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PRESIDENT'S MESSAGE

Serving as the 101st President of the St. Petersburg Bar Association has been one of the greatest honors of my professional life. To follow in the footsteps of so many dedicated leaders, many of whom I had the privilege of serving alongside with, has been both humbling and inspiring. Having worked with at least seven past presidents on prior SPBA Board of Directors before taking on this role, I witnessed firsthand the commitment, integrity, and vision that define this organization.

This year has reinforced what makes our Bar so special. Our theme, Bar 101, renewed our focus on the needs of our members. Focusing on the most beneficial aspects of our Association, we brought back a number of successful events from the past, held even more in-person events, and increased opportunities for more face time with our judiciary for our members.

Our Bar is a leader among the Voluntary Bar Associations of our state, and is nationally known for our efforts in promoting mental and physical health and wellbeing. However, I am especially mindful that no presidency stands alone. The progress we have made is the result of the collective efforts of past and present board members, committee chairs, volunteers, staff, and members who give their time and energy for the betterment of our profession, our community, and our Association. It is through that collaboration that our Bar continues to thrive.

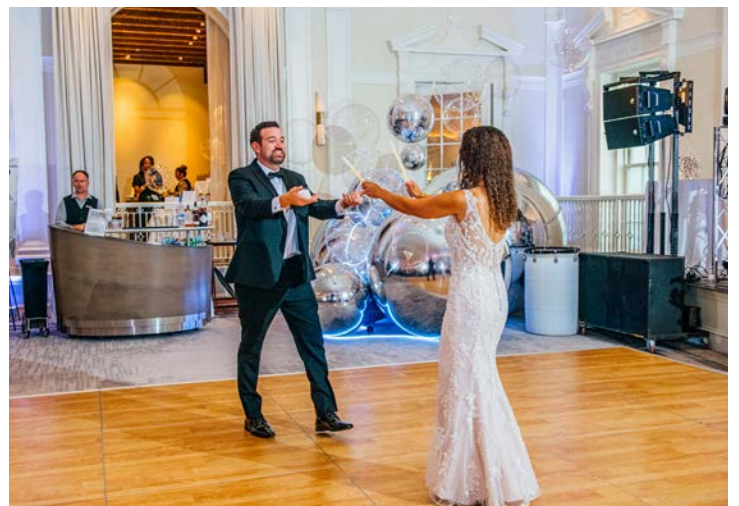
As I transition from this role, I do so with immense pride in what we have accomplished together and with optimism for what lies ahead.

I also look forward, with a sense of both humility and camaraderie, to joining the ranks of our Bar's Past Presidents, an extraordinary group whose continued guidance and support remain invaluable to our Association. This special group was recently celebrated at the Past Presidents' Reception (see page 35).

Thank you for the trust you placed in me. It has been a tremendous honor to carry forward the legacy of the 100 presidents who served before me. I would like to personally congratulate our President-Elect, Raleigh "Billy" Greene, who will serve as our 102nd President of the St. Petersburg Bar Association. I have no doubt that he will continue to lead our organization successfully into the future with the help of our amazing Executive Director, Melissa Byers, and our 2026-2027 Board of Directors.



By Joseph Murphy

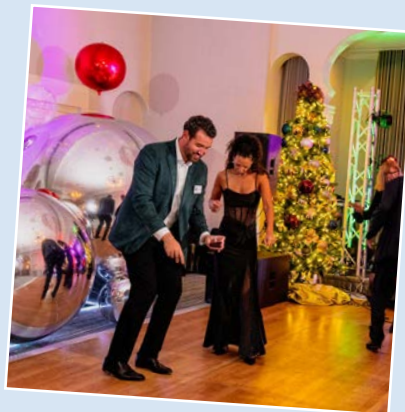


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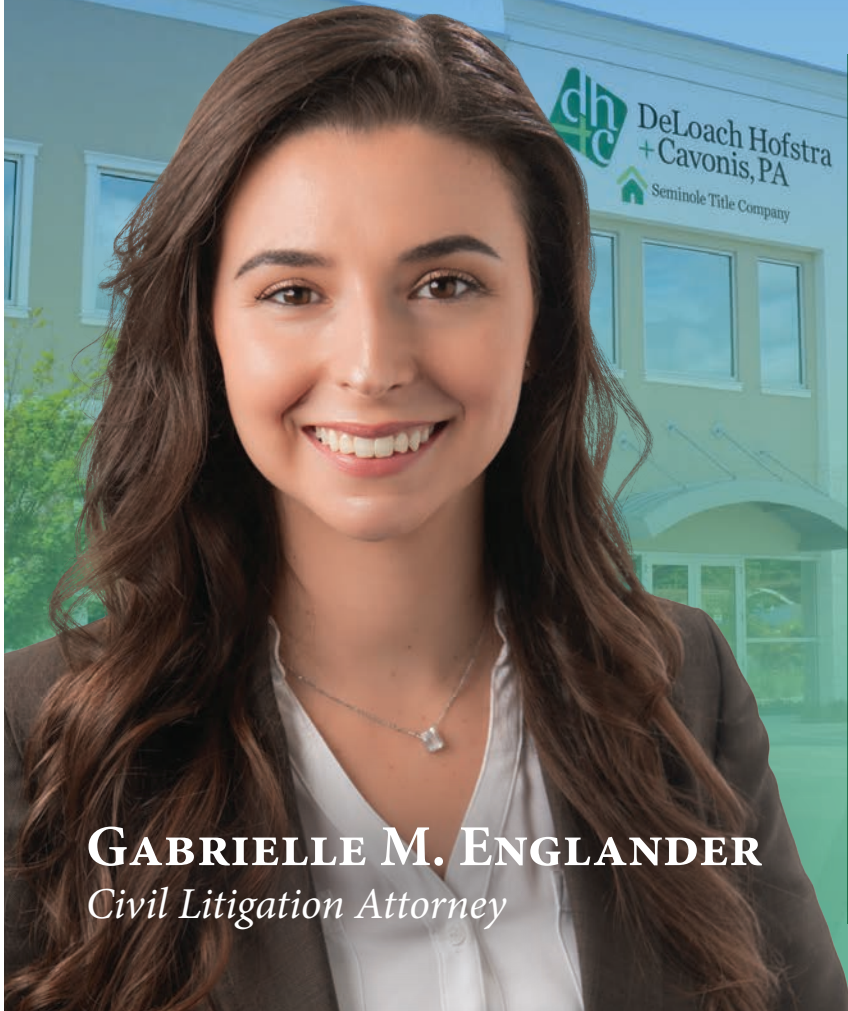
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Law Day 2026 — Our Dream, Our Responsibility

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By Katherine Castaner

The Rule of Law and the American Dream is the theme that The American Bar Association (ABA) announced for Law Day 2026. Each year the ABA announces a theme for Law Day and invites dialogue on the law. This year's theme calls for an honest reflection on the interplay between a judicial system we can trust and the future we aspire to achieve.

