



**CENTRAL  
FLORIDA  
ASSOCIATION FOR  
WOMEN  
LAWYERS**

# Newsletter

APRIL - JUNE 2011  
WWW.CFAWL.ORG

## Upcoming Luncheons:

**April 1, 2011: April 1st - No fool's about it!** Join us for a special **minge luncheon**. Bring your administrative assistants, legal secretaries and paralegals to partake in the fun. A special gift will be provided to your assistant in recognition of Administrative Assistant's Day as a way of saying "Thank you for all you do!" The membership will also vote on the 2011-2012 CFAWL Board. The slate was announced via e-mail on 3/23/11.

### REMINDER\*REMINDER\*REMINDER:

Please don't forget to send your RSVP for each luncheon no later than noon the Wednesday prior to the luncheon! RSVP's are vital to ensure sufficient seating is available.

RSVP's should be sent to: [RSVP@CFAWL.org](mailto:RSVP@CFAWL.org).

**May 6, 2011: Jane Goddard** from **The Center for Earth Jurisprudence** will speak to us about changes in environmental laws, green issues and how these affect each and every one of us. CLE credit is pending.



### June 10, 2011: Past President's Luncheon:

Please join us for the annual Past President's luncheon, and to say a hardy farewell to the 2010-2011 board. We will also welcome the 2011-2012 board, and have opportunities to network with our past presidents to learn about CFAWL's history and accomplishments.



**Time: 11:45 AM - 1:00 PM**    **Where: Citrus Club - Downtown Orlando**  
**255 S. Orange Avenue, Orlando BBNT Bank Building, 18th floor**  
**To RSVP, email Treasurer Elect Sarah Koren at: [RSVP@cfawl.org](mailto:RSVP@cfawl.org).**

Just a reminder, the cost of CFAWL luncheons is \$20 per person for those who rsvp by noon on the Wednesday before the luncheon, and there is a \$5 charge for those who attend but did not rsvp. Also, those who rsvp but do not attend will be invoiced the \$20 luncheon charge. Unfortunately, these charges are necessary because the Citrus Club charges us per person for luncheons based on our rsvp list. Thank you for your understanding and cooperation!

*Please arrive on time for monthly luncheons. Meetings will start promptly at 12:00 noon, so that they can be concluded by 1:00 PM. Please dress appropriately according to dress code of the Citrus Club.*

#### President

**Christine E. Arendas**  
[president@cfawl.org](mailto:president@cfawl.org)

#### President-Elect

**Melanie Griffin**  
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#### Secretary

**Jessica Price**  
[secretary@cfawl.org](mailto:secretary@cfawl.org)

#### Treasurer

**Angela M. Miller**  
[treasurer@cfawl.org](mailto:treasurer@cfawl.org)

#### Treasurer-Elect

**Sarah Koren**      [RSVP@cfawl.org](mailto:RSVP@cfawl.org)

#### Directors:

##### Membership Chair

**Laura A. Weis** [laweisesq@gmail.com](mailto:laweisesq@gmail.com)

##### Membership Co-Chair

**Cinnamon Baker**  
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##### Programs Chair

**Kimberly Lorenz**  
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##### Programs Co-Chair

**Silvia Ibanez**  
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##### FAWL Representative

**Joyce Fuller** [jfuller@jfullerpa.com](mailto:jfuller@jfullerpa.com)

##### OCBA Representative

**Jacquelynn Jordan Regan**  
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##### Public Relations

**Ashley Calhoun Winship, LLM**  
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##### Director at Large

**Courtney D. Milam**  
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##### Young Lawyers

**Megan Malec**  
[ctlcmml@ocnjcc.org](mailto:ctlcmml@ocnjcc.org)

##### Newsletter and Professional Development

**Mary Ann Etzler**  
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##### Professional Women's Exchange

**Bridget Labutta & Maytel Bonham**  
[blabutta@addmg.com](mailto:blabutta@addmg.com)

##### Judicial Reception

**Jacquelynn Jordan Regan**

##### Mentoring Committee

**Melanie Griffin**  
[mgriffin@deanmead.com](mailto:mgriffin@deanmead.com)

##### Tables for Eight

**Kimberly Lorenz**  
[klorenz@fisherlawfirm.com](mailto:klorenz@fisherlawfirm.com)



# President's Message

- Christine Arendas

As I was preparing to write the President's message, reality hit that this will be the final President's message I provide to CFAWL members. I wonder where the year went? As I reflect on the months past, there is no wonder it went by so fast. CFAWL was VERY busy this year! Our year was off to a FABULOUS start when CFAWL was presented with FAWL's Outstanding Chapter Award. This award would not have been possible but for the hard work of the 2009-2010 Board of Directors and YOU! Additionally, five CFAWL members were recipients of FAWL's Leaders in the Law Award. However, we didn't stop there.

