

Bar News

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Annual Holiday Party

Mark your calendars for Thursday, December 11, 2008 from 6:00 p.m. to 9:00 p.m. at Grand Harbor Golf Club. This year's Platinum Sponsor is Gould, Cooksey, Fennel, P.A.

Our Silver Sponsors are Rossway, Moore & Taylor and Boyd's Process Service, Inc.

Please look for the invitation to this event, which will be arriving in the mail in the near future.



Lawyer's Auxiliary Holiday Toy Drive

The Lawyer's Auxiliary has announced its First Annual Holiday Toy Drive.

The beneficiary of this year's drive is Youth Guidance. The Executive Director of Youth Guidance is our fellow Bar Association Member, Barbara Schlitt Ford.

The Youth Guidance organization was founded in 1973 to serve the children of the community. It is funded by Indian River County and United Way. Monies for the programs activities are obtained through fundraisers, donations from individuals, service clubs, organizations, churches, foundations and businesses. By

satisfying a child's most basic needs such as attention, affection, praise, recognition, and status, volunteers hope to raise the child's self-esteem. Children are referred to us from parents, schools, agencies, or citizens. Parents and children must be willing to cooperate.

Youth Guidance needs gifts for 150 children who may not have a Christmas this year without a little help from the community. The Lawyer's Auxiliary will be collecting toys and gift cards and, of course, cash donations. Gifts can be dropped off at Stewart & Evans, PA at 3355 Ocean Drive or at the Holiday Party on

December 11 at Grand Harbor or you can call an Auxiliary member to pick up your gifts. If you don't want to shop, you can send a check payable to the IRC Lawyer's Auxiliary and the Auxiliary will shop for you!

"A man who is his own lawyer has a fool for a client."

- Hunt

Judge Kanarek's Probate Meeting

On November 17, 2008, Circuit Judge Paul B. Kanarek hosted a lawyer's meeting at the Indian River County Courthouse. He discussed many issues including current procedures and ongoing issues in probate, trust and guardianship. Pursuant to Administrative Order 2008-09 Judge Kanarek was assigned to

all civil, probate and guardianship, substance abuse and mental health cases effective January 1, 2009. His judicial assistant, Georgianna Shepke, will be joining him in the new assignment.

Judge Kanarek indicated that he would continue to follow the current probate calendar with UMC Hearings at 8:30 on

Tuesday through Thursday and Motions on the Monday schedule.

Also present at the meeting was Kathy Connolly, the Supervisor of the new Probate & Mental Health Services. She can be reached at 772-226-3181 or kconnolly@clerk.indian-river.org.

Bar News Article Submission Guidelines

The *Bar News* supports participation of the membership in production of the publication. We encourage you to submit articles and letters on subjects of interest to the legal profession. Manuscripts must be submitted in Microsoft Word Format in electronic

form on disk to the attention of Rebecca Emmons, Stewart & Evans, PA, 3355 Ocean Drive, Vero Beach, Florida 32963 or as an attachment emailed to rfemmons@st-ev.com.

Articles should not exceed three type written double-

spaced pages.

The Board of Directors reserves the right, however, to edit any submission and to publish only those articles that we, in our sole discretion, deem appropriate.

Nineteenth Judicial Circuit Family Law Seminar

The IRC Bar association in conjunction with the Nineteenth Judicial Circuit, the Association of Family Law Professionals and the Florida Chapter of the Association of Family and Conciliation Courts are holding a seminar for judges, magistrates, attorneys, mental health professionals and accountants entitled the Cooperative Divorce Seminar. The seminar will be held on November 21, 2008 at the Richardson Center of the Indian River

State College, Mueller campus in Vero Beach.

The presenters are an accomplished group from the west coast of Florida who have put this program together with much acclaim. The primary presenters are retired Judge Hugh Starnes, Dr. Deborah Silver, and Sheldon Finman, Esquire. The goal of this seminar to encourage and promote cooperation and civility amongst the primary participants of a dissolution of marriage.

The intended result is a process whereby the parties to a divorce are able to complete what is, at best, a very difficult, stressful and often very expensive ordeal, as quickly and amicably as possible, keeping at heart the best interest of children if they are involved.

For more information please contact Mark E. Hill, Esquire, with the Indian River County Bar Association at (772) 564-6112.

