

OFFICIAL MAGAZINE OF THE SARASOTA COUNTY BAR ASSOCIATION

THE DOCKET



SEPTEMBER 2026

VOL. 43 | NO. 8

ALAN PEREZ

79TH PRESIDENT

FEATURED ARTICLES

Centennial Voices: The 1990's

SCBA President's Column:
The Next Hundred Years

YLD President's Column:
A New YLD Year: Connect,
Grow, and Get Involved





SARASOTA COUNTY BAR ASSOCIATION

2026 -2027

SARASOTA COUNTY BAR ASSOCIATION

BOARD OF DIRECTORS

President
Alan Perez

President-Elect
Tamara Spires

Secretary
Caroleen Brej

Treasurer
Jay Castle

Immediate Past President
Sara Castro

DIRECTORS

Jill Bowen
Barbara Bush
John Getty
Brian Goodrich
Erin Itts
Chris Nigro
Tyler Stall

YLD President
Cori Coser

SCD President
Callie Cowan

COMMITTEE CHAIRS

Finance
Jay Castle

Governance
Erin Itts

Programs
Chris Nigro
Jill Bowen

SOUTH COUNTY DIVISION

BOARD OF DIRECTORS

President
Callie Cowan

President-Elect
Jessica Close

Secretary
Madeline Mojica

Treasurer
Alexis Downyok

Immediate Past President
Mark Creech

DIRECTORS

Andrew Conaboy
P.J. Downyok
Ian MacLean
Jason Quick
Nick Roknich

YOUNG LAWYERS DIVISION

BOARD OF DIRECTORS

President
Cori Coser

President-Elect
Forest Sutton

Secretary
Meghan O'Connell

Treasurer
Rian Davis

Immediate Past President
Jill Bowen

DIRECTORS

Marisa Agganis
Kate Craig
Michael Kostruba
Jillian Polk
Nick Roknich
Andrew Van Ness

COMMITTEE CHAIRS

Membership
Andrew Van Ness

Programs
Marisa Agganis

COUNCIL FOR DIVERSITY AND INCLUSION

COUNCIL MEMBERS

Chair
Tamara Spires

Chair-Elect
Shelli Freeland Eddie

Secretary
Ariana Laboy Mena

Treasurer
Tyler Stall

Immediate Past Chair
Tonya Pitts

MEMBERS-AT-LARGE

Barbara Bush
Richard Cole III
Tiffany Coleman
Rian Davis
Abigail Dean
Jeff Eckert
Christopher Hallett
Raven Peters
Yuliya Swaim





The Docket is the official award-winning publication of the Sarasota County Bar Association.

The Docket is published 10 months a year. Deadline is the first Friday of the preceding month of the publication. All articles printed herein are property of the Sarasota County Bar Association and may not be reprinted without permission. Opinions expressed in The Docket are those of the authors only and are not opinions of the SCBA.

SUBMIT AN ARTICLE

Are you or your firm interested in contributing to The Docket?

Submit article ideas here:
scba@sarasotabar.com

CONTACT US

2002 RINGLING BLVD
SARASOTA, FL 34237

941.861.8180

SCBA@SARASOTABAR.COM
SARASOTABAR.COM

PUBLISHER & EDITOR

Holly Lipps
SCBA Executive Director

EDITORIAL ASSISTANTS

Emily Lethbridge
Williams Parker

GRAPHIC DESIGNER

Franchesca Angotti
Angotti Design

IN THIS ISSUE

- 06** **Feature**
Centennial Voices: The 1990's
- 10** **SCBA President's Column:** The Next Hundred Years
- 14** **YLD President's Column:** A New YLD Year: Connect, Grow, and Get Involved
- 18** **SCD President's Column:** Building Connections Across Sarasota County
- 20** **CDI Chair's Column:** Investing In Our Future
- 24** **Elder Law 101 – An Introduction to Long-Term Care Planning**
- 26** **A Statute Without a Theory: Why FDUTPA Competitor Claims Don't Add Up**
- 28** **Two Systems, One Child**
- 30** **A Year of Connection: Why This is the Year to Join FAWL Sarasota**
- 32** **The Clerks Corner:** Noticing the Details
- 34** **Welcome New Members**
- 35** **Classified Ads**
- 36** **Serving Beyond the Practice of Law**
- 38** **News of Note:** Employment and Acquisition
- 39** **SCBA Upcoming Events**
- 40** **100% Club**



COMMUNITY FOUNDATION OF SARASOTA COUNTY PRESENTS

Distinguished SPEAKER SERIES



Jamie Mendelsohn
Ashar Group

To Register visit
www.CFSarasota.org
Hover over "Advisors"
Click on "Distinguished
Speaker Series"

Please call 941-556-7165
for additional information.

JAMIE MENDELSON

**Life Insurance is an Asset: The Strategic
Importance of Maximizing Value in
Modern Planning**

*** 1 credit pending approval for Attorney, CFP,
CPA and Trust Officers.**

TUESDAY, SEPTEMBER 15, 2026

Registration and Breakfast: 8:00 a.m.

Program: 8:30 a.m. - 9:30 a.m.

COMMUNITY FOUNDATION OF SARASOTA COUNTY

2635 Fruitville Rd., Sarasota FL



**COMMUNITY
FOUNDATION**
of Sarasota County

THANK YOU TO OUR ANNUAL PARTNERS

EXCLUSIVE COMMUNITY PARTNER



LAW FIRM PARTNERS

PLATINUM



GOLD



SILVER



BUSINESS PARTNERS

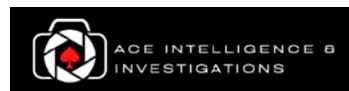
SENIOR



JUNIOR



OF COUNSEL





CENTENNIAL VOICES: The 1990s: A Decade of Growth, Tradition, and Community

As the Sarasota County Bar Association celebrates its Centennial, the presidents of the 1990s reflect on a decade of continued growth, memorable traditions, service to the community, and the relationships that made the SCBA more than a professional organization.

From launching the Barristers' Ball to benefit Legal Aid and establishing practice sections to celebrating the Association's history through a Past Presidents' Luncheon, these leaders helped strengthen the sense of fellowship and community that continues to define the SCBA.



"As the Bar continued to grow, our priority was making sure members remained engaged and connected."

When Thomas Dart joined the Sarasota County Bar Association, membership numbered fewer than 200 attorneys. During his presidency, the Association was experiencing significant growth, and Dart remembers the importance of keeping members engaged and connected as the Bar continued to expand.

One of the initiatives Dart is most proud of was helping organize the first Barristers' Ball to benefit Legal Aid. Access to justice for those who could not afford legal representation was an important issue, and the event provided an opportunity to bring the legal community together while supporting an important cause.

Thomas H. Dart

President, 1991–1992

The inaugural Barristers' Ball was exceptionally well attended, and its success led to the event becoming an annual tradition for a number of years. Seeing members come together in support of Legal Aid while enjoying an evening that celebrated the profession and its commitment to the community remains one of Dart's fondest memories.

Looking back, Dart is proud to have served during a period of growth for the SCBA. Watching the organization expand while remaining dedicated to collegiality, service, and community involvement was a rewarding experience.



F. Thomas Hopkins III

President, 1992–1993

“Serving as President of the Sarasota County Bar Association remains one of the highlights of my legal career.”

For Tom Hopkins, the year before his presidency proved to be one of the most challenging parts of his leadership journey. As President-Elect in 1991, he was involved in planning for the year ahead, filling leadership positions, and making sure the Association was well positioned for the future.

One of his biggest concerns was ensuring that Richard Garland would continue producing *The Docket*. Under Garland’s leadership, Hopkins recalls, the publication had become an outstanding magazine—one he believed rivaled, and even surpassed, the *Herald-Tribune* in quality. He considered Garland’s continued involvement essential and was relieved when he agreed to stay on.

Hopkins thoroughly enjoyed his year as president, due in large part to Executive Director Jan Jung. He remembers Jung as exceptional at her job and a true pleasure to work with, crediting her professionalism, organizational skills, and dedication to the Association.

One of Hopkins’ favorite memories was what he believes was the first Past Presidents’ Luncheon. Nearly every living past president attended, creating a special gathering that celebrated the leadership and history of the SCBA. The only one unable to attend was Pat Dickinson, who happened to be away on a cruise.