This year's board was focused on giving back to the members through CLE luncheons, programs and events you didn't want to miss and by focusing on relationships. Our program chairs, Kimberly Lorenz and Silvia Ibanez, spent countless hours planning, scheduling and coordinating monthly programs. These wonderful ladies brought us CPR courses, Self Defense Seminars, Tea Time, chocolate night, happy hours, holiday parties and much, much more. Their work is not done; while writing this message, they continue to plan additional programs to finish out the year. CFAWL members also provided countless hours and resources to give back to the community through programs like the Back Pack Project, Rock Lake Teach-in, Angel Tree Project, Holidays in January, Extreme Makeover: Harbor House, and the "One More" Project. I would be remiss, if I didn't mention the members who volunteered to be committee chairs this year for the New Members Reception, Community Outreach Fair, Judicial Reception and other projects already mentioned. The committees were led by creative and organized women who had a vision and allowed the rest of us to partake in it. Good times were had by all!

I want to extend a HUGE THANK YOU to this year's board of directors! I know we have had some rough times with family deaths, illnesses, births, and relocations. In times of need, you all came together and we had a SUCCESSFUL YEAR! Each of you should be proud of yourselves. I am certainly proud to have had you serve by my side this year!

CFAWL would not exist if it weren't for you and your participation. On behalf of the Board, I want to THANK each and every one of you for being involved. I think it is important for us all to take a look at what a wonderful organization we belong to and how much we accomplish and give back through it, all while supporting CFAWL's mission to "promote advancement of women in the legal profession and expand leadership roles in the community". Please keep that in mind when you receive your membership renewal applications (membership renewal begins in June and runs through August 31). I couldn't be more proud to be a part of such a tremendous, giving organization and I hope you feel the same.

It was a pleasure serving you this year!

# *Kudos and Congrats*

*Congrats* to our Young Lawyers Chair, **Megan Malec**, who did a fantastic job representing CFAWL at the Affiliate Outreach Conference. With the help of **Bridget Labutta**, a grant proposal Megan wrote requesting money to restore a room at the Harbour House was so well done and the judges were so impressed with originality of the request, that they not only awarded CFAWL grant money, they recognized CFAWL at the conference luncheon with the Public Service Award and gave CFAWL the highest amount of grant money awarded, **\$2,600.00!!!** Thank you Megan and Bridget for representing CFAWL at AOC, and, thank you Megan for all the hard work you put into CFAWL's proposal - AWESOME job!!

*Congrats* to **Angela Miller** on the birth of her new daughter, **Avery**.

*Kudos* to the Professional Women's Exchange Co-chairs **Maytel Bonham** and **Bridget Labutta** for another fabulous event and fundraiser on February 16, 2011!



PWE Co-chairs Maytel Bonham and Bridget Labutta extend a huge **THANK YOU** to all of the **planning committee members** who selflessly donated so much time and energy to the Professional Women's Exchange, thereby guaranteeing the success of this event: **Jacquelynne Regan, Emily McAlhaney, Christene Haddad, Cinnamon Baker, Kimberly Hosley, Elyce Schweitzer, Anna Marie Kim, Louise Zeuli, Tara Powell, Danielle Barbato, Anna Ketcham, Camy Schwam-Wilcox, Keshara Davis** and **Marie Henry**. A special thanks is also extended to CFAWL Board Member **Joyce Fuller**, for donating her time and energy to serve as master of ceremonies and DJ for the event, and to CFAWL Board member, **Cinnamon Baker**, for arranging for several law students from Barry University to participate on the planning committee: **Lauren Woodruff, Priscilla Perez, Regan Shikada, Jacquie Rice, Ashley Zohar, Ani Rodriguez, Libbie Reese, Terra Sickler** and **Alicia Seward**.

*Congrats* to **Megan Malec** and **Jessica Price** for their appointment to the CFAWL Board. Megan Malec is the new Young Lawyers Committee Chair and Jessica Price is the new secretary. Welcome aboard!

*Kudos* to **Jacquelynne Regan** and committee for a FABULOUS Judicial Reception!

*Kudos* and Thank you to **Ashley Calhoun Winship** for preparing the membership directory! The directories will be available for distribution soon.

