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MAY 2019  
"A Century of Service to Miami-Dade County"

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Help You GROW Your Practice,  
GAIN Experience &  
GIVE Back

# BULLETIN

## MARK YOUR CALENDAR

**MAY 3**  
THIRD DISTRICT COURT  
OF APPEAL INVESTITURE &  
RECEPTION FOR JUDGE ERIC  
WM. HENDON  
LOCATION: THIRD DISTRICT  
COURT OF APPEAL  
TIME: 3 PM

**MAY 4**  
YLS LAW WEEK:  
BEACH CLEAN UP  
LOCATION: VIRGINIA KEY  
TIME: 8 AM

**MAY 4**  
YLS LAW WEEK: MOTHER'S DAY  
ARTS & CRAFTS PARTY  
LOCATION: LOTUS HOUSE  
TIME: 11 AM

**MAY 9**  
PROBATE AND GUARDIANSHIP:  
LEGISLATIVE UPDATE  
LOCATION: LAWSON E. THOMAS  
COURTHOUSE  
TIME: 12 PM

**MAY 11**  
YLS BASKETBALL SHOOT-OUT  
LOCATION: YMCA DOWNTOWN  
TIME: 10 AM

**MAY 15**  
GENERAL MEMBERSHIP  
LUNCHEON: FEDERAL  
JUDGES PANEL  
LOCATION: HYATT REGENCY  
TIME: 12 PM

**MAY 22**  
BREAKFAST WITH  
CHIEF JUDGE EMAS  
LOCATION: GREENBERG  
TRAURIG  
TIME: 8:30 AM

**MAY 29**  
GENERAL COUNSEL 101 –  
A PRIMER ON GOING  
IN-HOUSE  
LOCATION: VPM  
TIME: 5:30 PM

**MAY 29- JUNE 26**  
YLS JULY BAR PASSAGE  
PROGRAM  
LOCATION: UM LAW LIBRARY  
TIME: 6:30 PM

**JUNE 5**  
BREAKFAST WITH THE  
DEAN- ANTHONY PAGE  
FIU LAW  
LOCATION: HOGAN LOVELLS  
TIME: 8:30 AM

**JUNE 6**  
SOLO SMALL FIRM CLE  
GROW YOUR PRACTICE WHILE  
SETTING THE COURSE FOR A  
SUCCESSION PLAN  
LOCATION: HAMPTON  
INN- BRICKELL  
TIME: 12 PM

**JUNE 7**  
HOW TO AVOID PITFALLS IN  
RESIDENTIAL LEASES WITH  
VIEWS FROM THE BENCH  
LOCATION: NORTH DADE  
JUSTICE CENTER  
TIME: 12 PM

**JUNE 15**  
DCBA'S 2019-20 INSTALLATION OF  
OFFICERS AND DIRECTORS  
LOCATION: THE HISTORIC  
ALFRED I. DUPONT BUILDING  
TIME: 5:30 PM

For more information visit [www.dadecountybar.org](http://www.dadecountybar.org)



## The Bench and Bar: INFORMATIVE and INSPIRING

BY SABRINA PUGLISI



Keynote Speaker, Angel Sanchez

The Dade County Bar Association held its Annual Bench and Bar program on April 5, 2019, at the Hyatt Regency downtown. Our theme was diversity and inclusion, focusing on bringing awareness to the biases that we all have and celebrating our individual and collective differences. With over thirty panel sessions to choose from, there was literally something for everyone.

In attendance were lawyers, law students and judges representing various practice areas, local law schools and state and federal courts. Participating in panel discussions were District Judge Kathleen Williams, newly confirmed District Judge Roy Altman, Florida Supreme Court Justice Robert Luck, Third District Court of Appeals Judge Norma Lindsey, Eleventh Circuit Chief Judge Bertila Soto and many other County and Circuit judges. In addition, we were joined by United States Attorney Ariana Fajardo Orshan and Florida Bar President Michelle Suskauer.

### An Inspiring Journey

Looking back on the day, there can be no question that what truly made the day special was the Keynote Speaker Angel Sanchez. Brett Trembly said, "Angel Sanchez was inspiring and unforgettable - truly the highlight of the day." For the forty minutes that Angel spoke, you could have heard a pin drop as the audience was riveted to every word he said.

Angel's inspirational journey started at the age of 14, when in the search for security and the feeling of family, he joined a gang. By the time he was 17 years old, Angel was sentenced to 30 years in prison as an adult for attempted

murder. Once in prison, Angel would earn his GED and realize that he had a love for the law when he was invited to work in the prison law library. He would go on to earn his paralegal certificate and through his diligent research and pro se motions, Angel would get his 30 year sentence reduced to 15 years. After serving 12 years in prison, Angel was released.