Law Day is an annual commemoration to celebrate the law and cultivate a deeper understanding of the legal system.¹ Across the country, teachers, students, judges, and attorneys will engage in programs and dedicate their time and efforts to exploring and expanding our understanding of what the Rule of Law is and how it upholds the American Dream.



The phrase "American Dream" was first popularized by James Truslow Adams in his 1931 book, *The Epic of America*. Writing during the Great Depression, Adams described the American dream not a promise of material wealth, but one of equality. He wrote:

"It is not a dream of motor cars and high wages merely, but a dream of social order in which each man and each woman shall be able to attain to the fullest stature of which they are innately capable, and be recognized by others for what they are, regardless of the fortuitous circumstances of birth or position."

Adams envisioned a dream that was built on social order. In the midst of the Great Depression, he contemplated the importance of order. Even in one of the most uncertain periods in American history, he recognized the importance of a stable and just system that would promote fairness among its people. That same idea resonates just as strongly today.

Almost a century later, distinguished panelists gathered to present on the iconic phrase — The American Dream — and what it means today in light of the 2026 theme.

To kick off this year, the ABA released the 2026 Law Day Program led by Law Day Chair Michael Flowers. In this webinar, panelists discussed the Rule of Law and its implication for the American Dream. Evoking the same

principles that James Adams spoke of, United States District Judge Alvin W. Thompson emphasized the importance of an often overlooked component of the Rule of Law: community commitment.

Judge Thompson offered the definition of the Rule of Law devised by the World Justice Project: the rule of law is a durable system of laws, institutions, norms, and community commitment that delivers four universal principles: accountability, just law, open government, and accessible and impartial justice.² While much attention is often directed to the formal institutions, Judge Thompson emphasized two pieces of the Rule of Law that often are understated— norms and community commitment.

Together, the ABA, Judge Thompson, and even James Truslow Adams offer a powerful reminder: The American Dream is not guaranteed. It is powerful, but its preservation requires our continued commitment. This year, as we celebrate Law Day, we are reminded more than ever that the Rule of Law is not an abstract concept; it is the foundation for the American Dream and thus requires the commitment of its people.

This year, the ABA has selected a theme that touches upon every aspect of life in America and the very law that governs and the future our shared commitment can offer. The message is clear, without the Rule of Law, the American Dream is not possible. With it, and with commitment from each of us, it is a dream worth tending to.

Katherine "Kat" Castaner is an associate attorney at Banker Lopez Gassler P.A. in the beautiful and bustling St. Petersburg office. A Florida native with a lifelong passion for written and spoken word, she has found great joy and pride in her role as a counselor on the Gulf Coast alongside respected colleagues and mentors.

1. ABA. https://www.americanbar.org/groups/public_education/law-day/

2. The World Justice Project, What is the Rule of Law? <https://worldjusticeproject.org/about-us/overview/what-rule-law>

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Could HOAs in Florida Soon Be a Thing of the Past? Mandatory Amendment Votes for Condominium Associations and HOAs? – Key Provisions of HB 657



By Leah Ellington

In December of 2025, State Representative Juan Porras (R-Miami) posted on X that “Floridians have been asking for real HOA reform, and we’re delivering...” This post included a press release describing “HB 657 - Community Associations”, which made its way through the Florida House of Representatives, but stalled in the Senate, and ultimately died in Rules.

Among other things, this bill would allow for any circuit court in the state to create and administer a community association court program, which would have jurisdiction over disputes arising under Chapter 718 of the Florida Statutes (the Condominium Act), Chapter 719 (the Cooperative Act), and Chapter 720 (the Homeowners’ Association Act).

The program would have certain specific powers, including the ability to: “enforce all statutory rights of unit owners and parcel owners”, “order the Department of

State to dissolve a community association”, and “appoint a termination trustee to manage the distribution of association assets and resolution of liabilities.”

Another change would require that every condominium association and homeowners’ association formed on or after July 1, 2026, have the following statement in its governing documents:

“This association and the association’s governing documents are governed by the [Florida Condominium Act, for condominium associations; Florida Homeowners’ Association Act, for homeowners’ associations], as amended from time to time.”

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Every association existing before that date would be required to hold a membership meeting by January 1, 2027, to vote on whether to amend the governing documents of the association to include such a statement. The provision containing this requirement does not state whether this would be an amendment to the Declaration of Condominium or Declaration of Restrictions (depending on whether it is a condominium association or HOA), Articles of Incorporation, or Bylaws, or perhaps all three. Such an amendment would require approval of two-thirds of the voting interests, regardless of the approval provisions in the Declaration, Articles of Incorporation, and Bylaws for that association regarding amendments.

This would give the membership of every such existing association in Florida the option of including what is known as "Kaufman language" in their documents. *Kaufman v. Shere*, 347 So. 2d 627 (3rd DCA 1977) is a landmark decision which confirmed that a Declaration, as a contract, includes the law as it existed at the time of its creation. However, if the Declaration includes language incorporating the relevant statute, for example "as amended from time to time," then future changes to the statutes are automatically incorporated into the Declaration and would, therefore, apply retroactively to that association. Requiring all associations to either include such language if formed on or after July 1, 2026, or vote to add such language if existing before that date, raises serious issues regarding the freedom to contract and therefore, constitutional impairment.

Another change in the proposed bill would be to eliminate the presuit mediation requirements contained in both the Condominium Act and the Homeowners' Act.