*Kudos* to our Table for Eight hostesses this quarter: **Keersten Martinez, Anna Marie Kim, Melanie Griffin, Jessica Price, Jacquelynne Regan, Christine Arendas, Judge Bob Leblanc** and **Dottie McMichen**. Thank you for your hospitality and good company!

*Good Luck* to **Laura Giovanetti** with her new endeavors! Laura will be relocating to Jacksonville. We wish you the best!

*Congrats* and Good Luck to **Courtney Milam** and family! Courtney and her family will be heading abroad to Germany! Courtney has served on the board the last three years. Although we will miss her, we wish the best!

**C.F.A.W.L. would like to thank the following Judicial Reception Sponsors:**

**PLATINUM**

Lowndes, Drosdick, Doster, Kantor & Reed, P.A.  
The Rosenthal Law Firm, P.A

**GOLD**

Allen, Dyer, Doppelt, Milbrath & Gilchrist, P.A.  
Dean, Mead, Egerton, Bloodworth, Capouano & Bozarth, P.A.  
Faddis & Faddis, P.A.  
Fisher, Rushmer, Werrenrath, Dickson, Talley & Dunlap, P.A.  
King, Blackwell, Downs & Zehnder, P.A.  
Todd E. Copeland & Associates, P.A.

**SILVER**

Grower, Ketcham, Rutherford, Bronson, Eide & Telan, P.A.  
Jacobson, McClean, Chmelir & Ferwerda, P.A.  
McMitchen, Cinami & Demps, PLLC  
Sasser & Weber, P.A.  
Southern Trial Counsel  
The Central Florida Gay and Lesbian Law Association, Inc.  
The Skambis Law Firm

**INDIVIDUAL**

Arendas Law, P.A.  
Honeywell Mediation  
Law Offices of Christina M. Green, P.A.  
Legal Talent, LLC

Thoughts and prayers go out to friends and family of the late Honorable Richard Conrad.  
Judge Conrad departed this world on Monday, March 7, 2011.

## Upcoming events:

### APRIL

**1. Saturday, April 2, 2011: Extreme Makeover: Harbor House** The CFAWL YLC and Barry's Women's Lawyers Association will visit the emergency shelter at Harbor House of Central Florida to clean, paint, and redecorate the common living room, children's play room, and computer room. Last year, Harbor House provided temporary emergency shelter to more than 800 domestic violence survivors. We need YOUR help to make this project a success! The CFAWL YLC is collecting the following items for its makeover project:

- ◆ new or gently used books for women, teens, and children (all genres)
- ◆ non-violent, family-friendly DVDs
- ◆ gift cards to IKEA, Target, Home Depot, Lowes, or other similar gift cards
- ◆ Leather furniture and side tables in good condition
- ◆ family board games
- ◆ painting supplies
- ◆ cleaning supplies

No time to search your house or buy items to donate? No problem!....monetary donations are always accepted. Donation receipts available upon request.

**2. Thursday, April 21, 2011: 5:30 pm to 7:30 pm: CFAWL Joint Happy Hour with the Hispanic Bar Association** at Mojo Bar & Grill. Please make plans to join us!! The event will be themed as a mixer between the bars for a good cause - to benefit the Japan relief efforts. All proceeds from the event will be donated to this cause. The event will be free to the members of each organization.

**3. Thursday, April 28, 2011: Mexican Theme table for 8 at the home of Mitzi Carr with co-host Kimberly Lorenz.** Get ready for a fiesta of food and camaraderie as we toast the sunset with Sangria!

**4. Saturday April 30, 2011: from 2:00 to 4:00 pm: CFAWL's Spring Tea at The Olde Cup & Saucer in Longwood.** Come and enjoy a Gala Afternoon Tea with 10 types of finger sandwiches, tea breads, pastries, fresh baked scones, Devonshire cream, and of course, a fabulous sampling of 5 of "the Cup's" best teas! Cost is \$21per person, payable to CFAWL, and RSVP's must be received no later than April 22, 2011, in order to give our hosts time to prepare for this special event. Spots will go fast so send your RSVP today to [klorenz@fisherlaw.com](mailto:klorenz@fisherlaw.com) !!!

*\*\* A note to our members: Due to the nature of this event, attendance is limited and prepayment is required. In the event an attendee is unable to make the event after sending an RSVP, that member will be responsible for the cost of their attendance.*

### MAY

**1. Wednesday, May 4, 2011: 6:30 pm to 8:30 pm: A Special CFAWL Private Show and Shopping Fashion Night at Talbot's in Winter Park!!** Shopping, wine and girl talk? What could be better! If you haven't seen Talbot's lately it's time to sneak a peek at their new style while learning new ways to update and expand the versatility of your current wardrobe with this season's trends. Whether you want tips on transitioning from the office to happy hour, or just want to infuse your own unique style into your courtroom attire, this event is not to be missed!! (*Psst: We hear there may even be a special discount for our attending fashionistas!*) Cost is \$10 at the door, but RSVP's are requested so we can ensure enough goodies for all. Get yours in today!!