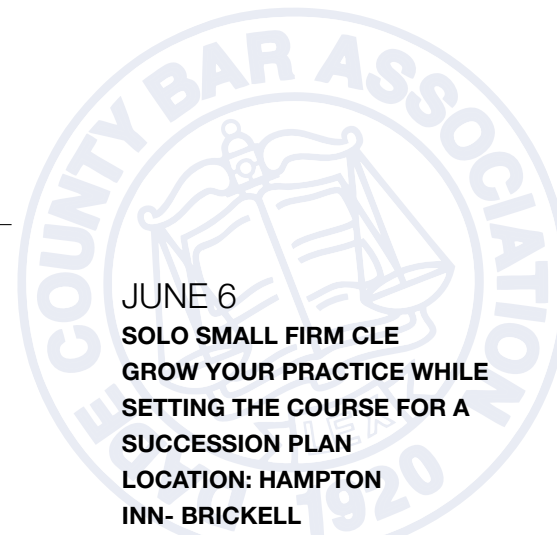
Knowing that he could not and did not want to return to Miami where he would be influenced by the same environment that helped get him incarcerated, he decided to move elsewhere. His choice was made for him when he wrote to Valencia College in Orlando,

while still incarcerated, and they sent him a brochure with a written note telling him to go see them once he was released. While moving to a new city is difficult for anyone, for Angel, it was like climbing Mt. Everest. He had no family, friends or home. But, while in prison, Angel had watched the movie "Pursuit of Happiness," the



The Hon. Miguel de la O, Sabrina Puglisi, Stephanie Carman, Angel Sanchez, The Hon. Kathleen Williams

THE DADE COUNTY BAR





# DADE COUNTY BAR ASSOCIATION

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# Presidents' Message: We Thank All of YOU!

BY STEPHANIE CARMAN AND EVIAN WHITE DE LEON

Throughout the year, our DCBA and YLS Boards have worked together to make the Dade County Bar Association stronger and to bring you our annual Bench and Bar and Judicial Reception. We were honored to celebrate YOU and our OUTSTANDING JUDICIARY who are vital to our community. We thank them for their work. ■



The Hon. Lourdes Simon, Khurram Wahid, and The Hon. Yvonne Colody



The Hon. William Altfield



Chantal Kahale, Crossroads Investigations



Annette Gil-Manno, LexisNexis



Michele Calder and Jody Shulman, U.S. Legal Support



TJ Stamerro, Dana Welch, and Chelsea Nunez, Veritext



Bench & Bar and Judicial Reception Sponsor Board

The Bench and Bar: Informative and Inspiring continued from front cover

true story of Chris Gardner, a down-on-his-luck salesman who lived in a homeless shelter while studying to be a stock broker, and eventually became very successful. Angel thought, if Chris Gardner could do it, then so could he.

So, he moved into the Salvation Army homeless shelter where he would live for some time. While Angel was no longer in prison, he still continued to face hurdle after hurdle. He was on probation and had to find a job in order to stay at the shelter. He also wanted to go to school, and it appeared as if the financial aid deadline was passed due to his age. While many people in this situation might have quit, moved back home or even turned back to crime, Angel continued to move forward.

While applying for financial aid and

proving that he fit within an exception to the age requirement, he impressed the counselor so much that she offered him a job despite his being a convicted felon. Angel would eventually be offered a supervisory role in the financial section of the college, and graduate with a 4.0 GPA and an Associate's degree, while also being awarded the Distinguished Graduate Award for 2014.

From there, Angel had the opportunity to go to UCF with a full scholarship. Once again, he faced another hurdle. Angel needed to have his 10-year probation sentence reduced by at least half in order to be allowed to attend the University. Like so many people who meet Angel and feel compelled to help him, Judge Maria Verde did not just reduce his supervision, but terminated his supervision completely. Having

represented Angel on this motion, I can say that I have never seen a judge get off the bench and ask to hug a defendant. Not only did Judge Verde help Angel in getting to go to UCF, she gave him a summer internship.

Like so many others who feel lucky to have met Angel, Judge Miguel de la O not only gave Angel an internship the following summer, but welcomed Angel into his home. In his introduction of Angel, Judge de la O refers to Angel as his role model.