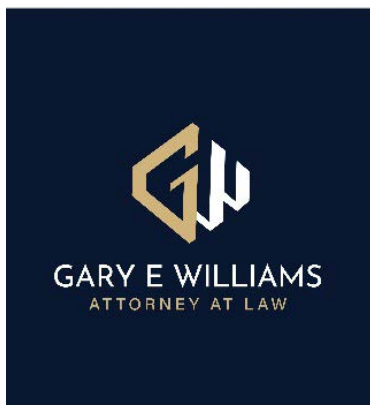
Perhaps the most notable aspect of HB 657, however, is that it includes a process by which homeowners'

associations in Florida could be terminated or dissolved. Under the bill, a homeowner who wishes to terminate an HOA would have to provide the board of directors with a petition that includes signatures from at least 50 percent of the association's voting members. The board must then hold a meeting of the members within 60 days. Two-thirds of the total voting interests of the association would be required to approve the termination plan. If the members reject a plan of termination, a subsequent plan of termination may not be considered for at least 18 months after the date of the rejection.

On March 5th, the bill was approved by the House of Representatives and was received by the Senate, but the Legislature adjourned on March 13th with no progress in the Senate regarding this bill. It seems unlikely that the Senate will take this up in the special session expected to occur in April, but it is not clear if there will be future attempts to pass a bill similar to HB 657.

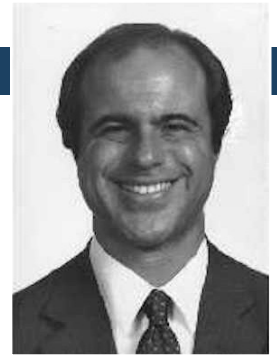
It is important to keep in mind that, despite the frustrations that some people may feel toward their HOAs, mandatory homeowners' associations organized under Chapter 720 of the Florida Statutes perform many important functions. A bill such as HB 657 would simultaneously provide more regulation requirements (by opening the door to eliminate Kaufman language and therefore expand the applicability of statutory changes) and provide opportunities to deregulate associations (by allowing for the dissolution of HOAs).

Leah Ellington is a Florida Bar Board Certified Expert in Condominium and Planned Development Law. She represents HOAs, Condominium Associations, and Cooperatives in the Tampa Bay area, Manatee, Sarasota Counties, and beyond.



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Trademark Protection For HOAs: How Can A Condominium Or Homeowners Association Safeguard Its Good Name?



By David R. Ellis

*Who steals my purse steals trash;
But he that filches from me my good name
Robs me of that which not enriches him
And makes me poor indeed.*

– Shakespeare’s Othello. Act III, Scene 3.

Recently, and on more than one occasion, I have been contacted by condominium and homeowners associations who have encountered problems with one of their owners using the association’s name for their own commercial purposes without the permission of the association. In some of the cases, real estate agents living in the community have set up their own unofficial websites to promote their businesses, using variations of the association’s name, or established social media accounts, such as Facebook, or published magazines using the association’s name in the title of their publications, all without the permission of the association.

Once an association adopts its name, it immediately acquires common law rights in the name. If the association’s name is distinctive or has been used for a long period of time, it can be protected as a trademark and registered with the State of Florida or the United States Patent and Trademark Office (USPTO). A trademark is a name, symbol, logo or slogan adopted by an entity to identify its goods and services and distinguish them from competing goods and services provided by others.

When a trademark is used in connection with services, it is called a service mark. The USPTO, State of Florida, and most countries worldwide have adopted an international list of 45 classes of goods and services, of which 34 are for goods and 11 for services. A service mark is a subset of trademarks and cover such services as advertising and business services (Class 35), financial and real estate services, including brokerage and management services (36), education and entertainment services (41), hotels and restaurants (43), and legal services (45).

Examples of trademarks for goods include electronic and computer equipment (9), printed publications (16), clothing (25), sporting goods and toys (28), and food items (29, 30, 31), depending on whether they are derived from animal, vegetable, or grain products or whether they are processed or unprocessed. The USPTO maintains an extensive list of acceptable descriptions of goods and services that can be used when applying for a trademark.

In order to register a trademark on the federal level, the association will have to show that it is engaged in or affects interstate or foreign commerce, but that is not a high bar inasmuch as many condo and homeowners live in Florida only on a part-time basis, and live the rest of the time in another, often northern state. Since many of these snowbirds retain their permanent domiciles in their home states, that is sufficient to establish a nexus with interstate commerce. Also, HOAs sometimes advertise or otherwise communicate with residents of other states, perhaps to entice them to live in their communities, further establishing a connection with interstate commerce.

Adoption and use of a trademark confers on the owner the right to prevent others from using the same or similar mark in a manner that would be likely to cause confusion or mistake or to deceive the public as to the true source of the goods or services. The owner may also have rights under the Federal Anticybersquatting Consumer Protection Act of 1999 to prevent an unauthorized person or entity from using a domain name that is confusingly similar to the owner’s. So, for example, a condominium called “Sun and Sky” with a domain name at www.sunandsky.com could bring an action against an owner who is operating an unauthorized website at www.sun-and-sky.com or www.sunsky.com where it would be likely to confuse homeowners as to the true proprietor and operator of the website.

Once the association’s trademark is registered either with the state of Florida or the USPTO, the association can send out a cease and desist letter to the person or entity infringing its mark, demanding that they stop using the association’s trademark or any confusingly similar mark on their website, social media accounts, publications, and other media. The letter would allege that the infringer was engaging in trademark infringement, unfair competition, deceptive trade practices, misrepresentation, and cybersquatting. It would give the infringer a short period of time in which to cancel its domain registration, terminate or change the name of its social media accounts, and discontinue publication of its magazine or other printed material, or change the name.

If the infringer did not comply, the association would have the right to bring a lawsuit in state or federal court against the infringer. If the court finds the defendant in violation of the

association's rights, it can order the infringer to immediately cease its unauthorized use of the mark. The court can also order all infringing items such as printed publications and advertising material destroyed and award money damages to the trademark owner, which can be trebled in certain instances.

In determining the amount of damages, the court may require the infringer to pay to the trademark owner all profits derived from the wrongful use, plus attorney's fees and court costs. We have been successful in more than one case in using these tools to stop infringers from using an association's name and confusing their members and others in the community to the detriment of the association's reputation and its good name.