The luncheon reflected the camaraderie and enduring friendships that Hopkins believes have always made the SCBA special. Serving as president remains one of the highlights of his legal career, and he is grateful to have been part of an organization that continues to strengthen both the legal profession and the community.



James H. Burgess, Jr.

President, 1994–1995

“The relationships I built during my year as President made me realize that the Sarasota County Bar Association is more than a professional organization—it’s a community.”

Serving as SCBA President during 1994–1995 was a rewarding experience for Jim Burgess, made possible by a dedicated Board of Directors and the outstanding leadership of Executive Director Jan Jung.

At the time, the Association was smaller but growing steadily, and the Board was beginning to establish practice sections—an experiment that would eventually become one of the SCBA’s greatest strengths.

Burgess also remembers the Board’s development of a domestic violence resource guide for attorneys to share with clients in need. Although they would never know how many lives the guide touched, Burgess believes that if it helped even one person find support, the effort was worthwhile.

The Barristers’ Ball was another major initiative during his presidency. Designed to raise funds for Legal Aid, the event featured a New Orleans theme, jazz musicians greeting guests, and The Sharks keeping the dance floor packed throughout the evening. It became a memorable celebration while raising significant support for legal services for those in need.

The Barristers’ Ball grew into a beloved SCBA tradition, remembered as much for its creativity and camaraderie as for its fundraising. From Jan Jung’s unforgettable lip-sync performance of *Midnight Train to Georgia* with past presidents as the “Pips,” to lively dance performances and Gary Larsen’s humorous roasting of judges and attorneys, the event captured the fun and fellowship that have long been hallmarks of the Association.

Looking back, however, Burgess says what he values most are the friendships and professional relationships that developed during his year as president. Getting to know so many members on a personal level made practicing law more collegial and rewarding.

His experience left him with a lasting appreciation for the organization and the belief that the Sarasota County Bar Association is more than a professional organization—it is a community.

A Legacy of Community

The reflections of the 1990s presidents reveal a decade defined by growth, service, tradition, and fellowship. Whether bringing members together through the Barristers' Ball, preserving the quality of The Docket, establishing practice sections,

creating resources for those affected by domestic violence, or celebrating the Association's past through the Past Presidents' Luncheon, these leaders helped strengthen the SCBA community.

Their memories also underscore a theme that runs throughout the Association's history: the SCBA's greatest strength has always been its people. The friendships and professional relationships formed through involvement in the Bar have connected generations of attorneys and helped make the Association an enduring part of Sarasota's legal community.

As the SCBA celebrates its Centennial Year, the experiences of these presidents remind us that while the Association continues to evolve, its commitment to collegiality, service, and community remains at the heart of who we are.

Sarasota Throughout the 90's





WE FIGHT LIKE HALE® FOR OUR CLIENTS

When you refer a client to Hale Law – Accident Attorneys, you're vouching for us. We don't take that lightly. Your client gets a team that picks up the phone and an attorney who knows their name — and you'll never wonder where the case stands.

Responsive communication. Thorough case handling. Strategic advocacy.

Track it. Advanced case-management technology delivers consistent, reliable updates.

One contact. A dedicated referral coordinator handles communication and case status.

Get paid. Prompt and dependable referral fee disbursement.

Offices: Sarasota, Bradenton, Tampa, Brandon, North Port By Appointment: Lakewood Ranch, Venice & Port Charlotte



Mediation. Arbitration. Virtual or In-Person.

- Board Certified in Civil Trial Law by The Florida Bar
- Represented Plaintiffs and Defendants
- Former Plaintiff-side Personal Injury Attorney
- Former Medical Malpractice Defense Attorney
- Southwest Florida Resident Since 2005
- Office in Collier County, Florida



Chad T. Brazzeal, Esquire
Chad@BrazzealMediation.com

The Next Hundred Years



SCBA PRESIDENT'S COLUMN

*By: Alan Perez, Esq.
Perez Law Firm*

Somewhere in Sarasota in 1926, a group of lawyers decided they were better off together than apart. No air conditioning, no e-filing, no cell phones buzzing through a deposition. Just a handful of attorneys in a town most of the country had never heard of, deciding that this profession deserved community.

Here we are, a century later, still at it. Still gathering, still arguing, still mentoring the next group coming up behind us, and still showing up for each other when it counts. That's not nothing. Plenty of organizations don't survive a decade, let alone a hundred years of wars, storms, recessions, and everything else the last century threw at this town.

It is not lost on me that I get to serve as your president during the centennial year. Honestly, my first reaction wasn't pride, it was something closer to "don't screw this up." A lot of people built something worth protecting here, and I'm keenly aware that I'm borrowing it, not inheriting it.

But here's the thing I keep coming back to. I don't think the way to honor a hundred years of history is to laminate it and hang it on a wall. The lawyers who founded this association weren't preservationists. They were builders who looked at what

the profession needed and made it. If we want to honor them, we do what they did – we look forward.

Let me tell you where I want to look.

Technology. I can already hear some of you groaning, and I get it. Bar associations are not exactly famous for being on the cutting edge, and every generation of lawyers has been told the sky is falling because of some new machine. The typewriter was going to ruin us. Then the fax. Then email. Yet, we are still here.

I've spent my career in courtrooms and mediation rooms, and I'll tell you what I have seen with my own eyes: technology has already changed how we practice, and the pace is only picking up. Remote depositions went from a pandemic workaround to a normal Tuesday. Research that used to eat an entire afternoon now takes minutes. And artificial intelligence is showing up everywhere from our research platforms, our document review, our trial presentation software, and in tools our clients and opposing counsel are already using whether we've noticed or not.

Some of you are excited about all of this. Some of you are deeply skeptical. I think both camps are right, which is exactly why we need to talk about it together, out loud, in the same room.

Because the risk isn't technology itself, but that the bar splits into lawyers who understand these tools and lawyers who don't. The risk is a young associate relying on an AI tool without understanding where it fails, or a seasoned attorney dismissing something that could genuinely benefit their clients. The risk is finding out about the ethical tripwires the hard way, in a grievance proceeding, instead of the easy way, over lunch at a CLE.

That's where the SCBA comes in. This year, I want

us to build real programming around this and create ongoing conversations about how these tools intersect with our obligations like confidentiality, competence, candor to the court, and billing. These are all the unglamorous things that keep our licenses on the wall and that AI can and will transform.

One of the things that I find exciting about this moment is that good technology is a great equalizer. A solo practitioner in North Port with the right tools can go toe-to-toe with a firm ten times her size in ways that simply weren't possible when I started practicing. If we do this right, the SCBA can help make sure that every member – big firm, small firm, government, solo – gets a fair shot at using these tools well.

Before anyone worries that I want to turn our bar association into a tech conference – I don't. None of this matters if we lose the thing that actually makes this organization work, which has never been the newsletter or the CLE credits. It's the relationships. It's shaking hands with opposing counsel at a bar event and meaning it. It's the mentor who takes the young lawyer to lunch and tells them the truth about the job. It's the professionalism that keeps our courtrooms civil even when the cases aren't. Technology should serve that culture. The day it starts replacing it, we've taken a wrong turn.

Here's my hope. A hundred years from now, some lawyer none of us will ever meet is going to sit down and write this same article for the SCBA's bicentennial. I have no idea what their practice will look like, and I doubt that any of us can imagine it any more than those lawyers in 1926 could have imagined ours. But I hope that when they look back at this moment, they see a bar association that met change with open eyes instead of crossed arms, and that held onto its soul while doing it.

Thank you to the past presidents and members who built the foundation I get to stand on this year. I don't take it for granted. Come to an event, mentor somebody, grab me at a luncheon and tell me what you think we should be doing. This organization has always been at its best when members show up for it.

Here's to the next hundred years.
Let's get started.



PLEASE JOIN US IN
CELEBRATING THE

Centennial Past Presidents Luncheon

TUESDAY, OCTOBER 27, 2026 | 12:00 P.M.
FLEMING'S PRIME STEAKHOUSE & WINE BAR
2001 SIESTA DRIVE, SARASOTA

RSVP BY:
MONDAY, OCTOBER 12
TO SCBA@SARASOTABAR.COM

IMPORTANT NOTE:

THIS IS AN EXCLUSIVE EVENT FOR SCBA PAST
PRESIDENTS AND INVITED SCBA MEMBERS
ONLY. IT IS NOT OPEN TO GUESTS.