Angel talked about the various role models whom he has had, those people who have helped him along the way because despite Angel being in the top 3% of his class at the University of Miami, School of Law, he still faces obstacles due to his past. Another of Angel's role models is Judge Kathleen



Fritzie Jarbath Amedee, Past President, Haitian Lawyers Association



Alicia Corbo, Stephanie Estepa, and David Butter



Gilbert K. Squires, Suzette Russomanno, Deborah Bovarick Mastin, and Hon. Steven Leifman



Elliot Kula, Michael Olin, and Lauri Waldman Ross



Erick Gavin, Marni Lennon, Kristen Corpion, Evian White De Leon, Leah Weston, Carla Barrow, and Pauline Green



Hon. Steven Leifman, Joe Ankus, Suzette Russomanno, Dori Foster-Morales, and Ron Ponzoli



Charise Morgan-Joseph, Caribbean Bar Association President, and Brenda Lynn Edwards, President-Elect of GSCBWA



Alice Sum, Jay Kim Florida Bar BOG 17th Circuit, and Margot Moss, Past President of FACDL Miami



Rossana Arteaga-Gomez, Gigi Soliman, Judge Bertila Soto, Daryl Greenberg, and Stephanie Carman



Ben Brodsky, Past President of the Federal Bar Association



The Hon. Martin Zilber, Schuyler Smith, and The Hon. Veronica Diaz



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Amber Kornreich and Edith Osman, Past President of the Florida Bar



Melisa Pena, Michael T. Davis, Fritzie Jarbath Amedee, Past President, Haitian Lawyers Association, and Joshua Hertz, Past President of DCBA YLS



Candice Michael, Jayme Cassidy, Monica Vignes-Pitan, executive director for Legal Services of Greater Miami, Anna-Bo Emmanuel



The Hon. Gordon Murray, Evelina Libhen, and Jack Hickey, Florida Bar BOG 11th Cir.

Williams, who offered an internship with her chambers last summer.

Despite the long road that Angel has faced and will undoubtedly still face as he finishes his degree and works towards getting admitted into the Bar, he handles it all with courage and grace. His perseverance is something for which we should all strive when faced with hardships. Comments of Angel's story range from Mike Haggard's "still have goose bumps from the Luncheon Keynote," to retired Judge Sarah Zabel who thought, "Angel was so inspiring! An incredible motivational speech for everyone who has gone through very difficult challenges in their lives and with determination kept going."

What Angel teaches us all is that we should be inclusive of others and hold out a helping hand to those who need

support. Monique Hayes summed up the day well, "This year's Bench and Bar conference was both inspiring and empowering. The keynote speaker Angel Sanchez and his remarkable journey served as a testament to the power of redemption. It also highlighted the tremendous opportunity we in the legal community have to impact the lives of those around us. I was awed by the number of people from our legal community who individually and collectively gave Mr. Sanchez the opportunities and tools to overcome his circumstances."

### Conversations: From Implicit Bias to General and In-House Counsel... and Everything In Between.

The day started with a conversation on implicit bias led by Judge Yvonne Colodny, Judge Lourdes Simon, and Khurram Wahid, who explained that

"we have come a long way for sure but gender and race bias in the legal system is statistically and perceptually still a serious hurdle. Not because someone is racist. Because our brains are designed to quickly draw conclusions from the visual and auditory impressions. It's normal and every human does it." They encouraged everyone to go online, take one of the tests offered by the Harvard project [<https://implicit.harvard.edu/implicit/takeatest.html>], and have a discussion with others about the results. Attendees left the session understanding how important it is that we all explore our own hidden biases; that way, we can help ensure that our actions meet our intended goal of being fair to all.

Other great discussions took place throughout the day, like "The Path to Success: A Conversation with Young Lawyers and Law Students" moderated

by Daryl Greenberg. The young lawyers and law students in attendance heard from Chief Judge Bertila Soto, DCBA President Stephanie Carman, and attorneys Michael Davis, J. Gigi Soliman and Rossana Arteaga-Gomez. They imparted tips on numerous topics including effective networking in the community; office politics; making partner; generating business; and how not to pick up bad habits. Young lawyer Ashley Singrossi thought "the panel was informative but genuine and friendly." She says that she "took away from it the importance of staying involved in the Miami legal community and seeking out mentors early on in your career." Attendee and law student Johan Dos Santos remarked, "the young lawyers and law students panel session was able to give me an excellent perspective on how attorneys typically get their career started.