Monthly Luncheon Schedule & Speakers for 2009

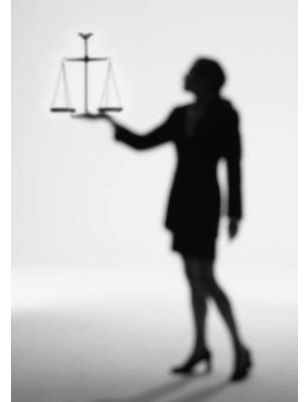
January 9, 2009 – Dan Richey, Local Citrus Industry

February 24, 2009 – Alma Lee Loy, The History of Indian River County

April 10, 2009 – John Beidler, History of Mosquito Control in the area

May 8, 2009 – Bud Adams, Local Cattle Industry

June 12, 2009 – Officer/Director Elections



Attorney Mark Hill Receives Award

Mark Hill, Esq., a partner with the law firm, MacWilliam, McCain & Hill, P.A., has received the Florida Bar President's Pro Bono Service Award for the Nineteenth Judicial Circuit.

The Florida Bar President's Pro Bono Service Award was established in 1981. Its purpose is twofold: "to further encourage lawyers to volunteer free legal services to the poor by recognizing those who make such public service commitments and to communicate to the public

some sense of the substantial volunteer services provided by Florida lawyers to those who cannot afford legal fees."

This award recognizes individual lawyer service in each of Florida's specific judicial circuits. It is presented annually in conjunction with the Tobias Simon Pro Bono Service Award given by the Chief Justice of the Supreme Court of the State of Florida.

Attorney Hill practices primarily family law,

workers' compensation, Social Security Disability, real estate and probate law. He is a Florida Supreme Court Certified Family Law Mediator and serves on the Board of Directors for the Indian River County Bar Association and is currently the Secretary of the Board.

If you see Attorney Hill, please congratulate him on this distinction and thank him for his hard work!



Very special Thank You to our Holiday Party Sponsors:

Platinum

Gould, Cooksey, Fennell, P.A.

Silver

Rossway, Moore & Taylor

Boyd's Process Service, Inc.



YLD Meeting Schedule

The current co-chairpersons of the YLD Division of the IRC Bar Association are Michelle Carter and Jason Odom. The secretary is Doug Vitunac and the treasurer is Stephanie Velasquez.

The YLD meeting dates

for the rest of the 2008/2009 year are as follows:

- January 15, 2009
- March 19, 2009
- May 21, 2009
- July 16, 2009

All meetings to be held at the Indian River County Courthouse

Jury Room - 12:00 p.m. to 1:00 p.m.

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The Indian River County Bar Association would like to thank [Ironside Press](#) for the generous discount they provided on the Holiday Party Invitations.



Judge Hawley Speaks at YLD Meeting

Judge Hawley spoke at the November 20, 2007 YLD Meeting and began by labeling himself the “Lame Duck Judge” and the “George Bush of the Civil Division.” He has been in the Civil Division for 9 years but will transition to the Criminal Division on January 1, 2009.

The main topic of his discussion with the YLD was how to ingratiate yourself with the new judge, Judge Paul Kanarek. Since this discussion was so informative, we have decided to share these tips with you. They are:

1. Learn and use the 19th Judicial Circuit’s Civil Procedures. A copy is available at www.circuit19.org.
2. Any paperwork submitted regarding a pending case should have a coverletter explaining what is happening with the case and the reason for the paperwork. Currently, his caseload is over 4,000; he can’t remember all the cases.
3. When preparing to submit a proposed order, attempt to work it out with the other side. Then either submit an agreed order or indicate that a hearing will need to be set. Don’t just submit the proposed order and indicate that the other side has time to object.
4. Make sure you send all the copies you will need for conformed copies and the necessary postage prepaid envelopes.
5. At UMC hearings, be courteous to other attorneys. Don’t sign up to have 6 motions heard. The judge will, in all likelihood, not hear all of them at once anyway.
6. Bring your proposed order to court with you or if you are sending it in, include a coverletter explaining whether there was a prior hearing on the issue.
7. When setting time for special set hearings, if you need an hour, take an hour, don’t just grab a short time because it is available sooner
8. If you have case law that you want to use with a motion or at a hearing, submit it before the day in court and highlight the relevant portions. If you have more than one case, tab the cases for the judge and refer to the tab numbers during your oral argument. Also, make sure that you give a copy to opposing counsel.
9. Before trial, mark your exhibits. Call the Clerks Office before the day of trial to set an appointment to go in and mark your exhibits.
10. There is no such thing as a “Unilateral Stipulation.”
11. Look at the Pretrial Order and comply with it.
12. Initial all exhibits at the Pretrial Conference so that the Judge will know that opposing counsel presented them at the Conference.