Welcome Our 2026 - 2027 SCBA Board



Alan Perez
President



Tamara Spires
President-Elect



Caroleen Brej
Secretary



Jay Castle
Treasurer



Sara Castro
Imm. Past President



Jill Bowen
DIRECTOR



Barbara Bush
DIRECTOR



John Getty
DIRECTOR



Brian Goodrich
DIRECTOR



Erin Itts
DIRECTOR



Chris Nigro
DIRECTOR



Tyler Stall
DIRECTOR



Callie Cowan
SCD PRESIDENT



Cori Coser
YLD PRESIDENT

When Clients Seek Resolution, Attorneys Seek Chapman Mediation.

Your clients deserve the least stressful and most practical path to resolution. John Chapman is an experienced, creative mediator who brings patience, persistence and a passion for helping disputing parties achieve common ground.

- 25 years as a Florida Board-Certified Business Litigation attorney
- 12 years as a Florida Supreme Court Certified Circuit Civil mediator
- Florida Supreme Court Approved Arbitrator
- FINRA Dispute Resolution Arbitrator

Let my experience and know-how resolve your client's civil dispute, via Zoom or in person at your office or mine.



CHAPMAN MEDIATION

BUSINESS AND ESTATE MEDIATION

1515 Ringling Blvd, Suite 870
Sarasota, FL 34236

Office: (941) 404-4616
Fax: (941) 404-4605

Jchapman@johnchapmanlaw.com
Book your mediation online at: ChapmanMediation.com

LUTZ, BOBO & TELFAIR

TRIAL LAWYERS



Reputation. Respect. Results.

TRUSTED LEGAL REPRESENTATION WHEN IT MATTERS MOST

Lutz, Bobo & Telfair, P.A. is a premier Florida law firm delivering strategic, results-driven representation for individuals, families, and businesses. With decades of experience and a reputation for excellence, our attorneys provide personalized guidance through complex legal challenges, always with the client's best outcome in mind.

- Personal Injury & Wrongful Death
- Civil & Commercial Litigation
- Construction Litigation
- Insurance Claims
- Real Estate Law
- Community Association Law
- Mediation Services

We Are Your Go-To Full-Service Legal Support In Florida

300+ years of combined experience | AV-rated for excellence and ethics
Proven trial and negotiation results | Client-focused, personalized approach

LUTZ, BOBO & TELFAIR
TRIAL LAWYERS

lbtlaw.com | 877.951.1800

Our Locations

Sarasota, FL | Tallahassee | Bradenton
Punta Gorda | Englewood | Osprey

A New YLD Year: Connect, Grow, and Get Involved



YLD PRESIDENT'S COLUMN

*By: Cori Coser, Esq.
Bentley Goodrich Kison, P.A.*

I am incredibly excited to begin the 2026–2027 year as President of the Sarasota County Bar Association's Young Lawyers Division. It is an honor to lead an organization that has already given me so much — friendships, mentors, leadership opportunities, and a long list of people who understand that "I'll call you after this hearing" is not a reliable unit of time.

This year, our goal is simple: to make YLD a place where every young lawyer in Sarasota County can find a way to belong. Whether you are new to the area, beginning your first year of practice, building a book of business, looking for mentors, or simply hoping to meet people who will not ask you to explain what you do at parties, there should be something for you in YLD.

As we planned the year, we were intentional about creating different doors into the organization. Some members are drawn to substantive programs, some want to serve, and others are primarily motivated by appetizers at happy hour. All are valid. YLD should make room for those interests while giving members opportunities to lead early, try something new, and shape the organization. Our board wants to hear what is working, what is missing, and what might persuade you to leave your office before dark.

We will officially kick off the year on September 17 at Beso. The kickoff is always one of my favorite

events because it brings together new and familiar faces, gives everyone a chance to learn what YLD has planned, and allows us to network without using the word "networking" too many times. If you have been meaning to get involved, or if you have attended events but have not yet found your place, this is the perfect time to jump in.

Throughout the year, we will continue one of our most popular traditions, with a slight scheduling update. Our former Second Thursdays are becoming Third Thursdays, a change driven partly by the calendar and partly by our unwavering commitment to alliteration. We will alternate between Sarasota and Lakewood Ranch, offering an easy, low-pressure way to reconnect with friends and meet other young lawyers. We are also continuing our quarterly membership lunches, creating smaller opportunities to have real conversations, welcoming new members, and hearing directly from you about what you want from YLD.

Professional development will remain a major focus. Our YLD Virtual Series begins this fall with "Know Your Value: How to Ask for More Money as a Young Lawyer," a candid conversation about compensation, self-advocacy, and the delicate art of explaining your value without immediately apologizing for bringing it up. Additional Virtual programs are planned throughout the spring and summer, along with Bagels with the Bench in February, a valuable chance to connect with members of our judiciary in a relaxed setting where the only thing being judged, hopefully, is your choice of bagel.

We want these programs to address the questions young lawyers are actually asking about career growth, compensation, courtroom practice, client development, and building a sustainable professional life. Just as importantly, we want to connect younger attorneys with judges and experienced members of the Bar who are willing to share what they have learned, including the lessons that never appeared on a law school syllabus.

We also know that being a successful lawyer requires more than professional programming and occasionally requires leaving the fluorescent lighting of your office. This year's calendar includes health and wellness activities, a cooking class, our annual holiday party, a spring baseball outing at Ed Smith Stadium, and other opportunities to step away from our desks and enjoy the community around us. These events are not just social; they are where professional relationships become friendships, where Sarasota starts to feel like home, and where no one is expected to record their time in six-minute increments.

Service and mentorship will continue to be central to our mission. In February, YLD will again host the 12th Judicial Circuit High School Mock Trial Competition, helping local students experience the legal system firsthand before anyone starts billing them for it. Our summer programming will welcome law students and summer associates through a kickoff event, interview tips, a summer social, Lunch & Learn programming, and other opportunities to connect with the local legal community. We hope to give them useful guidance, honest answers, and reassurance that every lawyer has, at some point, stared at a filing portal with deep personal resentment.

One of YLD's greatest strengths is our connection to the broader SCBA. We hope to create more opportunities for young lawyers to build relationships with attorneys across practice areas and generations. I also encourage experienced SCBA members to attend, speak, sponsor, mentor, or simply introduce themselves. A brief conversation can make an enormous difference to a lawyer still finding their footing in our community. Of course, none of this happens without our board, committee chairs, volunteers, sponsors, and the support of the larger SCBA. I am grateful to everyone who has already raised a hand to help, and I hope many more of you will join us. You do not need to take on a major role, or accidentally become chair of three committees, to make a meaningful contribution. Attend an event. Invite a colleague. Join a committee. Share an idea. Introduce yourself to someone new.

I am proud of what YLD has built, and I am even more excited about where we are going. My hope is that, by the end of this year, more young lawyers will feel connected to one another, invested in our legal community, and confident that YLD is an organization built for them.

I cannot wait to see you at the kickoff and throughout the year ahead. I promise there will be good people, worthwhile programs, and, whenever reasonably possible, snacks.

FOR A FRESH START



CHAPTER
7 & 13
BANKRUPTCY
FAMILY LAW

RICHARD V. ELLIS, P.A.

PHONE (941) 351-9111

FAX (941) 351-9804

3202 NORTH TAMiami TRAIL
SARASOTA, FLORIDA 34234

SARASOTABANKRUPTCY.COM

CLAYTON ADR

**DECADES RESOLVING
DISPUTES IN AND OUT
OF COURT**

SPECIALIZING IN BUSINESS,
FINANCIAL & SECURITIES MEDIATIONS

Super Lawyers®



Best Lawyers®



Florida Supreme Court
Circuit Civil Mediator



DREW CLAYTON
CLAYTONADR.COM
941.265.1123





Welcome Our 2026 - 2027 Young Lawyers Division Board



Cori Coser
President



Forest Sutton
President-Elect



Meghan O'Connell
Secretary



Rian Davis
Treasurer



Jill Bowen
Imm. Past President



Marisa Agganis
DIRECTOR



Kate Craig
DIRECTOR



Michael Kostruba
DIRECTOR



Jillian Polk
DIRECTOR



Andrew Van Ness
DIRECTOR



Nick Roknich
DIRECTOR

Moving You Forward

Put your goals in motion with our team of trusted experts.