**2. Thursday, May 19, 2011: CFAWL's Grande Dame reception from 6:00pm to 8:00 pm at Dubsdread (in the ballroom of the main building where the restaurant is located).** This event is for ALL female attorneys who have been practicing 20 years or more. The cost of the event is \$25.00/attendee, which includes one drink ticket and heavy appetizers. You do not have to be a CFAWL member to attend so spread the word about this event to your friends and colleagues. Please direct all RSVP's for the reception to CFAWL's President-Elect, Melanie Griffin, at [mgriffin@deanmead.com](mailto:mgriffin@deanmead.com) or 407-428-5106, on or before Thursday, May 12, 2011. Attendees may pay in advance by sending a check made out to CFAWL to Melanie at Dean Mead, 800 North Magnolia Avenue, Suite 1500, Orlando, FL 32803, or make payment the night of the event.

**3. Wednesday, May 25, 2011: Dinner at the Ronald McDonald House on Kuhl Ave.** CFAWL will be preparing a delicious Breakfast-Dinner for the families staying at the Arnold Palmer location of the Ronald McDonald house. Volunteers are needed and kids are welcome to come help!! RSVP today to help with this very special event. Help put a much needed smile on the faces of our guests as we prepare this very Happy Meal! If you are interested in participating, please contact Kimberly Lorenz at [klorenz@fisherlawfirm.com](mailto:klorenz@fisherlawfirm.com).

**4. CFAWL has 3 Tables for 8 lined up: May 8, 2011, with hostesses Cinnamon Baker, Date TBA with Abigail Johnston and May 16, 2011, with Co-hosts Jacqueline Regan and Sara Koren** in Baldwin park. More details coming soon so watch your emails!!

## Update from CFAWL's Young Lawyers Committee

In January 2011 the CFAWL Young Lawyers Committee (YLC) kicked off **Extreme Makeover: Harbor House**, a one-year service project directly benefitting Harbor House of Central Florida. Harbor House is a comprehensive domestic violence services agency that seeks to eliminate domestic violence in Central Florida by: providing safety, shelter, empowerment, education, a 24-hour crisis hotline, counseling, emotional support, and legal advocacy for thousands of domestic violence survivors and their children each year. Harbor House also prepares survivors for re-entry into the community by connecting them with resources that will enable them to live independently, safely and peacefully. In 2010 more than 750 women and children sought emergency shelter at Harbor House, with an average length of stay of 36 days.

Throughout 2011 the CFAWL YLC will work with Harbor House on various projects at the emergency shelter, such as making over the common living room, children's play room, and computer room. It is CFAWL's hope to create a welcoming and family-friendly space where survivors of domestic violence can heal and form supportive relationships with one another by gathering to watch movies, play board games, and read books. We hope to accomplish this by hosting donation drives and visiting the emergency shelter to clean, paint and redecorate.

**The Extreme Makeover: Harbor House** project recently received special recognition at The Florida Bar Young Lawyers Division Affiliate Outreach Conference on January 21-22, 2011, when the YLC grant application was named Outstanding Public Service Grant Application. CFAWL YLC was then awarded **\$2,600 in grant money** from The Florida Bar Young Lawyers Division and The Florida Bar Foundation!

**To support this project, you can help in any or all of the following ways:**

- 1. Make a donation.** Items specifically needed for the makeover include: new or gently used books for women, teens, and children; board games; family-friendly DVDs; paint and painting supplies; cleaning supplies; monetary donations/store gift cards (IKEA, Target, Wal-Mart, Home Depot, Lowes, etc); electronics (desktop computer, printer, DVD player); leather furniture and tables in good condition. Other items needed by Harbor House include: used cell phones (to be reprogrammed as 911 phones); new personal care/hygiene items (deodorant, soap, hair products, tooth brushes/toothpaste); cleaning supplies; new bedding (twin-size bed sheet, crib sheets, blankets, pillow cases); baby food and formula; disposable diapers and wipes; and non-perishable food items.
- 2. Attend the makeover event on Saturday, April 2, 2011.** We will be splitting the makeover into two shifts: AM and PM. The makeover will include moving furniture, painting, cleaning, furniture and accessory assembly, organizing, and redecorating.
- 3. Attend the follow-up visit in September/October.**

Monetary and in-kind donations can be made at the CFAWL luncheons. Donation receipts are available upon request. For more information on Extreme Makeover: Harbor House or the Young Lawyers Committee and/or if you cannot drop-off the donations, please contact **Megan Malec, CFAWL's Young Lawyers Chair, at [mwlmalec@gmail.com](mailto:mwlmalec@gmail.com)** to make arrangements for pick-up.

