stealing by Margaret Verble
Ology Midtown

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Co-Editors

Kyle Sill
Hannah Murphy
Sid Bigham
Liz Ellis
Alva Smith

Design and Editorial Team

ESPMedia Co.

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