Mikel Sharpe

SVP, Market President
Manatee & Sarasota Counties
941.545.3982
msharpe@cogentbank.com



Lucky Durmaz

SVP, Commercial
Relationship Manager
757.955.0929
ldurmaz@cogentbank.com



COGENT
— BANK —



cogentbank.com



Member
FDIC

DONNA LUGAR

MEDIATIONS - ARBITRATIONS - FLORIDA

- Florida Supreme Court Certified Circuit Civil Mediator
- Florida Supreme Court Qualified Arbitrator
- AV Preeminent Peer Review Rated by Martindale Hubbell
- Full-Time Mediator for Nearly Two Decades
- 20-Year Board Certified Civil Trial Lawyer
- Florida Bar Member since 1992

CONVENIENT + EFFICIENT

online services



Book appointments



All sessions held virtually



Easy online payments

Visit our website for rates and other details



DONNA LUGAR, ESQ.

VIRTUAL MEDIATION, ARBITRATION, AND HYBRID
PROCEEDINGS FOR CASES PENDING IN ANY COUNTY



DONNALUGAR.COM



941.600.9431

Building Connections Across Sarasota County



SCD PRESIDENT'S COLUMN

*By: Callie Cowan, Esq.
Ledbetter Cowan Law Group*

As we begin a new bar year, I am excited about what lies ahead for the South County Division of the Sarasota County Bar Association. More importantly, I am excited about the opportunity to strengthen the connections among attorneys throughout our entire legal community.

South Sarasota County has a strong and growing legal community, with attorneys living and practicing across Venice, Nokomis, North Port, Englewood, Osprey, and the surrounding areas. The South County Division was created to make the benefits of our local bar more accessible to attorneys in these communities and to provide programming responsive to their needs and interests.

But while our focus may be South County, our community does not stop at a geographic boundary.

We are first and foremost members and colleagues within the Sarasota County Bar Association. The relationships that make our local bar valuable cross practice areas, generations, and geography. An attorney practicing in downtown Sarasota may have a case in Venice. A North Port attorney may work regularly with colleagues whose offices are farther north. We appear before the same judges, serve many of the same clients and organizations, and share responsibility for the professionalism and collegiality of our local bar.

That is why one of our priorities for the upcoming year is simple: **greater participation and engagement.**

For our South County members, I hope this will be a year to become even more involved. Attend an event. Invite a colleague. Meet someone new. Share an idea for a program or CLE.

And to our fellow SCBA members who may not live or practice in South County: **we hope you will join us, too.**

Our South County events should be another opportunity for members of the SCBA to connect—not something that separates one part of our legal community from another. If a program interests you, come down and participate. If you have colleagues or clients in South County, spend an evening with us. And if you simply have not been to a South County event before, consider this your invitation.

Engagement does not have to mean taking on a major leadership position or adding another significant commitment to an already busy calendar. Sometimes it begins simply by showing up.

We will have our first opportunity to do just that at the South County Division Kickoff Dinner in September. I hope we see plenty of familiar South County faces, but I also hope we welcome attorneys from throughout the SCBA.

A strong South County Division strengthens the Sarasota County Bar Association, just as a strong SCBA makes our South County legal community better.

As we begin this new bar year, I hope we continue building those connections in both directions. Come join us, bring a colleague, and help us make this a year of greater participation, stronger relationships, and a more connected legal community throughout Sarasota County. I look forward to seeing you in South County—and to all that we can accomplish together in the year ahead.

Mark Your Calendars!

Lord Higel House Social: November 5, 2026

Courthouse Holiday Party: December 4, 2026

Skip Berg Sporting Clays Event: February 26, 2027



Welcome Our 2026 - 2027 South County Division Board



Callie Cowan
President



Jessica Close
President-Elect



Madeline Mojica
Secretary



Alexis Downyok
Treasurer



Mark Creech
Imm. Past President



Andrew Conaboy
DIRECTOR



P.J. Downyok
DIRECTOR



Ian MacLean
DIRECTOR



Jason Quick
DIRECTOR



Nick Roknich
DIRECTOR

Investing in Our Future



CDI CHAIR'S COLUMN

By: *Tamara J. Spires, Esq.*
mctlaw

It is a tremendous honor to serve as Chair of the Sarasota County Bar Association's Council for Diversity and Inclusion ("CDI") this Bar year.

The CDI's mission is to promote diversity and inclusion in the Sarasota legal community through outreach, education, and collaboration. As I begin my term as Chair, I have reflected on what that mission means and how we can continue building upon the incredible work of those who came before us. While our programs and events are important, I believe our greatest impact is measured not simply by what we do, but by the people we invest in and the relationships we build along the way.

For me, it comes down to one simple idea: investing in people.

Strong communities are built when we invest in one another. They are strengthened when experienced professionals mentor those who are just beginning their journey. They grow when we create opportunities for students to see themselves in our profession and for lawyers from every background to build meaningful relationships rooted in mutual respect, collaboration, and shared purpose.

That philosophy will guide the CDI's work throughout the coming year.

The Council is excited to offer programming that educates, inspires, and brings people together. We look forward to presenting timely CLEs, supporting the Richard R. Garland Scholarship, continuing our partnership with the Booker High School Law Academy, hosting our annual Dr. Martin Luther King, Jr. Leadership Reception, and sponsoring our first Holiday Country Line Dance Party. Together, these initiatives reflect our commitment to expanding opportunities, strengthening lasting relationships, and building an even stronger legal community.

One initiative that is especially meaningful to the CDI this year is our continued partnership with the Booker High School Law Academy. For years, we have partnered with Booker to introduce students to the legal profession through mock trials, educational programming, and meaningful engagement with attorneys and judges. These experiences do more than teach students about the law; they build confidence, develop leadership skills, and help students envision a future they may never have imagined for themselves.

The Council's annual Dr. Martin Luther King, Jr. Leadership Reception is another important initiative. We raise funds to support educational programming, leadership development, and experiential learning opportunities for Booker High School Law Academy students. The reception is more than a fundraising event; it is an opportunity for our legal community to come together in support of a shared purpose: ensuring that students have access to the experiences and resources that will help them succeed.

As part of the Leadership Reception, the Council also sponsors an essay contest for high school students throughout Sarasota County. The contest encourages students to reflect on Dr. King's

legacy and the enduring values of leadership, service, justice, and community. Every year, students share thoughtful perspectives that remind us why investing in young people matters.

The Richard R. Garland Scholarship is another important way we invest in the future of our profession. By supporting law students as they pursue their legal education, we help remove barriers, encourage academic excellence, and reaffirm our commitment to developing the next generation of leaders.

While education and service remain central to CDI's mission, building relationships is equally important. Our inaugural Holiday Country Line Dance Party is intended to create a welcoming environment where SCBA members and community leaders can connect with one another. Strong organizations are built not only through committees and meetings, but also through genuine friendships. Those relationships strengthen collaboration, foster trust, and ultimately make us a better Bar.

While our events are important, I hope they become more than dates on a calendar. The CDI's goal is for each program to create opportunities to learn, build relationships, inspire service, and strengthen the sense of community that makes the SCBA so special.

Whether you are a longtime member of the SCBA or someone considering becoming involved with the CDI, I invite you to join us this year. Attend a program. Volunteer to mentor a student. Support the Garland Scholarship. Become a sponsor of the Dr. Martin Luther King, Jr. Leadership Reception. Share your ideas. Your time, talents, and support will help create opportunities that will have a lasting impact on our profession and our community.

I am confident that together, we can continue building a legal community where everyone feels welcomed, supported, and inspired to lead. Our future is not simply the next generation of lawyers. It is every student we encourage, every young attorney we mentor, every colleague we welcome, and every relationship we build along the way. If we continue investing in people, I have no doubt that the future of our legal community will be stronger because of it.

I look forward to working alongside each of you in the year ahead.

Mark Your Calendars!

Boots + Beats: Line Dancing for a Cause:
November 6, 5:30-7:00, Joyland

MEDIATION

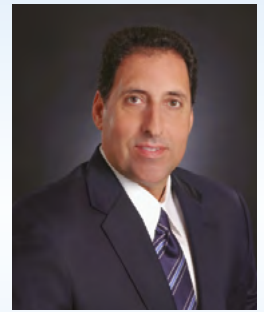
GARY LARSEN JEFF PEAIRS

BOARD CERTIFIED TRIAL ATTORNEYS

Let our 75+ years of litigation experience work for you. We are available to mediate in all areas of civil litigation throughout Southwest Florida. Or visit our state-of-the-art conference facilities centrally located at 175 and Fruitville Road in Sarasota.