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Joshua Hertz, Brett Trembly, Karen Lapekas, Paula Black, Candace Duff, and Yvette Ayala



Markenzy Lapointe, Katie Phang, Mark Eigliarsh



Michelle Suskauer, Stephanie Carman and Sabrina Puglisi



Michael T. Davis, Laurie Waldman Ross, Justice Robert J. Luck, Florida Supreme Court, The Hon. Norma Lindsey, 3rd DCA, and Aaron Daniel



Judge Ferrer, Hon. Tanya Brinkley, Hon. Donald Cannava



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Gene Lindsey, Gonzalo Dorta, The Hon. Norma Lindsey, 3rd DCA, The Hon. Maria de Jesus Santovenia, The Hon. Spencer Eig



Jessica Zuvic



The Hon. Alan Fine, The Hon. Richard Hersch, The Hon. Angelica Zayas, The Hon. John Thornton, Past President DCBA, and Judd Rosen



Judd Rosen



Jane Muir, The Hon. Jennifer Bailey, The Hon. Nushin Sayfie, The Hon. Yvonne Colodny, and The Hon. Valerie Manno Schurr

The Bench and Bar: Informative, Inspiring and Moving continued from page 3

It also gave me insight on what is going to be expected of me as a young lawyer, including work load and expectations of the partners. The most important thing I got from the session was the information regarding social media and how important it is for lawyers to brand themselves, while carrying themselves in a very professional manner."

The solo/small firm committee put together a panel on a "Discussion of Strategies to a Prosperous Practice". Led by longtime supporter Paula Black and co-chair Joshua Hertz, the panel discussed the barriers to growth that plague solo and small firm practitioners and the strategies to overcome them. They talked about developing a strong brand, forming a talented support team, and being client centric. Attorney David Rogero found helpful that the panelists discussed "business strategies,

maintaining focus, the importance of mentors, and keeping a balance in life."

The voir dire panel, led by Judge Milton Hirsch and panelists Judge Roy Altman, Miranda Soto, Jude Faccidomo, Dr. Geri Satin and Marianne Curtis, discussed differences in voir dire between civil and criminal cases in state and federal court; the right and wrong ways to conduct voir dire; and how social media today affects the process.

With so many panels from which to choose, there was no going wrong. But my personal favorite of the day was the cross-examination panel led by professor and trial legend H.T. Smith. The all-star cast included Judge William Thomas, David O. Marcus, Jerry Hamilton and Michael Haggard. Each focused on a different area of cross examination and gave incredible tips for everyone. Retired

Judge Stanford Blake attended the panel and said, "It was terrific watching the pros talking about techniques for doing an effective cross examination. When I practiced law, it was always my favorite part of a trial and I loved watching a great cross when I was on the bench."

Of course, a DCBA Bench and Bar would not be complete without offering panels on mediation, family law, probate, immigration, appellate practice, employment, zoning, e-discovery, a conversation with in-house and general counsel, and perspectives from the bench and bar. But this year, we included a few new panels for attendees, like "Impleading Third Parties in Proceedings Supplementary," "Tech Tips for Law Firm Data Security and Client Privacy," "Domestic and International Arbitration in Lieu of Litigation," and "Intellectual Property in the Sports Industry." Of these

unique panels, my favorite one, "What Else Can I Do With My Law Degree," was an intimate and honest conversation led by Young Lawyer Section President Evian White de Leon on what else is out there for lawyers who don't necessarily want to practice law in the traditional sense. Evian says of the panel, "It was fascinating to hear from all of the panelists about their life experiences and how they have directly informed their work. While we all have radically different paths, one thing was the same: We've wed our passions with our work and wouldn't have it any other way."

Following the theme of the day, there were numerous panels that focused on diversity and inclusion: "Does Bias Still Exist in the Practice of Law?," "Don't Call Me 'Sweetheart' - Challenges and Advantages of Being Female in Criminal Practice," and "The Age



Ret. Judge Israel Reyes, The Hon. Samantha Ruiz Cohen, The Hon. Lourdes Simon, The Hon. Rudy Ruiz, Dyanne Feinberg, Past President of MDEAWL, Gonzalo Dorta, Ronald Diaz, The Hon. Jose Rodriguez



Gary Held, Laura Wendell Past President of state-wide Florida Association for Women Lawyers, The Hon. Maria de Jesus Santovenia, The Hon. Miguel de la O, Dennis A. Kerbel, Chad Friedman, Joni Armstrong Colley, and Joseph Goldstein



The Hon. Lisa Walsh



The Hon. Abby Cynamon, Laura Wendell, Ivelisse Berio LeBeau, Zascha Blanco-Abbott, Past President of the Florida Bar Labor & Employment Section, Marck Joseph