For more information on Harbor House, please visit [www.harborhousefl.com](http://www.harborhousefl.com).

## TIPS AND TIDBITS:

- ✦ If you know any woman currently undergoing chemotherapy, please pass the word to her that there is a cleaning service that provides **FREE** housecleaning - once per month for 4 months while she is in treatment. All she has to do is sign up and have her doctor fax a note confirming the treatment. Cleaning for a Reason will have a participating maid service in her zip code area arrange for the service. This organization serves the entire USA and currently has 547 partners to help these women. It's our job to pass the word and let them know that there are people out there that care. Be a blessing to someone and pass this information along. <http://www.cleaningforareason.org/>
- ✦ Check out the Free downloadable Legal Salary and Business Etiquette Guides (technology uses and more) from Robert Half Legal  
[http://www.roberthalflegal.com/FreeResources?rfmCandidate\\_3.dmreq=true&rfmCandidate\\_3.Z=0&rfmCandidate\\_3.A=RHLsgd11CO&rfmCandidate\\_3.B=1373](http://www.roberthalflegal.com/FreeResources?rfmCandidate_3.dmreq=true&rfmCandidate_3.Z=0&rfmCandidate_3.A=RHLsgd11CO&rfmCandidate_3.B=1373) & <http://www.roberthalf.us/businessetiquette> respectively.
- ✦ **FREE CLE Foreclosure Litigation Course**  
 "Foreclosure Litigation in Florida" is now available in The Florida Bar 24/7 Online CLE catalog (<http://www.legalspan.com/TFB/catalog.asp?UGUID=&CategoryID=20091229080212195213&ItemID=20110126-272095-115038>). The 4.5 hour complimentary course covers an overview of foreclosure filings in Florida, managed mediation, verified complaints, securitization and rules of civil procedure.
- ✦ **The next three Judge John Kest Brown Bag Luncheons will be April 14, 2011, from noon to 1:15 p.m.**  
 The topic will be **"SUMMARY JUDGMENTS: KEYS TO PREPARING AND ARGUING."** Issues addressed will include how and when to file a motion for summary judgment, how and when to properly the notice for hearing, what to provide to the judge and when, how to successfully present the motion to the court, the legal landmarks to which the Court will be looking, and how to properly prepare the Order. Please feel free to bring your lunch and learn while you eat. Please tell security that you will be attending the Brown Bag Luncheon with Judge John Kest in the Judicial Conference Room on the 23rd floor so you will be permitted to bring your lunch through security to the Brown Bag
- ✦ **Dates for the next three Brown Bags are: May 5, 2011, June 9, 2011, and July 22, 2011** (the "ice cream" luncheon). Please feel free to bring your lunch and learn while you eat. Unless otherwise indicated, they will be held in the Judicial Conference Room on the 23rd floor. Topics will be announced 3 to 4 weeks before the scheduled luncheons based on areas of concerns expressed by young lawyers.  
 While not required, it is helpful to have a "head count" to ensure sufficient seating and an adequate supply of materials for the attendees. **Please RSVP to Diane at 407-836-0443 or [ctjadil@ocnjcc.org](mailto:ctjadil@ocnjcc.org)**

## CFAWL Birthdays

### April

Rebecca York	Alia Luria	Ashley Fitzgerald	Erin Myers
Elaine Lerner	Mitzi Carr	Lauren Cascino	Hon. Deb Blechman
Jessica Price	Conti Moore	Mary Ruth Houston	Hon. Bob LeBlanc
Hon. Antoinette Plogstedt	Allison McMillen	Andrea Armas	
Marcella Arjmand	Amanda Gifford	Christina Bredahl	

### May

Karen Cullen	Nancy Weber	Dorothy Smith	Roberta Walton
Carrie Ann Wozniak	Elaine Silver	Paula Ferreira	Abbye Alexander
Shannon Carlyle	Linda Solash-Reed	Lakia Scott	Danielle Harris
			Tamaro Johnson