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David R. Ellis is a Largo attorney practicing trademarks, copyrights, patents, trade secrets, and intellectual property law; computer and cyberspace law; business, entertainment and arts law; and licensing and contract law. A graduate of M.I.T. and Harvard Law School, he is a registered patent attorney and Board Certified in Intellectual Property Law by the Florida Bar. He is the author of the book, A Computer Law Primer, and has taught Intellectual Property and Computer Law as an Adjunct Professor at the law schools of the University of Florida and Stetson University. He can be reached at 727-531-1111 and ellislaw@alum.mit.edu. For more information, please see www.davidellislaw.com.

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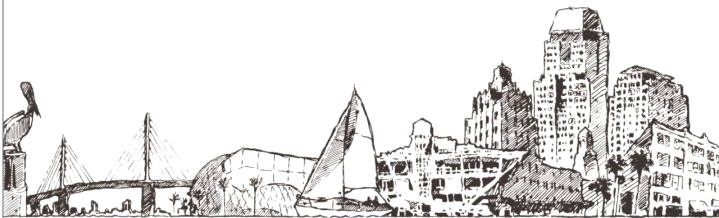
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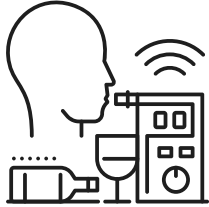
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To Blow or Not To Blow 2026

There was a time, last year in fact, when the standard, almost reflexive answer to the number one question asked of a criminal defense lawyer at a bar, **“What should I do if I get stopped for DUI?”** was simple: refuse the breath test. It wasn’t flippant advice. It was strategic. No number meant no evidence for the State to print in bold font and project onto a courtroom screen. On a first DUI you could even bypass the administrative suspension and then fight the criminal case without the State’s favorite piece of evidence. For years, this was part of the standard DUI playbook.¹



Now, refusing to take a breath test is a crime. Even the first refusal is a misdemeanor. Starting in October 2025, under Section 316.1939, Fla. Stat. (2025), if a person is lawfully arrested for DUI, is properly advised of the implied consent requirements, and thereafter refuses to submit to a requested chemical test of breath or urine, that refusal is a misdemeanor.

The only constant is change, and the law moves. When the law moves, the advice must move with it.

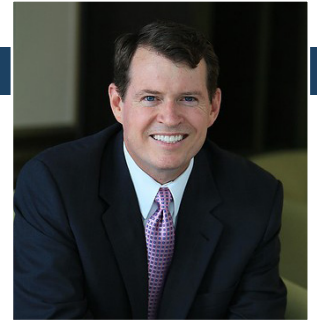
Florida Rule of Professional Conduct 4-1.2(d) has not changed. It says:

“A lawyer shall not counsel a client to engage, or assist a client, in conduct that the lawyer knows or reasonably should know is criminal or fraudulent.”

So now, with the new law making refusal of a breath test a crime, the old advice runs headlong into this Rule. If refusal itself carries criminal exposure, then telling a client “you should refuse” is no longer merely strategy. It is counseling conduct that will likely constitute a separate offense. However attractive that tactic once was, the Rules of Professional Conduct now stand squarely in the way.

If that weren’t enough, there’s a second complication. In Pinellas County, the traffic division no longer manages all of the DUI cases. DUI cases are now dispersed among multiple misdemeanor judges, each bringing a different philosophy and temperament to the bench. Some judges treat refusals more harshly than others. The fragmentation of judicial assignment means there is no longer a single “how this judge handles refusals” narrative. The strategy has become courtroom-specific, and you just don’t know ahead of time which judge you are going to land in front of. It’s a little like rolling the dice, and you just don’t know when you are going to hit your number, or when you are going to crap out.

This does not mean we are powerless. We can explain what happens if a client blows. We can explain what happens if a client refuses. We can discuss administrative suspensions, enhanced penalties, the DROP program, prior history, how refusal plays in front of a jury, and how prosecutors tend to treat it in plea negotiations.²



By Bruce Denson

Florida Rule of Professional Conduct 4-1.2(d) goes on to say:

“However, a lawyer may discuss the legal consequences of any proposed course of conduct with a client and may counsel or assist a client to make a good faith effort to determine the validity, scope, meaning, or application of the law.”

But, the ultimate decision must belong to the client, who is informed by a clear explanation of legal consequences, not nudged by us into criminal conduct. And as you can see, there are just too many variables to give advice that works for all persons or anticipates all the variables.

The deeper point is this: the law is not static. Statutes evolve. Legislatures recalibrate penalties. Public policy shifts. What worked last year now carries new risks. But the Rules Regulating The Florida Bar do not bend with tactical convenience. Rule 4-1.2(d) remains constant.





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There is something grounding about that. A lawyer's job has never been to tell clients how to beat the system. Our job is to protect rights, navigate consequences, and preserve credibility. Both with the court and with ourselves. When the line between strategy and criminal conduct moves, we do not get to pretend it stayed put.

The old "just refuse" shorthand is gone. In its place is something more nuanced, more careful, and frankly, more professional. That may make barroom advice less dramatic, but it makes courtroom advocacy stronger. In the long run, ethical credibility is a far more durable asset than any single tactic.

The law changed. So must we. To blow or not to blow? Well, here's what you have to consider...

Bruce Denson is a criminal defense lawyer in St. Petersburg, Florida. You can read more by him at <https://bruceversus.substack.com/>

1. The DMV allows first time offenders to waive their Formal Review Hearing and get a hardship license immediately, avoiding the 90 day penalty for refusing.
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Know Your Rights During an ICE Encounter

Constitutional Protections During Immigration Enforcement Actions

Immigration enforcement has become an increasingly visible part of daily life across Florida and the rest of the country. Whether at home, at work, or on the road, people are encountering Immigration and Customs Enforcement (ICE) agents with growing frequency. While these encounters can be intimidating, the Constitution provides protections that apply to every person on American soil, regardless of citizenship or immigration status.

I. The Constitution protects everyone in the United States.

The Bill of Rights does not distinguish between citizens and non-citizens. The Fourth Amendment guarantees the right to be secure against unreasonable searches and

seizures. The Fifth Amendment protects against compelled self-incrimination. The United States Supreme Court has recognized that these protections extend to *all* persons within the territorial jurisdiction of the United States regardless of immigration status.

II. Your home receives the highest constitutional protection.

The Fourth Amendment treats the home as the most protected space in American law. ICE agents generally cannot enter a private residence without a valid judicial warrant signed by a judge or without the voluntary consent of a relevant occupant.