Michael Haggard, The Hon. William Thomas, Jerry Hamilton, Marck Joseph



Terry Vento, The Hon. Angelica Zayas



Robert Merlin, Alison Hockman, Marck Joseph, Cecilia Armenteros, Ret. Judge Sarah Zabel, Robin Buckner



Gilbert K. Squires, Harout Samra, Chair of the 3rd DCA Judicial Nominating Commission, Tiffany Lee, Greg Grosman, and Nouvelle L. Gonzonzo



Schulyer Smith



Yolanda Cash Jackson and Marlon Hill



The Hon. Stanford Blake, Lisa Novick Goldberg, The Hon. Nushin Sayfie, The Hon. Alex Bokor



David Friedman, Janet Moriera, Jamie Rich Vining, Alan Fertel



The Hon. Monica Gordo



Hon. John O'Sullivan, Zascha Blanco-Abbott, Olivia Rodriguez, Porpoise, Grissel Seijo

of Political Incorrectness: How to Adjust Your Practice and Maintain Professionalism in Today's Climate." Criminal defense attorney Ivlis Mantilla attended the all-female criminal panel stating that, "the panel was inspiring and empowering. What they had to deal with, how they grew and evolved. It made me want to do better, be better and get more involved."

Also offered and touching on a topic of which we all need to be aware was, "What Does a Happy Lawyer Look Like?" This panel gave an honest and emotional look at how mental illness affects lawyers in the profession. Attendee Lindsay Gunia says that panelist "Ron Ponzoli gave a tremendously powerful testimonial about his own struggles with depression and talked about the benefits of receiving the help that he needed.

Following Ron's speech, multiple members of the audience spoke up and thanked the panel for publicly addressing these difficult and more-often-than-not stigmatized issues. One member spoke up about her own mental health struggles and how having the support of Judge Leifman and the direction to resources made all the difference."

The overall feeling at the end of the day was one of immense positivity. Judge Simon, who attended many of the sessions throughout the day and spoke on two panels, said, "The DCBA Bench and Bar conference was a huge success in that it gave us all an opportunity to educate, learn and connect with attorneys and judges." Bar President Michelle Suskauer said, "From the all-star panels to the inspirational luncheon speaker to the judicial reception, it was

a memorable day." Mark Eigliarsh said, "The entire Bench and Bar seminar far exceeded my high expectations. Every session was extremely worthwhile. The highlight for me was Angel Sanchez's spectacular lunchtime speech which still has me inspired and in awe." I believe that Marlon Hill said it best when he summarized the day saying, "I appreciated that we still have a sense of humor on many of the panels. Laugh and learn. More please."

On behalf of the DCBA, we give thanks to all of our panelists, luncheon keynote speaker Angel Sanchez, committee members, and volunteers who helped to make the day great. I hope that we can all find inspiration in what we do, be kind and generous to each other, and keep laughing and learning. We look forward to seeing all of you at next year's Bench and Bar.

*Sabrina Puglisi is a Florida Board Certified Criminal Trial attorney since 2008. She has the unique experience of having worked for both the Miami-Dade Public Defender's Office and the Federal Defender's Office for the Southern District of Florida where she gained invaluable experience as a trial attorney handling hundreds of different cases from pre-trial to trial.*

*Ms. Puglisi is the Secretary of the Dade County Bar Association and a member of the National Trial Lawyers Association Top 100 Trial Lawyers in Florida and is the immediate past president of the Florida Association of Criminal Defense Lawyers (FACDL), Miami Chapter. For more information visit: [PuglisiLaw.com](http://PuglisiLaw.com)*



# A Bench and Bar Session: Collaborative Law— The New Frontier of Dispute Resolutions



**By Ret. Judge Sarah Zabel**  
*Maze Resolutions*

I had the great pleasure of putting together and moderating a panel on the Collaborative process. When I sat on the Family Bench, I implemented a pro bono pilot project using the Collaborative process to help keep indigent families out of the court system. All of our panelists have volunteered their time to take cases on a pro bono basis. All five panelists are Collaboratively trained. Through this process, the new frontier of dispute resolution, families are able to work with a team to facilitate peacefully a healthy resolution to their case. I want to thank the incoming president of the DCBA, Gilbert Squires, for allowing me to put on this panel.