Gary Larsen
Certified Circuit Civil
and Federal Mediator
Contact Carol at
941.366.4680



Jeff Peairs
Certified Circuit
Civil Mediator
Contact Stephanie at
941.552.4604



DICKINSON & GIBBONS, P.A.
ATTORNEYS AT LAW

Established 1937

Gateway Professional Center
401 N. Cattlemen Road, Suite 300 | Sarasota, Florida 34232
941.366.4680 | dglawyers.com

Sherri L. Johnson

JOHNSON LEGAL OF FLORIDA, P.L.



BANKRUPTCY & ADVERSARY PROCEEDINGS

28 Years of Experience



Super Lawyers®

(941) 926-1155

sjohnson@johnsonlegalfi.com
www.johnsonlegalofflora.com



Welcome Our 2026 - 2027 Council For Diversity And Inclusion



Tamara Spires
Chair



Shelli Freeland Eddie
Chair-Elect



Ariana Laboy Mena
Secretary



Tyler Stall
Treasurer



Tonya Pitts
Imm. Past Chair



Barbara Bush
MEMBERS-AT-LARGE



Richard Cole III
MEMBERS-AT-LARGE



Tiffany Coleman
MEMBERS-AT-LARGE



Rian Davis
MEMBERS-AT-LARGE



Abigail Dean
MEMBERS-AT-LARGE



Jeff Eckert
MEMBERS-AT-LARGE



Christopher Hallett
MEMBERS-AT-LARGE



William Motherway
MEMBERS-AT-LARGE



Raven Peters
MEMBERS-AT-LARGE



Yuliya Swaim
MEMBERS-AT-LARGE



PLEASE JOIN US FOR THE

SCBA Installation Dinner & Awards Ceremony



ALAN PEREZ

will be inducted
as the SCBA's 79th
President along
with 2026 – 2027
Officers & Directors

SEPT. 24 | 5:30 PM

SARASOTA YACHT CLUB

\$65 PER PERSON | CASH BAR

EVENT SPONSORS



Elder Law 101 – An Introduction to Long-Term Care Planning



*By: Jessica K Close, Esq.
Close Law
SCD President-Elect*

In my last Docket article, I provided quick answers to some of the most frequently asked questions about Medicaid. That provided a limited snapshot of what can be a confusing and overwhelming topic to understand. While your first response may be, “Let me refer you to an expert in this area of law,” it can be helpful to have some background knowledge about long-term care planning options so that you can guide your clients in the right direction. For example, what Medicaid programs exist in Florida to help clients with the high costs of long-term care?

There are two basic programs that provide long-term care assistance for individuals over the age of 65 or under the age of 65 and disabled: the Institutional Care Program (“ICP”) and the Home and Community Based Services Program (“HCBS”).

ICP is for individuals who are in skilled nursing facilities (what you typically think of when you hear, “nursing home”). Skilled nursing facilities offer

the highest level of care. These are appropriate for individuals who need assistance with most of the activities of daily living (bathing, dressing, toileting, transferring, and walking).

The average cost of skilled nursing in Sarasota County is around \$10,000 per month. Medicare and private health insurance do not pay for long-term skilled nursing care. They may provide limited assistance with the cost of rehab, but that is at most 100 days. After that, the client must decide if they are healthy enough to go back home, or if they need to stay in the facility indefinitely. If they stay, they either pay from their own funds or apply for Medicaid to help pay the bill.

If a client is in a skilled nursing facility and meets the financial requirements, they can apply right away and once approved, get benefits effective in the month they applied. Medicaid usually does not pay 100% of the bill. There will be a “patient responsibility” owed to the facility that is based on the individual’s gross monthly income minus certain allowable deductions. Once the client pays the patient responsibility to the facility, Medicaid pays the rest of the bill.

The second major long-term care program in Florida is HCBS (sometimes referred to as the “waiver” program). This is for clients who either live at home or are in an assisted living facility. Assisted living facilities provide some assistance with daily living, but no skilled nursing services. Most memory care facilities are assisted living facilities.

There are several key differences between HCBS and ICP. The first is that the HCBS program is not automatic, there is a waitlist. Clients must first get on the HCBS waitlist, and they cannot apply for Medicaid until they are released. This waitlist is not first come, first served. It is priority based. People that have higher needs get a higher placement on the waitlist and a shorter wait time. Wait times can range from 2 months up to a year or more depending on the priority score the client is given. The waitlist is often a problematic issue for clients as they tend to wait to get on Medicaid until it is an emergency, and they don't have the time to deal with the waitlist. Clients should seek a consultation with an elder law attorney before it is an emergency so that they can give themselves time to navigate the waitlist.

The second key difference between the two programs is that not all assisted living facilities accept Medicaid (unlike ICP, where ALL skilled nursing facilities accept Medicaid). Clients must find an assisted living facility that they like and that takes Medicaid if they want assistance with the bill.

Finally, benefits on HCBS are more limited. If the client is living at home, they usually get around 15--20 hours of in-home care paid for by Medicaid. If they are in an assisted living facility, Medicaid pays around \$1,400 towards the "care services," but the client is still responsible for paying the room and board. Room and board fees vary by facility and can be anywhere from \$2,000 per month up to \$10,000. It all depends on the facility.

The financial eligibility requirements for both programs are the same: clients must fall below the income and assets limits to qualify. I have had many clients say to me, "there is no way my loved one can qualify for Medicaid- they have too much money." However, once we look closer at the type of assets involved and what their planning options are, it is rare (but not impossible) for me to say that they cannot qualify for Medicaid. If you have clients that are facing long-term care concerns, send them to an elder law attorney sooner, rather than later, to work out a solution before it may be too late!

Steele Williams, Esquire

Legal Expertise You Can Rely On

Sarasota & Manatee County

My Florida law practice is focused on assisting clients in the following areas of the law:

Civil Litigation • Real Estate • Business Litigation
Securities Litigation • Estate & Trust Litigation

- ◆ 27 years of trial experience in court and arbitration.
- ◆ Referrals welcome, co-counsel business, commercial and estate litigation cases regularly.
- ◆ Very experienced with Florida Bar business and contract jury instructions.
- ◆ Board certified in business litigation over 10 years.

Steele Williams, Esquire

1381 Mc Ansh Square, Sarasota, FL 34236

(941) 378-1800

Email: SteeleTWilliams@comcast.net

Website: www.sarasotalitigation.com

Member:
Sarasota County Bar Association
Manatee County Bar Association





*By: Brian Goodrich, Esq.
Bentley Goodrich Kison, P.A.
SCBA Board of Directors*

A Statute Without a Theory: Why FDUTPA Competitor Claims Don't Add Up

The Florida Deceptive and Unfair Trade Practices Act is a consumer protection statute that was built for a simple transaction: a consumer buys something, the seller lied about it, and the consumer is owed the difference between what was promised and what was delivered. That model has a clean damages theory the “benefit of the bargain” and a clear beneficiary: the person who got cheated. Since 2001, however, Florida courts have allowed a very different plaintiff to walk through FDUTPA’s door: the corporate competitor, suing not because it bought a defective product, but because a rival’s business tactics allegedly cost it sales. The result is a body of law that keeps trying to graft a competitor’s injury onto a statute engineered around a consumer’s injury and the seams show.

The 2001 amendment opened a door it never explained how to walk through

Before 2001, FDUTPA’s damages provision spoke only of “consumers.” The legislature then swapped that word for “person,” and courts inferred that competitors could now sue. But nothing in the amendment supplied a competitor-specific measure of damages, because the statute was never written with competitors’ injuries in mind. Consumer damages ask: what is the difference between the value of the product as represented and the value of the product as received? A competitor never bought anything from the defendant, so that formula is meaningless. Courts

have had to improvise, and they have improvised in incompatible directions some holding that a competitor's lost profits are the unrecoverable "consequential" damages courts have always excluded, others holding that lost profits are the competitor's actual damages because there is no transaction to measure against in the first place. Both camps can cite Florida authority. That is not a healthy sign for a statute; it means courts are reasoning backward from outcomes rather than applying a coherent legal test.