### June

Lauren Carmody	Andrea Ruff	Meredith Level	Jane Goddard
Valencia Percy Flakes	Rebecca Forest	Susan Neiswender Black	Hon. Martha Adams
Laura Walda	Cynthia Hawkins	Heather Pinder Rodriguez	Christine Weingart
Jacqueline Ferris	Jennifer Smith	Elyce Schweitzer	
Amanda Green	William Vose	Jo Thacker	
Leslie Gaines	Tiffany Faddis	Deborah LaFleur	

## STRAIGHT TALK FROM THE TRENCHES by Joyce Fuller

### Practical Lessons from: *The Wind in the Willows*



As Fuller Christmases evolved over the years, many activities became traditions: eating creamed pickled herring (honoring our Swedish heritage); baking peanut butter cookies decorated with green and red sprinkles; making Swedish cardamom bread; the all night wrap-arounds; and singing carols around the fire. One activity did not survive: Joyce the eldest child coming down stairs with a crown of lit candles on her head to prepare breakfast. My father's "Swedish" idea (Santa Lucia) was my mother's horror – no worries, the activity went out in a blaze of glory and no hairs were singed and the marriage survived.

One of the most enjoyable Fuller traditions is watching *The Wind in the Willows*, a 1987 British film about life in the bog, featuring Mr. Badger, Moley, Ratty, the nasty Weasels who live in the Wild, and of course our lovable wealthy and impulsive Mr. Toad who lives at Toad Hall. If you have not had the pleasure of watching the movie, I highly recommend it.

#### DOING THE RIGHT THING.....IN THERE....and out here.

Mr. Toad had gotten himself into much trouble when he discovered his newest passion: the motorcar. Toady was enamored with the horn and consumed with the speed. "Beeeeeeep Beeeeeeep" he would say with his hypnotic eyes affixed on the vehicle. Toady began buying motorcar after motorcar, tooting the horn while speeding around and cracking up every car that he purchased. He was squandering his fortune on replacing the cars when his friends, Moley, Ratty and good old Mr. Badger conducted an intervention. After all, Toady had several close calls wherein he almost ran down locals who were walking on the path; yes the intervention was certainly in order. So Badger, Moley and Ratty locked Toady in a room and would not let him come out until he promised to give up the motorcar. And we find Mr. Toad whining and crying to get out of the room to no avail. "Oh poor Toady," he would moan. "Poor unfortunate Mr. Toad..." Finally, he gave in. "I will not own another motorcar" he grudgingly surrendered. With that, the door was opened and Mr. Toad was set free. Immediately Toady ran off in search of a motorcar. "Beeeeeeep Beeeeeeep!" he hollered as he gleefully skipped away. His friends were aghast: "I thought you promised to give up the motorcar" they said...

"Oh that was when I was in *there*." Toady replied. "I would have said anything to get out of *there*.." and off he went, when he spotted a motorcar driven by a gent and his lady out for a Sunday stroll. Toady stole the car, which landed him in prison. Thereafter the nasty Weasels took over his Toad Hall mansion; setting the stage for the rest of the movie.

I remember the day that I was sworn in as a lawyer, taking each word of the oath very seriously. I was dedicated to practicing honestly and in making choices that would always be governed by my conscience.....not really knowing what those choices would be. It was easy to be so dedicated....*in there*, under the shelter of a large law firm and surrounded by senior lawyers who guided my every move. Life in the outside world can change things if we are not careful. Pressures of billing time, making goals, paying expenses, pleasing clients, keeping up with mortgages, maintaining our families all can influence the decisions we make.

I recently learned about a local lawyer who was suspended by emergency order of the Florida Supreme Court. An audit of the lawyer's trust account revealed that the lawyer had allegedly used trust funds to pay personal and corporate expenses. The lawyer admittedly took approximately \$50,000.00 from trust, and in a belated attempt to make things right, secured a home equity line to replenish the funds.

Unfortunately pilfering a trust account is not as uncommon as one would think.

When I was the vice-chair of a grievance committee for several years, I saw case after case where lawyers misappropriated client funds in order to pay their own expenses. One such lawyer obtained a debit card for the trust account and used it to pay for personal expenses including a cable bill. Another lawyer took funds from a personal injury settlement belonging to a client. Whether for greed or in desperation, taking trust money is always: theft.

Trust funds are exactly that: funds belonging to others that are entrusted to us for safekeeping. We are entrusted by clients and third parties to safely keep their property. When we abuse and violate that trust by improperly withdrawing the funds, even if we tell ourselves we are just *borrowing* the money, we are not only stealing the property but we are stealing that very trust which was placed in us. Banks are oftentimes diligent about reporting suspected IOTA account abuses. Banks are required to report overdrawn trust accounts. The Bar is diligent about auditing. To many, trust accounting can seem daunting. I know of lawyers who just avoid trust accounts altogether for fear of running afoul of the Florida Bar.