**Marck Joseph**  
*The Joseph Firm, P.A.*



## What It Is

“Used primarily in Family Law cases, Collaborative Law is a process in which parties in a legal dispute work together with attorneys and other professionals (including mental health facilitators and financial professionals) to resolve the problems uniquely specific to their family. Some of the matters appropriate for Collaborative Law resolution include pre- and post-nuptial agreements, divorce, custody disputes, and/or paternity actions. The ultimate goal of the collaborative process is to help settle a matter while preserving the underlying relationship between the parties. As compared to mediation and trial, Collaborative Law refocuses the parties through transparent, upfront discussion about the issues without the impending threat of litigation. The parties’ attorneys and related, assisting professionals are held to the same high ethical requirements as in litigation.

One of the most significant differences in the Collaborative Law process is that it recognizes the emotional issues in each case which the legal system tends to overlook in favor of expediency. Collaborative Law also allows the parties to simplify an otherwise complex matter by allowing an agreed-upon set of professionals to focus on accomplishing the same goal of resolution, versus the duplicative or adversarial efforts which have come to define the legal system.”

**Robin Buckner**  
*Buckner, Shifrin, Etter, Dugan & Bradfute, P.A.*



## How It Works

- “Once collaborative lawyers are retained by each party, the two collaborative lawyers agree to a neutral financial professional (FP) and a neutral mental health Facilitator, a.k.a. the “COLLABORATIVE TEAM.”
- After initial consult with their lawyers, the parties usually meet with the Facilitator first, so that the Facilitator gets a handle on any emergent issues. The Facilitator (with attorneys) will prepare an agenda for the first meeting. Every team meeting has a pre-brief and a post-brief with just the professionals. Every lawyer should meet/speak with his/her client between team meetings.
- 1st Team Meeting - There shall be a scribe designated to take the minutes of every meeting. During the meeting:
  1. The Facilitator runs the meeting. Another explanation of the process provided.
  2. The FP describes his/her role.
  3. The Participation Agreement is signed (official beginning of process per § 61.57(1), Fla. Stat., and Rule 12.745(b)(1) (A)), along with other applicable documents (e.g., Confidentiality Agreement, Informed Consent, etc.). Maintaining the status quo is explained.
  4. Each party discusses his/her hopes, wishes, dreams and goals.
  5. A discussion is had as to how professional fees to be paid.
  6. The next two meetings are scheduled.
- In the space between team meetings: Minutes and the next meeting’s agenda are prepared and circulated; the parties meet individually with the FP to provide financial documents and information. Appraisals may be done. The parties meet with the Facilitator to develop a parenting plan.
- 2nd Meeting – The FP gives a financial picture. The Facilitator gives a parenting picture. The parties and team provide options for resolution consistent with C4 and the above.
- 3rd Meeting - Options are selected by the parties. The beginning of an agreement is starting to take shape, and an agreement may be in the process of being drafted.”

**Cecilia Armenteros**  
*Armenteros Law, P.A.*



## The Paradigm Shift and Training

“A Collaborative Law attorney needs to adapt to a fundamental change in their mindset. This is called the ‘Paradigm Shift’ where a properly trained attorney can shift from an adversarial mindset to Collaborative mindset. As attorneys, we have been trained to be zealous advocates of our client’s cause. Often, attorneys will find themselves taking their client’s position and attitudes, even if untenable. The adversarial system includes a formal process of discovery which if not followed could result in a party seeking compliance and/or sanctions and includes a greater reliance on the law to dictate the outcome of the dispute. The adversarial process oftentimes frames issues as disputes, which only invites hostility and increased fighting. In the Collaborative process the emphasis is on discussion of the interests and goals of the parties and engaging in open discussions as to the discovery that is relevant and needed to assist the parties in reaching a solution to the issues. Transparency is a key component of the Collaborative process. In order for the Collaborative attorney to make the shift, training is needed to assist the attorney in re-organizing their way of thinking, including learning to establish a relationship of trust and commitment with the other professionals of the Collaborative team.”

**Robert Merlin**  
*Robert J. Merlin, P.A.*



## The Law

“The Uniform Law Commission created the Uniform Collaborative Law Act in 2009. The Florida Collaborative Law Process Act and Collaborative rules of procedure and professional conduct went into effect on July 1, 2017. Florida Statutes § 61.55 states, ‘It is the policy of this state to encourage the peaceful resolution of disputes and the early resolution of pending litigation through a voluntary settlement process. The collaborative law process is a unique nonadversarial process that preserves a working relationship between the parties and reduces the emotional and financial toll of litigation.’ The public policy in Florida officially favors the peaceful resolution of disputes and the early resolution of litigation. There are now 18 states, plus the District of Columbia, that have adopted similar laws and rules.