ICE agents frequently carry administrative warrants, typically a Form I-200 or Form I-205. These are signed by ICE officers, not judges. An administrative warrant authorizes ICE to arrest a named individual but does not, by itself, grant legal authority to enter a private home. A judicial warrant has been reviewed by a neutral magistrate. An administrative warrant is an internal agency document where the same branch of government requesting the authority is the one approving it.

If ICE agents knock on your door, you are not required to open it. You may ask them to slide any warrant under the door, hold it up to the window (or peephole), so you can verify whether it was signed by a judge. The current federal administration has taken the position that administrative warrants may authorize home entry in certain circumstances, but this represents a departure from longstanding policy and is being challenged in federal courts under the United States Constitution and the rule of law.

III. You have the right to remain silent.

You are not required to answer questions about your place of birth, your immigration status, how you entered the country, or how long you have been here. You may clearly and calmly state that you are exercising your right to remain silent and that you wish to speak with an attorney.

Exercising this right does not guarantee that you will not be detained. But anything you say to an immigration officer can be used against you in removal proceedings. Silence



By Rory G. Safir, Esq.

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protects you. Lying does not. Providing false information or false documents to an immigration officer is a separate offense that can create additional legal problems.

IV. ICE agents sometimes identify themselves as police.

ICE agents have historically used deceptive tactics during enforcement operations, including identifying themselves as “police” without disclosing that they are immigration officers. They may wear plain clothes, use unmarked vehicles, or claim to be investigating an unrelated matter. If someone knocks on your door or approaches you claiming to be law enforcement, you may ask what agency they represent and specifically whether they are from ICE or Customs and Border Protection.

V. Traffic stops and public encounters.

If you are the driver of a vehicle during a traffic stop, you are generally required to provide your license, registration, and proof of insurance. Beyond that, you are not obligated to answer questions about your immigration status. Passengers are typically not required to provide identification at all. If you are approached on foot in a public place, you may ask whether you are free to leave. If the answer is yes, you may calmly walk away. In all encounters, do not run, argue, or physically resist.

VI. Do not sign documents without an attorney.

If you are detained, you may be presented with documents including voluntary departure agreements and stipulated orders of removal that can permanently affect your ability to return to the United States. You have the right to consult with an attorney before signing anything and the right to a hearing before an immigration judge. Unlike in criminal proceedings, there is no automatic right to a government-appointed attorney in immigration court, but organizations throughout Florida provide free or low-cost immigration legal services.

VII. Conclusion

The Fourth Amendment requires a judicial warrant before the government enters your home. The Fifth Amendment allows you to remain silent. The First Amendment protects your right to record law enforcement in public. These rights belong to everyone, and asserting them is not an act of defiance. It is an exercise of the freedoms this country was built on. If you or someone you know encounters ICE, stay calm, assert your rights clearly, and contact an attorney as soon as possible.

Rory Safir is a Florida criminal defense attorney practicing in St. Petersburg, Florida, and the founder of Safir Injury & Criminal Defense Law PLLC. He primarily focuses on DUI defense and regularly handles Constitutional issues in Florida courts.

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The Lost Art of Networking: Why Showing Up Still Matters

A guide for new attorneys navigating the professional landscape



By Gabriela Ibanez-Alers and Tyler Caley

There is a quiet irony in modern legal practice: we are the most connected generation of lawyers in history, yet many have grown increasingly reluctant to walk into a room of strangers and start a conversation. Email, LinkedIn, Slack, and texting have made communication efficient and accessible. However, none of these tools can replicate the value of a firm handshake, direct eye contact, and a genuine in-person exchange.

The COVID-19 pandemic reshaped how young lawyers entered the profession. In-person meetings largely disappeared, replaced by virtual hearings, webinars, and remote work. For many attorneys, the formative early years of practice passed without meaningful face-

to-face interaction. While technology ensured continuity, it diminished the informal relationship-building that drives referrals, mentorship, and professional confidence. Even now, the effects remain visible in quieter networking environments, slower referral development, and hesitation among newer attorneys to engage.

Encouragingly, opportunities to reconnect have returned. Events such as “Java with the Judges” provide valuable opportunities for young lawyers to interact with members of the bench and experienced practitioners in a relaxed setting. These gatherings reinforce a fundamental

principle: the practice of law is more effective when professional relationships are established. Familiarity fosters trust, and trust creates opportunity.

Networking is not a lost art because it has lost its value. It is a lost art because it has been underutilized.

Why Networking is Essential in Legal Practice

The legal profession is, at its core, relationship-driven. Clients seek attorneys they trust. Referrals come from colleagues who have confidence in your abilities. Judges, opposing counsel, and co-counsel form impressions that extend

well beyond any individual case. A professional reputation is developed over time through consistent interaction.

Whether pursuing a solo practice or a long-term role within a firm, the ability to cultivate relationships will directly influence professional growth. Associates who generate business through meaningful connections become increasingly valuable to their firms. Solo practitioners depend heavily on referrals and professional goodwill to sustain their practices. Over time, the benefits of networking compound and become a defining asset.

Technical competence may open the door, but professional relationships are what sustain a successful legal career.

Those professional relationships need not be narrow, either. Many attorneys, especially younger attorneys or attorneys starting their own practice, fail to realize that some of the most valuable relationships to be formed are those with fellow attorneys across different practice areas. A fledgling criminal defense attorney, for instance, may find that some of the most fruitful leads for new cases come not from other criminal defense attorneys, but from those practicing family law or immigration law. While joining a section or committee related to the area of law that you practice is certainly valuable, don't forget to forge those relationships with attorneys in fields that are different from your own. You never know what opportunities you may stumble upon.

Maximizing Bar Association Opportunities

Bar association events, including those hosted by the St. Petersburg Bar Association, remain among the most valuable and underutilized resources available to young attorneys. Some attend once, feel uncomfortable, and do not return. Others attend but fail to engage meaningfully. Both approaches limit the potential benefits of participation.

During the event, make a conscious effort to step outside familiar circles. Approach individuals who may be standing alone, as they are often the most receptive to conversation.



A simple introduction is sufficient: “Hello, I don’t believe we have met. My name is [Name], and I practice in [area].” From there, a thoughtful conversation leaves a far stronger impression than a rehearsed introduction.