Tymar Distribution shows the incoherence in one case

Tymar Distribution LLC v. Mitchell Group USA, LLC, 558 F. Supp. 3d 1275 (S.D. Fla. 2021) is a useful illustration precisely because the court split the baby. The Court held that a corporate competitor can seek lost profits under FDUTPA enough to satisfy the \$75,000 amount-in-controversy requirement for diversity jurisdiction. Yet on the merits, the same court dismissed the FDUTPA claim entirely, for a completely different reason: the complaint failed to allege *consumer* harm. The court imported the Sherman Act's antitrust framework, reasoning that because a decrease in "intra-brand" competition (rivalry among sellers of the same brand) often benefits consumers by encouraging retailers to invest in service and promotion, a plaintiff alleging only harm to itself as a competitor not to consumers has not stated a deceptive-practices claim at all.

That is a genuinely awkward doctrinal position. A statute that lets a competitor sue for its own lost profits, while simultaneously requiring that competitor to plead harm to someone else (consumers) as an element of the claim, is asking the plaintiff to prove an injury it isn't suing over and recover for an injury the statute doesn't obviously provide. Indeed "an act is not deceptive and a practice is not unfair unless a consumer was actually aggrieved by the act or practice." *Hill Dermaceuticals, Inc. v. Anthem, Inc.*, 228 F. Supp. 3d

1292, 1302 (M.D. Fla. 2017) (emphasis added). However, the competitor's actual grievance has nothing to do with the consumer harm at all. Tymar's alleged damages were entirely about Tymar's business; the court's dismissal turned entirely on the interests of third parties whose injury Tymar never needed, and arguably never intended, to prove.

Borrowing antitrust's test without antitrust's guardrails

The deeper problem is that Sherman Act doctrine was not designed to be bolted onto a state deceptive-trade-practices statute. Antitrust law tolerates a great deal of hard-nosed competitive behavior including conduct that hurts a particular rival because its sole concern is the *competitive process*, not any individual competitor's bottom line. Its consumer-welfare test exists to filter out exactly the kind of self-interested competitor lawsuits FDUTPA seems to invite: a losing competitor complaining that a rival's marketing, for example, hurt its sales. The competitor is left suing under a statute whose title promises to protect *it*, while the operative legal test asks whether *unrelated third parties were hurt*.

Two incompatible statutes wearing one name

The purpose of FDUTPA is to protect consumers. It makes little sense to allow lost profits claims by corporate competitors which are wholly disconnected from the consumer injury. Strip away the caption and Florida courts are really applying two different statutes under a single name: a straightforward consumer-restitution statute, and an ad hoc, judicially assembled competitor-standing regime borrowed piecemeal from contract damages doctrine and antitrust law. That second regime lacks the two things that make the first coherent a defined class of protected plaintiffs and a damages measure tailored to their actual injury. Lacking these, FDUTPA claims simply don't add up in the corporate competitor context.





*By: Abigail Dean, Esq.
Hamilton Price
CDI Council Member*

Two Systems, One Child

Did you know that a child in foster care is far more likely to end up in the juvenile justice system than a child who is not?

By age 17, more than 50% of children in foster care will have had an encounter with the juvenile legal system through arrest, conviction, or detention. Twenty-five percent will be involved with the criminal legal system within two years of leaving care. And a child who has moved through five or more placements faces a 90% risk of criminal legal system involvement.

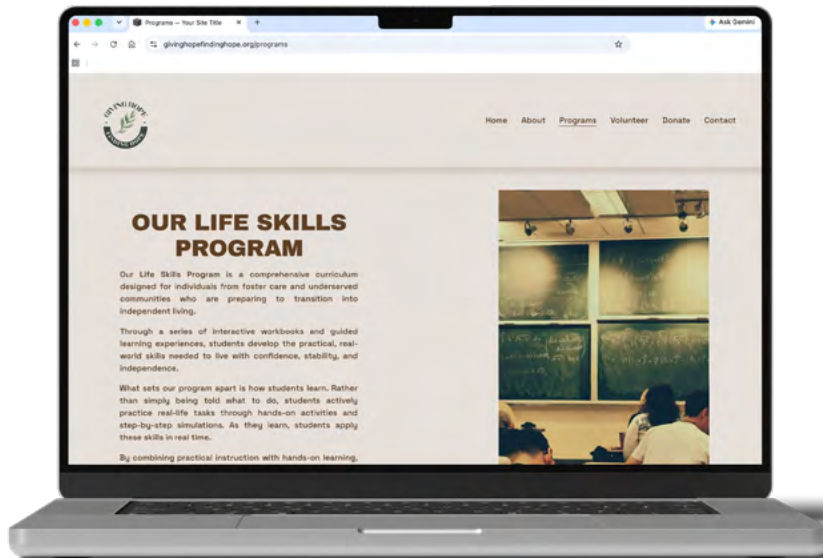
Ninety percent. Because they kept moving.

Researchers call these young people “crossover youth,” because they cross from one system into the other. But these are not two groups of children. It is the same child. A child the state removed from a home because it was not safe, standing a few years later in a different courtroom, being asked to answer for something that they did.

The first system was supposed to protect them. The second holds them accountable. Somewhere in between, we lost them.

I learned this during my second year of law school, in a Juvenile Law class. I left that semester with something I could not put down. We spent weeks on the overlap between dependency and delinquency, and on the disparities running through both. But what stayed with me were not the policy debates. It was the daily reality these kids carried.

I knew before that class ended that I wanted to do something. I just did not know what.



Wanting to give back was not new for me. My parents made sure of that. Saturdays meant showing up in the community, faithfully picking up litter along the roads, painting somebody's house, then going in and helping with whatever needed doing inside. Nobody framed it as service. It was just what our family did, and it stuck. So when I sat in that classroom and heard those numbers, something connected. The instinct my parents instilled in me finally had a direction.

In 2022, that vision became Giving Hope Finding Hope Organization, Inc., a 501(c)(3) nonprofit serving individuals in foster care, individuals who have aged out, and members of underserved communities.

Our flagship program is a free Life Skills Program. We cover financial literacy, housing and tenant education, transportation, cooking, home maintenance, hygiene and self-care, etiquette, and academic and career readiness.

My legal education helped me understand why this gap exists. Everyone in that system — judges, case managers, guardians ad litem, attorneys works toward the same goal, and most carry more cases than any one person should. But their work is measured in placements, hearings, and permanency.

And that is what the 90% figure is really telling us. A young person who has moved five or six times has been starting over each time. New house, new rules, new school, new set of adults. There is no stretch steady enough for anyone to teach them what most of us absorbed slowly, at home, from someone who had time. Not because the adults around them did not care. Because the ground kept moving.

When they turn eighteen or twenty-one, they are handed a stack of documents and expected to make life-changing decisions based on knowledge they were never given. That is the gap we fill, and we do it through hands-on guidance and real-world experience.

Our workshops are not lectures. We walk participants through opening a bank account, step by step, so the first time is not alone at a teller window. We walk them through buying a vehicle financing, insurance, what a dealer will and will not tell you. We walk them through booking and taking a plane trip, from reservation to security line. Participants do not just hear about these experiences, ; they practice them. They cook the meal themselves. They participate in mock interviews, receive constructive feedback, and do it again until they improve. They learn by doing, making mistakes in a supportive environment, and gaining the confidence to succeed on their own.

The goal is not information. It is capability. We want every person who comes through our doors to walk out equipped to live as a successful, independent adult able to hold a lease, manage a paycheck, and build the life they want.

Every statistic I opened with is a child whose outcome was not fixed. It was shaped by who showed up and who did not. We would rather be the ones who showed up.

To learn more, support our mission, make a donation, or get involved, visit www.givinghopefindinghope.org.



*By: Amanda F. Davy, Esq.
Perez Law Firm
S-FAWL President*

A Year of Connection: Why This is the Year to Join FAWL Sarasota

When was the last time you left a professional event with an actual friend, not just a stack of business cards? For members of FAWL Sarasota, the answer is usually “last month.” As the chapter heads into its 2026-2027 year, with Amanda F. Davy, Esq. installed as President, the goal is to make that answer true for a lot more lawyers in this community.