The reality is that fewer couples are choosing to litigate their divorce. Everyone has either heard of or personally experienced a nasty, destructive divorce. Those of us who have been trained in the Collaborative Process know that we are providing a healthier, private process to divorcing couples, as compared to exposing personal information in court and empowering a stranger to determine a family’s future. I am very proud to be a leader in the Collaborative movement.”

**Allison Hockman**

*President of Collaborative Family Law Institute Law Offices of Allison Doliner Hockman*



## The Movement

“The Collaborative Process was introduced to Miami in 1999, and the Collaborative Family Law Institute (CFLI) was incorporated in 2000. It has over 96 members and consists of the three professions of the interdisciplinary ‘team approach’ practiced in Miami Dade. CFLI is called a practice group, which is a community of legal, mental health and financial professionals working together to promote a private out-of-court process to resolve disputes through the Collaborative Process. CFLI is the organization to find trained Collaborative professionals. It exists to connect you to and allow you to know your colleagues, to provide education and training for the professionals and to educate the public in the Collaborative Process.

There are 12 other practice groups in Florida. According to the International Academy of Collaborative Professionals website, the Collaborative Process is active in 24 countries with 5,000 members. I personally had experience with this reality when I was in Australia. There I met Collaborative professionals and presented to the practice groups in Sydney and Melbourne. It was inspiring that the Collaborative Process Movement is becoming a worldwide reality.”

## Ret. Judge Sarah Zabel

The panelists are all passionate about promoting and facilitating cases using the Collaborative process. I sincerely believe that when a Collaborative family case is successfully completed, the journey for the family in the court system will be over. The family will not end up as the boomerang case and children will not be stuck in the bubble of their parent’s litigation. I also believe the Collaborative process can be used successfully in other areas of law as was supported and discussed by the panel. Business divorces could be resolved by using the Collaborative process. Years ago mediation was just an idea and now everyone is mediating. The Collaborative process is another avenue of dispute resolution and can peacefully keep people out of the court system. If you are interested in Collaborative Law, please feel free to reach out to any of us. ■

# A Bench and Bar Session: Achieving Success as a Solo or Small Firm Practitioner

BY PAULA BLACK



I have been speaking to and coaching lawyers for many, many years and in doing so, I have observed the many challenges that a solo or small firm practitioner faces and it’s often a lonely position in which to be. So I have pulled together a great group of lawyers who know what it’s like and have some words of wisdom. I asked them this question...

## What is the biggest lesson you learned that has had the most impact?

**Joshua Hertz**  
*Law office of Joshua Hertz, Personal Injury*



“Don’t be afraid to make mistakes. My biggest lesson was to embrace failure and not be afraid to make mistakes. When you hang your own shingle and launch your practice you have to embrace the mistakes that occur. It’s totally normal; accept them but learn from them and grow your business with that wisdom you gain. At the heart of this is to believe in you and know that mistakes will occur and they are part of the process. What is helpful is not to look at imperfection as your enemy but rather as your teacher. Self-worth and confidence are very important when you start your own firm for there will be many hurdles that you will overcome. It sounds cliché but these hurdles will just help you grow and be a better businessperson. I want people to understand that failure is okay, as long as you get back up and keep moving forward and become wiser for it. And remember what **Winston Churchill** once said, ‘*Success is not final; failure is not fatal. It is the courage to continue that counts.*’”

**Karen Lapekas**  
*Lapekas Law Florida Board Certified Tax Attorney*



“Stop and think about where you were 10 years ago. Could you have imagined living the life you are living today? If you are looking back, I bet that MOST of you are living in a dream you once held just 10 years ago.

A **Tony Robbins** quote that resonates with me is, ‘*Most people overestimate what they can do in a year and underestimate what they can do in 10.*’

As small firm practitioners, it’s easy to feel defeated. It’s easy to compare ourselves to others and think we are not enough because they have bigger clients, billboards, offices, staff, and revenue. However, if you’re comparing yourself to someone else, you’re using the wrong litmus test.

We can compare ourselves to only ourselves—and not to whom we want to be—but to whom we WERE! Compare your bottom line today to your bottom line last year. Compare the quality of your clients today with the quality of your clients two years ago. Compare your skills today with your skills yesterday.

It’s amazing how much change can take place in one year’s time, let alone 10! Your goals should not be used as a measure of your defeat. They are merely points on which to set your sight.”