Yet we do not need to be afraid of having trust accounts, so long as we are honest and dedicated to preserving the trust that is placed in us. Here are a few tricks that have helped me over the years in maintaining a good safe trust account for others' property:

## ***Straight Talk, continued***

1. The trust account is not to be taken lightly. The funds therein do not belong to me.
2. ABSOLUTELY NO DEBIT CARDS for Trust Accounts. Period.
3. My staff is not privy to trust account funds. I personally conduct all trust account activities, I issue all trust checks, and I am the only authorized signatory on the account with the exception of a designated person in the event that I become incapacitated.
4. I have an intimate working relationship with my business banker. My business banker knows my designated person. My banker is aware of the importance that I place on my trust account and is available to answer any and all questions that I have at any time. We have been working closely together for all of the years that I have owned this law firm. If my banker should ever see anything "fishy", he would notify me immediately. He encourages me to do the same – and I do. And while my questions to him are always quickly and summarily resolved without exception, my business banker encourages me to continue asking. This is the kind of banker you want to have looking over your shoulder.
5. I have a very qualified highly skilled Certified Public Accountant who reviews my operating and trust accounts annually. She is experienced in working with lawyers, came to me highly recommended by a very well regarded managing partner in a major Orlando law firm, and is familiar with trust accounting requirements. I trust her expertise.
6. I have different styled checks for my trust and operating accounts. One design is very elegant. The checks are light green with gold foil. These are the checks that the clients see: these are the Trust Account checks. One design is frankly (and intentionally) **ugly**. The checks are a tan color with brown scrawled writing. These are the checks that my vendors see: these are the operating account checks. This system works well for the busy lawyer.
7. Each deposit into trust has a corresponding manually maintained account ledger. Copies of deposits are attached to the corresponding ledger. Each withdrawal from trust is initiated by a check request form with applicable back-up documentation attached. Payments to clients are accompanied by a cover letter and disbursement form. Copies of the disbursement checks, letters and check request forms are all attached to the individual trust account ledgers.
8. I use Quick books in addition to the manual system.
9. Any questionable check that I receive is deposited into Trust. Only after an accounting is conducted to ascertain where the funds are to be deposited, or instructions (written) from the issuer are received, is the disbursement made.
10. Disbursements from Trust into my operating account are only made AFTER the client disbursement is completed.
11. Disbursements into operating from Trust retainer funds resulting from invoiced legal fees are only made thirty (30) days **after** the bills are sent to the clients in order to give the client an opportunity to dispute the charges.
12. ALL disbursements from trust are by check. No bank transfers are ever made under any circumstances (with the exception of the IOTA funds that are sent by the Bank to the Bar or wire transfers from my bank to a client or third party bank as authorized in writing by the client).
13. No disbursements from Trust are issued until after a minimum of 10 days following the deposit to ensure that the deposited funds clear the bank. I have had trust deposits returned NSF.
14. Copies of all deposits into Trust (deposit slips and copies of checks) are also kept in a separate file – in addition to being attached onto the manual ledger sheets.
15. My Trust account deposit stamp and my Trust account deposit slip books are marked with a large red sticker so that at a moment's glance I can determine which set of banking materials are required.
16. I keep separate envelopes (one marked JCF PA OPERATING and one marked JCF PA TRUST) for the bank deposits and inside are placed the corresponding deposit slips and checks for the bank teller. All of my firm (and personal) banking is conducted at the same institution.

Safeguards like different check designs and colors and separate deposit envelopes are very helpful in avoiding mistakes in a fast paced office environment. Establishing a good working relationship with the bank is essential in order to avoid Trust account issues. The bank and the firm and the Bar are all on the same team. Handling the money yourself and not delegating it to a staffer is the best advice that I can give. At the end of the day, the "buck" stops with the managing partner who is accountable for safekeeping the Trust funds. There have been times when my Trust account has exceeded \$2 million, and my operating account has been perilously low. Never at any time have I been tempted to steal Trust account money. Theft is just not an option.

## ***Straight Talk, continued***

Stealing money from the Trust account is not the only temptation on the ethical practice road. Some lawyers are tempted to “steal” time. What I mean by this is that, in addition to the prohibited practice of padding a time sheet and charging an improper fee, lawyers are often confronted with the dilemma of clients who want the lawyer to engage in unethical conduct in exchange for a legal fee. Most recently, I was presented with this situation the Monday before Christmas. A client wanted me to make a demand for payment. My initial research reflected the possibility that the opposing party was legally required to pay the demand. So I dutifully began to prepare the draft demand letter. Shortly into the draft, I came upon the question of whether or not my own client had fulfilled its responsibilities which were the pre-requisite to my client's receiving the funds from the opposing party.