The Importance of Follow-Through

Initial meetings are only the first step. Within 24 to 48 hours, send a brief follow-up message, whether by email or LinkedIn, referencing a specific point from the conversation. This practice reinforces the connection that was just built. Additionally, fight the urge to make these conversations formulaic. We are all humans, and the vast majority of people recognize and value authenticity.



Maintaining relationships requires continued effort. Sharing relevant information, acknowledging professional accomplishments, or extending invitations to future events helps sustain engagement. Strong professional relationships are developed gradually through consistent and meaningful interaction.

Active Involvement as a Strategic Advantage

Beyond attendance, active involvement offers the greatest opportunity for meaningful connection. Volunteering for committees or assisting with events creates natural opportunities to collaborate with experienced attorneys. These interactions are organic and mutually beneficial, allowing young lawyers to contribute while building professional credibility.

Attorneys who sustain long and successful careers rarely attribute their achievements solely to legal knowledge. Instead, they point to the relationships that supported their growth: mentors who provided guidance, colleagues who offered referrals, and a professional community that recognized their contributions.

The next St. Petersburg Bar Association event is already scheduled. Take the opportunity to attend, engage, and introduce yourself.

Gabriela Ibanez-Alers is the managing partner and founder of Fortaleza Law Group, PLLC, where she practices Probate and Family Law. She serves as the 2025-2026 President of the Young Lawyers Section of the St. Petersburg Bar Association.

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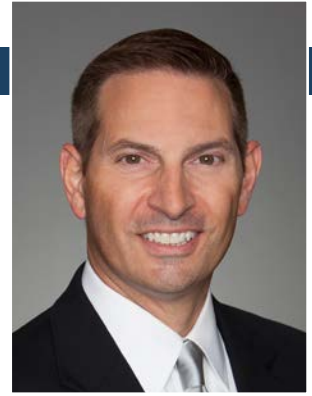
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Craft Cocktails and Zero Proof Mocktails! Over 60 members enjoyed the final Mid-Week Mixer that included great weather, wonderful camaraderie, board members, section chairs, law students, and annual sponsors. A big thank you to the Trophy Fish staff and owner, Past President Ryan Griffin, for always rolling out the red carpet for us!





The One-Strap Problem: Why Law Firms Fall Behind Without Realizing It



By John V. Tucker

When I was in high school and college in the 1980s, if you wore a backpack, you used one strap. Not two. One. If you wore both straps, you looked out of touch. You stood out in a bad way. Fast forward to today. The standard has flipped. Now if you wear one strap, you look outdated.

Same backpack. Different expectations.

That shift is exactly what happens in how we run law firms. The problem is most lawyers do not notice when the shift happens. They keep operating the way they were trained. They assume that if something worked before, it should still work now. That assumption quietly costs them growth, talent, and clients.

Here are a few places where I see “one-strap thinking” inside law firms:

Client communication:

Ten or fifteen years ago, it was acceptable to return calls in a day or two. Clients tolerated it. Today, that feels slow. Clients expect speed and clarity. They want updates before they ask. They want to understand what is happening in their case without chasing you. If your firm still relies on reactive communication, you are wearing one strap.

Here is a simple example: A disability client submits medical records in the law firm’s portal but hears nothing back from for two weeks. The lawyer likely thinks the client should understand that “no news is good news.” However, the client thinks, “Did they even get my records?” A simple acknowledgment sent back in the portal alleviates the client’s anxiety and reinforces that you are working on their file.

Firms that win today build communication systems using practices such as:

- Leveraging technology to automate things like confirmations when documents are received
- Scheduled status updates delivered in a format the client expect
- Clear expectations on response methods and times

That is two-strap thinking.

Team management:

A lot of law firm owners still manage by proximity. They assume people are working if they are busy or present. But being busy is not the same as being productive, and this approach breaks down even quicker the more you have team

members working from a remote location. Your team needs clarity, not just activity.

Example: A case manager works hard all day but is unsure what matters most. Deadlines slip. Priorities shift based on who speaks loudest. The lawyer feels frustrated. Team members feel overwhelmed.

The issue is not effort. It is a lack of structure.

Two-strap firms define:

- Clear roles and responsibilities
- Measurable outcomes
- Repeatable workflows
- Scheduled access time when questions can be asked and everyone can focus on workflows with the same focus.

Two-strap firms do not rely on personality or constant supervision. They hire talented people and clear the path for them to do their jobs well.

Intake and conversion:

Many firms still treat intake like a basic administrative function. Answer the phone. Gather some information. Schedule a consultation. That is outdated.

Intake is your first impression. It is where trust is built or lost.

Example: A potential client calls about a veteran’s disability claim. The intake person sounds rushed and not very knowledgeable. They gather basic facts but do not guide the conversation to focus on key issues or provide the next steps in your firm’s process. What happens? The caller hangs up and calls the next firm.

Two-strap firms treat intake as a core business function:

- They understand the client’s relationship with the firm begins before the first phone call, often by reviewing the firm’s website.
- They train intake staff to lead conversations.
- They set standards for empathy and clarity.
- They track conversion rates and improve them.
- They identify communication methods and set expectations from the initial call.

Two-strap firms understand that growth starts before a client signs a representation agreement. Many clients have spent time on the internet or using artificial intelligence, and those efforts help them spot firms that are behind the times.

Attorney role:

Many lawyers still define their value by how busy they are. They measure success by hours worked, not by outcomes created. That model limits the firm.

Example: A firm owner spends the day responding to emails, reviewing minor issues, and putting out fires. At the end of the day, they feel productive. But nothing moved forward in a meaningful way.

Two-strap leaders shift their role:

- They focus on high value decisions.
- They build systems that reduce dependency on them.
- They leverage time by delegating what can be delegated.
- They develop their team to operate without constant input.
- They understand that modern employees want the training to be able to gain flexibility and responsibility to solve problems.
- They stop being the bottleneck.

The real question:

This is not about backpacks. It is about awareness. Standards change. Expectations evolve. The market moves whether you notice or not.

So, ask yourself:


- Where am I still doing things because “that is how I was taught?”
- Where is my firm slower, less clear, or less structured than it should be?
- What would it look like to update how we operate today?

The firms that adapt early create leverage. They attract better clients and better team members. The ones that hold on too long slowly fall behind.

Same backpack. Different expectations. Make sure you wear it the way today’s world demands.