Since 1984, the Sarasota Chapter of the Florida Association for Women Lawyers has been built on a mission of promoting gender equality and the leadership of women in the legal profession, the judiciary, and the community. But ask any long-time member what keeps them coming back, and they won't recite the mission statement. They'll tell you about the people. The mentor who talked them through their first trial. The referral that came from a conversation over dinner. The room was full of lawyers who showed up when it mattered. That's the part you can't get from a membership brochure, and it's exactly what this year's calendar is designed to deliver.

And this calendar does not look like a typical bar association lineup. Yes, there's a CLE on mental health and wellness in the profession, because that conversation is always important. But there's also a floral arrangement class in November, a salt cave spa experience in January, and a trolley tour through Historic Newtown in March. A piece of Sarasota's history that isn't on nearly enough people's radar. Between joint mixers with Manatee FAWL and the annual SCBA/FAWL Holiday Party, there is genuinely something for everyone, whether you want CLE credit or just a good evening out with people who understand what your workday looks like.

Two events anchor the year. In February, the chapter honors the judicial assistants of our circuit at the JA Appreciation event. JAs are the backbone of every courtroom, and they rarely get thanked for it. This night is entirely about fixing that. Then, in late spring, FAWL Sarasota hosts the Judicial Reception/Legal Aid Awards with the judges of the Second District Court of Appeal. This is an evening that celebrates the lawyers and judges making sure everyone, regardless of what they can afford, gets real access to justice. For many members, it's a reminder of why they went to law school in the first place.

One thing that surprises people is that FAWL membership is not limited to women. Membership is open to men and women alike. All lawyers who support the chapter's mission, including registered paralegals and law students are welcome to join. If you're new to town, new to practice, or just tired of practicing law on an island, this is one of the easiest ways to plug into Sarasota's legal community.

Here's the invitation to come to just one event this year. Bring a colleague. See what the room feels like. Membership information is at sarasotafawl.com and the chapter can be reached at SRQFAWL@gmail.com. FAWL Sarasota is only as strong as the people in the room, and this year, there's a seat waiting for you.

● SAVE THE DATE ●

THE *Human Side* OF LEGAL CONFLICT

A CONFERENCE FOR FAMILY LAW PROFESSIONALS



Family Court
Professional
Coalition

2026 20TH ANNUAL
CONFERENCE



OCTOBER 9, 2026

8:00 AM - 5:00 PM

5:00 PM - SOCIAL
immediately following
the conference



**LAKEWOOD RANCH
COUNTRY CLUB**

7650 LEGACY BLVD.
LAKEWOOD RANCH,
FL 34202



OPEN TO

FCPC members and
qualifying non-members
who work in family law

REGISTRATION RATES

Early Bird \$225.00
until June 30

Advance Rate \$245.00
July 1 - August 15

Standard \$265.00
August 16 - September 30

**Later Registration/
Registration at the door** \$300.00
October 1 - Day of event

Students/Non-profits/Paralegals
\$125.00 through September 30

CONFERENCE OVERVIEW

PRESENTERS CONFIRMED TO DATE:

- **12 Month Case Law Update:** Sharon O'Day and Stephanie Roth, LMHC in Florida and New York
- **Vexatious Litigation & the New Statute:** Andrea K. Holder, Esq., Dax Nelson, P.A. and Lyndsey E. Siara, General Counsel, Office of Court Counsel, Sixth Judicial Circuit
- **Interplay of Family Law and Mental Health** (Multiple Topics & Presenters): Judge Diana Tennis and Don Moll, Certified Divorce Lending Professional
- **Judge's Panel**

COURT PERSONNEL

may attend at no cost. Seats are limited.

Includes judges, magistrates, hearing officers, judicial assistants, case managers, mediation department, and members of court administration.

Continuing Education Credit
pending for all fields.

Sponsorships are being offered.



REGISTER NOW!



TINYURL.COM/FCPC12-2026

FORECLOSURE



By Karen E. Rushing
Clerk of Court & County Comptroller

THE CLERKS CORNER



Noticing the Details

In a foreclosure action, after final judgment is entered, please double-check that the information in your notice of sale accurately reflects the content of the judgment and that you have made arrangements for publication. Our office has recently seen an unusual number of errors in such notices. In an action for foreclosure and prior to the conduct of a judicial sale, Section 45.031(2), Florida Statutes, requires that notice of such sale be published containing the following information:

- (a) A description of the property to be sold.
- (b) The time and place of sale.
- (c) A statement that the sale will be made pursuant to the order or final judgment.
- (d) The caption of the action.
- (e) The name of the clerk making the sale.
- (f) A statement that any person claiming an interest in the surplus from the sale, if any, other than the property owner as of the date of the lis pendens must file a claim before the clerk reports the surplus as unclaimed.

A correct description of the property to be sold is critical. For a sale to be completed, the Clerk must issue a certificate of sale certifying, in part, that the required notice was published for the property described in the order or judgment of foreclosure. Therefore, if such notice is not published or if the published notice is not for the correct property, the Clerk cannot certify the sale. Without a certificate of sale, a certificate of title cannot be issued on the subject property.

Notice published in a newspaper must be in one of general circulation. In *Benson v. City of Miami Beach*, Dept. of Cmty. Affairs, 591 So. 2d 942, the Third District found that where a newspaper circulated only in beachfront towns, it did not satisfy the general circulation requirement. Further, when publishing in a newspaper, plaintiffs should be mindful of the timing requirements set forth in section 45.031(2), Florida Statutes, i.e.: such notice must be published once a week for 2 consecutive weeks with the second publication occurring at least 5 days before the sale.

The Supreme Court of Florida has emphasized that, upon a proper showing, a judicial sale may be vacated on equitable grounds. *Arsali v. Chase Home Fin. LLC*, 121 So. 3d 511, 515 (Fla. 2013). Such equitable grounds include gross inadequacy of consideration, surprise, accident, or mistake imposed on complainant, and irregularity in the conduct of the sale. *Id.* Even small defects in a notice of sale, taken together with other irregularities, could be sufficient to invalidate the sale. Be sure to check your case captions, dates, times, and other details before publishing.

By ensuring that the notice of sale contains the information required by statute and set forth in the order or judgment of foreclosure and is published in accordance with the requirements of law, practitioners can give themselves the best chance at a successfully completed judicial sale. If you have questions about how to file your proof of publication, we encourage you to reach out to the Clerk's Office for assistance.



YLD KICKOFF EVENT



Date + Time:
Thursday, September 17
5:30-7:30 PM

Location:
Beso Downtown Sarasota

Price:
\$15 Per Person:
Includes One Drink Ticket

Let's kick off an incredible year together!

Come for the bites and drinks, stay for the people, and discover all the exciting events, opportunities, and good times YLD has planned this year.

- Meet fellow members
- Hear what's ahead
- Find your place in YLD

**THANK YOU TO
OUR SPONSOR**



WELCOME NEW MEMBERS!



ANTHONY "AJ" BENANTE

Associate

Wicker, Smith, O'Hara, McCoy & Ford, P.A.



LESLIE DUTCOT

Vice President

Fifth Third Private Bank



JESSICA EMERSON

Legal Assistant

Law Office of Wiesner Smith



SAMANTHA KELLY

Paralegal

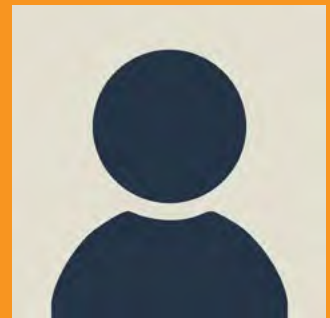
Archbold Law Firm, P.A.



LEX SAYRE

Associate

Lutz, Bobo & Telfair, P.A.



ZACHARY VIDAL

Associate

Wicker, Smith, O'Hara, McCoy & Ford, P.A.

LUTZ, BOBO & TELFAIR
TRIAL LAWYERS

M McNary Law

35 | THE DOCKET - SEPTEMBER 2026

MEMBER SPOTLIGHT

Serving Beyond the Practice of Law

SCBA members contribute to our community in countless ways, including lending their leadership, experience, and expertise to nonprofit organizations throughout our region.

This week, we're proud to recognize three members making a difference through board service and share why they choose to serve.



Jason Miller, Esq.

Miller Litigation & Appeal

Director, Gulfcoast Legal Services

"A strong community is measured by how it cares for its most vulnerable members. Every family that remains housed, every senior protected from exploitation, and every child whose future is secured affirms that the law can be a force for hope as much as justice."