When a lawyer is making a demand for moneys on behalf of a client, the lawyer becomes a debt collector subject to the Fair Debt Collection Practices Act. *Fuller v. Becker & Poliakoff* 192 F. Supp. 2d 1361 (M.D. Fla 2002). (No, not this Fuller – however I highly recommend reading this case.) Under the Act, among other prohibitions, a debt collector cannot make a demand for money that the debt collector knows is not legally due.

My client had not complied with the pre-requisite terms. And so I knew that the demand for payment could not be legally made on the opposing party. The client wanted me to just overlook the pre-requisite terms and make the demand upon the opposing party anyway. “Let the opposing party figure it out” the client urged. The client was well able and eager to pay my fee – any amount.

I could not be bought.

I turned down the offer and withdrew representation immediately and the next day memorialized the withdrawal by a termination of representation letter. That was the last letter to a client that I wrote in the year 2010, and truthfully it was the best. There is a sense of satisfaction and empowerment that comes when you stand up for your principles in the face of a loss.

Life can be interesting.

Christmas Eve morning, on the way to the grocery store, I decided to pop into the mall and get one last gift for my husband. I was in the men's clothing isle when I heard a customer ask the clerk a question about clothing. I was looking for the very same item (ok, ok ladies, it was long underwear)! So the customer and I found what we needed and in the process we had a lovely conversation. She was in her seventies. We laughed, shared stories, and visited all the way up to the checkout counter.

The last thing she said to me, out of the blue, was: “I love where I live”. “Where is that?” I asked. She told me. And I stood there biting my lip. She lived in the community that would have received the inappropriate demand letter had I sent it. Her community was the opposing party that my former client wanted me to pursue. I looked at this precious lady and was humbled to meet a beneficiary of my decision to remain honest and ethical in the face of a quick dollar.

I guess what I am saying is, our decisions affect people. The initials that follow our names (ESQ) have great weight and carry with them great responsibility. See *Fuller v. Poliakoff*. We are entrusted with the property and lives of others. When we tell lay people to do things, sometimes they will comply just because we are lawyers. And so we have to be careful about the demands that we make, the advice that we give, and the way that we safeguard others' property. At the end of the day, when we look ourselves in the mirror, we should be able to do so with a clear conscience in knowing that we have treated all people: lawyers, judges, staffers, clients and opposing parties with fairness, dignity, trustworthiness and respect.

Compromising integrity will always result in destruction. Over the years, I have had the unfortunate experience of watching good lawyers veer off track little by little, a compromise here, a wink there, and end up as wreckage on the professional (and personal) life road.

Yes, as we learn from Mr. Toad in *The Wind in the Willows*, we must do the right thing “in there” **and** “out here” in order to avoid a hostile takeover by the nasty weasels of life.

**-Joyce Fuller, Esq. JC FULLER, PA - Condo and HOA law and appellate practice.**

# CFAWL Fun & Friendship



CFAWL members enjoyed pottery painting at February's **Table for 8** at Clayhouse, hosted by **Christine Arendas**.



CFAWL hosted its annual **Professional Women's Exchange** the evening of Wednesday, February 16, 2011, at the Crowne Plaza Hotel. Nearly two hundred professional women from throughout Central Florida attended the event and were present to network with new and known acquaintances, enjoy

delicious hors d'oeuvres and wine, and participate in a fabulous silent auction managed by Wearable Art by Scott Laurent! Proceeds from the Professional Women's Exchange will allow CFAWL to make a generous donation to A Place For Children, a licensed childcare drop-in center for children whose families have business at the Orange County Courthouse. At the event, CFAWL also collected donations for Dress for Success, an organization that promotes the economic independence of disadvantaged women.

If you could not attend the event, or left without your goody bag, we will have extra goody bags (including Commemorative Programs) available to pick up at the next CFAWL luncheon.

## CFAWL's Mission Statement:



**CFAWL** is a professional organization devoted to actively promoting the advancement of women in the legal profession and expanding the leadership role of its members in the community at large. To achieve these goals, CFAWL will further the common interests of its members and encourage camaraderie and learning among its members. CFAWL will promote women's opportunities and rights, uphold the highest standards of integrity, honor and courtesy in the legal profession, promote reform in the law and facilitate the administration of justice.



Central Florida Association for Women Lawyers, Inc.

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