John Tucker is a Past President of the St. Petersburg Bar Association. He leads Tucker Disability Law, a national firm handling VA disability, ERISA disability, and Social Security disability claims. He also coaches attorneys with Atticus Advantage. Contact: Tucker@TuckerDisability.com

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If your firm's marketing still relies on a dusty print ad, a few social media posts every two years, an outdated website, and a hope and prayer that your cousin's neighbor "knows a guy," congratulations—you've just been overruled by Google. In St. Pete's hyper-competitive legal market, word-of-mouth alone won't cut it anymore.

You may think you can't afford a comprehensive marketing strategy. Marketing metrics tell a different story. One that illustrates a solid return on investment. If you're not modernizing your marketing, you're leaving money on the table.

By Jeremy Cocomise



1. A Cutting-Edge, Modern, & Mobile Friendly Website

Your website is your 24/7 receptionist and your FIRST IMPRESSION—except it never calls in sick and doesn't judge your tie choices. If yours still looks like it was designed during the first Trump administration, clients will assume your legal strategy is equally prehistoric. Today's visitors expect clean and modern designs, lightning-fast load times, mobile-friendly scrolling (because who isn't checking cases while waiting in line at the Pier), and clear calls-to-action like "Schedule Your Free Consultation" that don't require a law degree to find. A sleek, modern site doesn't just look good, it converts browsers into billable hours. Think of it as your opening statement—make a great one, or watch the jury (your clients) walk.

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2. Social Media Management

Let's be honest—most law firm social pages are lonelier than a sole practitioner on a Friday night at Perry's Porch. Posting once a quarter with a stock photo of scales of justice isn't a strategy, it's digital negligence. Professional social media management lets you humanize your firm, share anonymous wins, drop quick legal tips ("What to Do After a Boating Accident"), engage the St. Pete community and most importantly, show that you are a modern and active firm. If your last post was in 2024, the user is left to wonder if you are still practicing. Will social media bring you new clients? Probably not, but a bad presence or no presence will lose you clients.

3. SEO + AEO (Search Engine Optimization + Answer Engine Optimization)

When someone yells "I need a lawyer!" into their phone after a fender-bender on the Gandy Bridge, you want to be the answer and not the afterthought. Traditional SEO gets you on page one of Google. AEO (the hot new kid on the block) makes sure AI tools and voice assistants actually recommend you with natural-language answers. "Best personal injury attorney St. Pete" or "how to contest a will in Pinellas County" shouldn't send traffic to your rival. Proper optimization means you show up first, fast, and factually.

4. Ad Words & Local Service Ads

Waiting for organic traffic is slow, stressful, and expensive in lost opportunity. Google AdWords and verified Local Service Ads put your firm at the very top of search results within days. Better yet, Local Service Ads allow you to pay per lead rather than per click. In Tampa Bay's hyper-competitive legal market, these ads are your process server on steroids: they deliver warm leads straight to your inbox while your competitor is still adding toner to their fax machine and praying for their print ads to generate a five-figure client.

5. Reputation & Review Management

Bad reviews spread faster than courthouse gossip. One disgruntled client can torpedo months of hard work, especially when Google reviews pop up right next to your phone number. Professional reputation management means monitoring, responding professionally, and encouraging happy clients to sing your praises. You need to turn five-star testimonials into marketing gold and quietly address the occasional one-star hiccup before it becomes Exhibit A in the court of public opinion.

6. Lead Tracking & Analytics

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getting shares, and which page is leaking clients like a leaky boat on the Intracoastal. No more guessing. Just hard data that lets you double down on what works and fire what doesn't, saving you time and money.



7. AI Automation

AI is coming... for your grunt work. Smart automation handles administrative work, lead nurturing, chatbots that qualify prospects 24/7 (even at 2 a.m. when someone's staring at a hospital bill), and personalized follow-ups that feel human but never sleep. Your new "junior AI associate" will free you up to practice the law and win cases. In a market where every minute counts and every billable hour matters, AI helps you maximize your time efficiency. Imagine freeing up 10-20 billable hours per month with a \$30/month AI tool?

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Jeremy Cocomise is the founder and CEO of Skyway Media, a full-service digital marketing agency located on Central Avenue. In 2015, Jeremy launched Skyway Media as a true one-stop shop dedicated to helping passionate local business owners succeed online. He brought with him proven expertise from his previous venture, where he worked with more than 800 small law firms nationwide.

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Why Construction Cases Feel Harder Than They Should Be

Construction disputes often enter litigation after the work is complete. The parties have strong views, and project cash has already moved. The damages record still has to be assembled. When that assembly begins late, counsel and the neutral are forced to reconstruct project economics from accounting and field records that were created to run the job, not to prove a claim.

In my work supporting counsel on economic damages and valuation issues in construction and other commercial disputes, I am often retained after positions have hardened. Damages are not unknowable, but several decisions that make a damages presentation coherent are often deferred.

Damages Starts Late

Many cases proceed for months as if damages will be obvious. They are not. A construction loss can be framed as an unpaid contract balance, change work, delay and disruption, repair and remediation, termination related loss, lost profits, or a combination. Those categories can overlap, and overlap is where disputes become expensive.

By Daniel R. Basch



If the team does not define the claim early, the record expands in every direction. Later, the damages professional is asked to assemble a model that includes every cost the client disputes, then defend it as measured loss. The opposing side responds in kind. The result is competing models that are hard to reconcile because they answer different questions.

Baseline Sets the Frame

A damages analysis begins with a baseline. What was the work expected to cost, and when was it expected to finish. What did the contractor price, and what did the contract require. In many disputes, those questions are treated as background even though they govern the damages frame.

In practice, the baseline is rarely a single document. It is a set of anchors, including the bid and estimate, the

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schedule and budget, procurement planning, and early project records showing how work was sequenced. Consider a project affected by weather and trade turnover, followed by an attempt to recover schedule. Later cost growth may reflect change work, contractor inefficiency, market volatility, or normal friction. Without a baseline that can be explained and defended, the case drifts into labels.

Job Cost Data Is Not the Claim

Construction accounting is designed to manage a project, not to prove damages. Job cost reports often blend direct cost, allocated overhead, equipment charges, and accounting conventions that do not map cleanly to claim categories. Cost codes shift. Change work is sometimes recorded in base scope. Field adjustments can be booked late or not at all.