**Brett Trembly**  
*Trembly Law Firm Business Law and Litigation*



“My message to other small law firms is to realize that you cannot do everything yourself—and if you’re currently trying, you’re losing a lot of money and mental well-being, not saving it. Even when you’re just starting, you can get a part-time or virtual assistant to help manage the load. There’s no rule that says when starting a law firm you must be miserable for two years - although it seems lawyers ascribe to this rule all the time. It was a hard lesson for me to learn, but delegating the simple tasks required to run a business can free up just one more hour a day to do legal work. That one extra hour per day can pay for a week of time for a personal assistant or secretary. While this seems simple, the majority of lawyers just starting firms cannot even fathom hiring someone for 20 hours a week, and it’s painful to watch. I know, because I was one of them.

I would also like to share that we need to nurture our mental health. I learned that by reading affirmations to myself every morning, it changed my entire day and therefore my outlook and perspective. Training your mind daily is just as important as training your body daily through exercise. Reminding yourself why you do what you do every day is crucial - and the quote that best helped get me through tough times was from **Terence McKenna**, ‘*Worry is literally betting against yourself.*’”

**Candace Duff**  
*Duff Law & Mediation*

*Attorney, mediator, arbitrator, published novelist and book-writing coach.*



“The biggest lesson I learned over the years is how important it is to have the courage to follow your dreams. I had a dream of becoming a published novelist that I had kicked to the curb for the first 15 years of my career. That dream ultimately gave me the courage to forge my own path.

When the real estate market crashed in 2008, I had to reinvent my practice. I found myself doing work that I didn’t love and that gave me a new perspective. I decided that, as long as I was reinventing my practice, I would work on reinventing my life as well. No longer was I willing to ignore my dream of becoming an author. So, I started writing books and, in 2014, I left my old firm to become a mediator and an arbitrator, and to start my own self-publishing company.

I discovered that being a mediator better suited my temperament. I love being a mediator because it gives me the opportunity to facilitate bringing parties together to settle a case instead of fighting for a living. So, pushing through the fear and striking out on my own helped me to discover who I am and to find work better suited to my personality.

How much happier would you be if you pushed through the fear and forged a path for your career, your business and your life tailor-made for you? **Dr. Roopleen** said it so well, ‘*If you have a dream, don’t just sit there. Gather courage to believe that you can succeed and leave no stone unturned to make it a reality.*’”

**Yvette Ayala**  
*Rogero Law Firm Business Law, Trademark & Service Marks*



“How successful I am at anything is determined by how much I love it. My legal career was no different. The law is so vast and even when you pick an area of law there are so many aspects of the job that it can be broken down further into more specific areas, niches within niches.

It was critical for me to discover what about being a lawyer fulfilled me. What parts of the job light you up? What drives you? To discover where I

could be the most successful, I looked at two things:

1. What were the kind of people with whom I wanted to work? – What clients? I feed off of people’s energy so the people with whom I surround myself really matters. I saw I enjoyed working with entrepreneurs the most. They are usually very excited about the business they are creating and they are determined to make it happen. I wanted that energy in my everyday life.
2. What kind of problems did I want to be solving for those clients? At the end of the day, whatever area of law you practice it’s a form of problem-solving. I’m not someone who can do the same tasks day in and day out. I wanted variety but it needed to be impactful and challenging. Intellectual Property and Business law provide exactly that. This led me to create a practice around start-ups. I protect their IP and then help with all the aspects of the business as they come up in developing the business, whether it’s a simple business structure or they are scaling their business.

I think about what **Aristotle** once said, ‘*Knowing yourself is the beginning of all wisdom.*’ Spending some time discovering yourself allows you to determine other details that are crucial to the success of your firm as well, for example, the origin of most of your clients – marketing, referral sources etc.”

**What great morsels of wisdom!** Don’t you agree? Think about what **Steve Jobs** once said, ‘*Your time is limited, so don’t waste it living someone else’s life.*’ Take action. I would like to leave you with my five rules for creating a life, not just a living, as these extraordinary lawyers have done.

1. **Dream Big:** without limits.
2. **Believe It’s Possible:** And if not, call me and I will believe in you until you believe in you!
3. **Watch Your Language:** Stop the negative self-talk.
4. **Don’t Listen to the Naysayers:** Tell them thank you for sharing.
5. **Remind Yourself What’s at Stake:** Or why you’re doing it.

**What could your future look like if you incorporate just a couple of these morsels of wisdom into your daily practice?**

*Paula Black is a legal business development and branding expert, author, consultant and coach. She is the award-winning author of “The Little Black Book” series and the Amazon-bestselling “The Little Black Book: A Lawyer’s Guide To Creating A Marketing Habit in 21 Days,” and now, “A Lawyer’s Guide to Creating a Life, Not Just a Living.” Her books can be found on Amazon. For more information visit: paulablack.com or legalmarketingblog.com. ■*