Jason believes the privilege of practicing law carries a responsibility to help ensure access to justice for everyone, and that equal justice under law is a promise worth keeping.



Michael Sittner, Esq.

Shutts & Bowen, LLP

Trustee, Suncoast Humane Society

"I serve on the board of the Suncoast Humane Society to work alongside fellow community leaders to further the Society's vision of helping pets and people live happier, healthier lives filled with love, together."

Michael also serves on the organization's governance committee, helping advance its mission and strengthen its impact in our community.



James "Jim" Turfffs, Esq.

Hill Tannenbaum

Director, Arts & Cultural Alliance of Sarasota County

"I serve on the Board of the Arts & Cultural Alliance of Sarasota because I believe a thriving arts community enriches our quality of life, strengthens our economy, and inspires innovation."

For Jim, board service is an opportunity to help advance an organization that champions creativity, collaboration and cultural opportunity throughout our region.



Calling All Nonprofit Board Members

Tell Us Why You Serve

The Sarasota County Bar Association is proud of the many members who generously give their time and talents by serving on the boards of local nonprofit organizations.

If you currently serve on a nonprofit board, we'd love to feature you in an upcoming issue of *The Docket* and on SCBA social media channels.

Please email the following to the SCBA office:

- A professional headshot
- The name of the nonprofit organization(s) you serve
- Your board position (if applicable)
- Brief (25–50 word) "Why I Serve" statement

**SUBMIT YOUR
FEATURE HERE**

Help us celebrate the many ways SCBA members are making a difference in our community!

*For purposes of this initiative, we're focusing on community-based nonprofit organizations rather than professional associations or bar associations. Service to the legal profession is certainly valuable, but this effort is intended to encourage attorneys to share their leadership and expertise with nonprofits serving our broader community.

NEWS OF NOTE



Hill Tannenbaum Announces Three New Partners, Strengthening Leadership and Commitment to Client Service



James "Jim" Turffs



Jennifer Hicks



Taylor Ford

Hill Tannenbaum is pleased to announce attorneys James "Jim" Turffs, Jennifer Hicks, and Taylor Ford have been named partners of the firm, effective August 1, 2026, strengthening the firm's leadership and expanding its capacity to serve community associations, building owners, homeowners, and commercial interests throughout Florida. The promotions recognize each attorney's legal judgment, client service, and contributions to the firm's continued growth. Hill Tannenbaum provides legal counsel in community association law, construction law and litigation, commercial litigation, covenant enforcement, collections, contract review, and general corporate matters.



EVENT SCHEDULE

SEPTEMBER 2026

THURS 17	YLD Kickoff Event	5:30 PM
FRI 18	DEPOSITION UNIVERSITY: How to Take Effective Depositions	12:00 PM
THURS 24	Annual Installation Dinner	5:30 PM

OCTOBER 2026

THURS 15	YLD Third Thursday Social	6:00 PM
FRI 16	CUT THE NOISE: Building a Smarter Legal Tech Stack	12:00 PM
TUES 20	Charitable Giving Opportunities for Residences & Vacation Homes: Lifetime & Testamentary Strategies	12:00 PM
THURS 22	Louisiana v. Callais: The Court's Reasoning & Legal Implications	12:00 PM
THURS 29	The Intersection of Legal Ethics and Emerging AI Technologies	2:00 PM

NOVEMBER 2026

WED 4	Advocating for Your Professional Value: Strategies for Compensation Conversations...	12:00 PM
THURS 5	Mix & Mingle at Lord Higel House	5:30 PM
FRI 6	Boots + Beats: Line Dance for a Cause	5:30 PM
THURS 19	YLD Third Thursday Social	5:00 PM



THANK YOU TO OUR 100% MEMBERS

WE APPRECIATE YOUR TIME AND COMMITMENT!

Adams and Reese, LLP

Belle Law Firm

Berg, Sloan, & Mowry, PLLC

Bowman, George, Scheb, Kimbrough,
Koach & Chapman, P.A.

Teresa K. Bowman, P.A.

Boyer & Boyer, P.A.

Burgess, Harrell, Mancuso, Colton &
La Porta, P.A.

The Byrd Law Firm, P.A.

Christine Law, P.A.

Dannheisser Injury Law

Dickinson & Gibbons, P.A.

Dominko Swaim Law Group PLLC

Downyok & Downyok, P.A.

Dunlap & Moran, P.A.

The Edwards Law Firm

Law Firm of James L. Essenson

Ferguson Skipper, P.A.

Ferrari, Butler & Moneymaker, PLLC

Garcia | Dell, P.A.

Gaskill Law Firm

Hale and Iyampillai, P.A.

Horlick & Corbridge, P.A.

Hutton & Stall, PLLC

Icard, Merrill, Cullis, Timm, Furen &
Ginsburg, P.A.

Klingbeil & Roberts, P.A.

Lancaster & Eure, P.A.

Law Office of Annette Z.P. Ross, P.L.

Law Office of Robert K. Lincoln, P.A.

Ledbetter Cowan Law Group

Loftus Law

Luhrsen Goldberg, LLC

Mallard Law, PLLC

mctlaw

McNary Law

O'Brien & Bennett

The Payne Law Group, PLLC

Reegler & Tornese, P.A.

The Law Place

The Roknich Law Firm, P.A.

Trenam Law

Sarasota Office of the County
Attorney

Shutts & Bowen LLP

Syprett Meshad & DuBose, P.A.

Ulrich, Scarlett, Watts & Dean

Van Winkle & Sams, P.A.

Wiesner Smith, PLLC

Williams Parker Harrison Dietz &
Getzen

Wills, Trusts, Probate & Elder Law
Firm, PLLC

Zimmerman and Zimmerman



The Sarasota County Bar Association 100% Club is a special category of membership that demonstrates extraordinary commitment to the legal profession and our community from law firms, law departments and legal organizations that enroll 100% of their attorneys (two or more) as members of the SCBA. If you think your firm qualifies, email a list of your associates to scba@sarasotabar.com



Crofts Mediation

CroftsMediation.com

TROY CROTTS
Troy@CroftsMediation.com
(727) 403-8107



Troy practiced for 37 years as a civil trial litigator and now has a statewide solo mediation practice. He is authorized to mediate in all State Circuit Courts and in the Middle and Northern Federal District Courts.

- Florida Supreme Court Certified Civil Circuit Mediator since 2022
- 31-year Florida Bar Board Certified Civil Trial Lawyer
- “AV” Preeminent Rating by Martindale Hubbell
- Selected as a Florida “Legal Elite”, “Super Lawyer” and “Best Lawyers in America”
- Named by Best Lawyers as one of two Tampa “Lawyers of the Year” – Personal Injury Litigation (2014) and Medical Malpractice (2015 and 2023); and recently named as one of two St. Petersburg “Lawyers of the Year” – Personal Injury Litigation and Medical Malpractice
- American Board of Trial Advocates – Tampa Bay Member and Executive Board Member

Focusing on medical, long-term care, premises, automobile, trucking and other general negligence claims.

Under Investigation?

Act Early.

Todd Foster defends executives, professionals, and businesses in federal investigations, white collar criminal defense matters, and government enforcement actions. With **25+ years of experience** — including service as an FBI Special Agent and Assistant U.S. Attorney — **he brings an insider’s perspective to every defense strategy.**



Confidential matters require immediate attention.
Contact Todd directly.

Todd Foster

TFoster@jpfirm.com
(813) 419-1350
www.jpfirm.com



WANT TO ADVERTISE IN THE DOCKET?

Advertise in The Docket and reach the movers and shakers in Sarasota’s legal community.

Call today to get your firm or business in front of our elite readership!

941.861.8180 | SCBA@SARASOTABAR.COM
SARASOTABAR.COM



THE DOCKET

The Docket is the official award-winning publication of the Sarasota County Bar Association.

OUR MISSION

As a leader of the local legal community, the Sarasota County Bar Association serves our membership by advancing professionalism, promoting practice development, and fostering fellowship.

2002 RINGLING BLVD SARASOTA, FL 34237 | 941.861.8180 | SCBA@SARASOTABAR.COM | SARASOTABAR.COM



SarasotaBar



@scba.yld



@scba_sarasota



SarasotaCountyBarAssociation