In the St. Petersburg and Tampa markets, compressed schedules, storm disruption, and subcontractor turnover can amplify this mismatch. Litigation then demands clean categories and a causal link between event and cost. When the translation is deferred, it becomes a cost driver.

Overlap Creates Inflation

Most construction damages disputes include some form of duplication. Common examples include change work also included in delay costs, rework also claimed as inefficiency, and repair cost that includes betterment or scope expansion. Duplication can also occur when a prime contractor and a subcontractor claim the same labor or equipment time under different headings.

A damages presentation should test for overlap directly. It should reconcile the claim to job cost totals, identify exclusions, and explain why a cost is not being claimed twice under different labels.

Clarity Supports Resolution

Judges and mediators do not decide construction cases by the size of a spreadsheet. They look for a link between event, responsibility, and economic consequence. The damages presentations that persuade are often the ones that are easiest to follow.

Clarity requires restraint. It requires narrowing the claim to costs that can be traced, explained, and tied to the case theory. It requires stating what is not claimed. It requires candor about assumptions and uncertainty. That approach often improves settlement posture because it gives the other side a number to analyze rather than a number to dismiss.

Construction cases feel harder when damages work starts late. They move when the economics are framed early, the baseline is identified, and the model matches the proof.

Daniel R. Basch is Vice President, Valuation Services at Aperture LLC, where he supports litigation counsel with business valuation, forensic accounting, and economic damages analysis in commercial disputes, including construction matters.



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New Beginnings With New Rules Part Two



By Emily VanOosting

As the legislative session slowly marches its way to a close, we litigators await the new statutory changes sure to take place. While there is no set schedule for when changes can happen, July and October are the main months when rule changes and statutory changes take effect.

In our previous issue of 2026, we shared nearly a dozen rule changes approved by the Florida Supreme Court. These rules are separate from the statutory changes and creations debated by our legislature and may come out and take effect at any time in the year.

Below are summaries of the substantive changes which have been approved since our last check-in. Each attorney should read the rules themselves to ensure understanding of all changes as well as when they take effect. Additional rulings, as well as the specific language, can be found at the Florida Supreme Court's website under the 'Opinions' tab. Opinions are released by the Court every Thursday.

APPELLATE PROCEDURE

Rule 9.140—Appeal proceedings in criminal cases.

SC2026-0073 adds the specific instance of when a defendant may appeal a guilty or nolo contendere plea to include when there is an error in the sentencing procedure, if preserved. (Effective June 1, 2026)

Rule 9.200—The record.

SC2025-1378 adds subsection (4) to the rule allowing in cases where the lower court declared the defendant to be indigent for purposes of an appeal, an order from the court directing supplementation of the record is sufficient to compel the court reporter to provide a transcript to the clerk without the need for a separate order. (Effective April 1, 2026)

Rule 9.420—Filing; Service of copies; Computation of time.

SC2025-1458 amends the rules of service and removes the distinct rules regarding whether service is by a party, Amicus Curiae, or Clerk of the Court and instead creates a single rule that service of every document filed in a proceeding must be made as required by FL. R. General Practice and Judicial Admin. 2.516(b). (Effective July 1, 2026)

Rule 9.710—Eligibility for mediation.

SC2025-1415 amends appellate cases eligible for mediation to exclude those filed under rule 9.100(c)(2). (Effective July 1, 2026)

CIVIL PROCEDURE

Rule 1.350—Production of documents and things and entry on land for inspection and other purposes.

SC2024-0779 amends rule 1.350(b)(2) and (4) to require

that requests for production as well as responses must be served on all parties. (Effective April 1, 2026)

Rule 1.370—Requests for admissions.

SC2024-0079 amends the rule to now require that requests for admissions and responses must be served on all parties in a proceeding. (Effective April 1, 2026)

GENERAL PRACTICE AND JUDICIAL ADMINISTRATION

Rule 2.215—Trial Court Administration

SC2024-1403 amends the rule to only allow the chief judge after consulting other judges in the circuit to propose a new local rule (prior rule language allowed a majority of the circuit and county judges to propose new rules). Challenges to a new rule must now be made either by petition for an extraordinary writ or an objection before the trial court in a pending case in which the administrative order applies (prior rule language allowed any judge or Florida bar member to apply to the Supreme Court Local Rules Advisory Committee for a decision on the question). (Effective January 1, 2026)

RULES REGULATING THE FLORIDA BAR

Rule 4-8.6—Authorized Business Entities

SC2025-1173 amends the rule to add an allowed business structure for lawyers practicing within the state to in the form of a not-for-profit authorized business entity. The rule now also requires that only a legally qualified attorney or attorney authorized by Rule 4-5.4 may serve as a partner, member, shareholder, president, or equity owner, or perform any policy-making function within the authorized business entity practicing law within Florida.

Any non-qualified attorney or not authorized by Rule 4-5.4 may serve as an officer, director, VP, or similar title that implies control over policies or management only if their title includes a clear and conspicuous statement of the jurisdiction where the person may practice of that they are not licensed in Florida.

No person not qualified to practice in Florida or authorized under Rule 4-5.4 may direct the legal services or professional judgement of a Florida lawyer. (Effective February 16, 2026)



Some St. Petersburg Bar Association (SPBA) events lead to referrals. Others lead to something a little more unexpected. For Tyler Caley and Ashley Kelefas, an SPBA event led to a love story.

Ashley Kelefas, managing partner of Kelefas Law, and Tyler Caley, vice president of SPBA's Young Lawyers Section and associate at Banker Lopez Gassler P.A., found each other through the SPBA. What began as

a chance introduction at an SPBA Mid-Week Mixer hosted at Trophy Fish quickly became the most important connection either of them has made in their legal careers.

This connection led to a marriage proposal October 9, 2025. Tyler proposed at Dunnottar Castle, a centuries-old fortress perched dramatically on the cliffs above the North Sea near Stonehaven, Scotland. With crashing waves below and ancient stone

walls around them Ashley said, "Yes!" The couple plans to celebrate their wedding this September in İstanbul, Türkiye. It's a long way from the Pinellas County Courthouse, to the clifftops of Stonehaven, to the banks of the Bosphorus, but for Tyler and Ashley, every stop along the way has made the next one feel inevitable.

The SPBA community couldn't be happier for Tyler and Ashley. Congratulations!



Congratulations to Bill McQueen

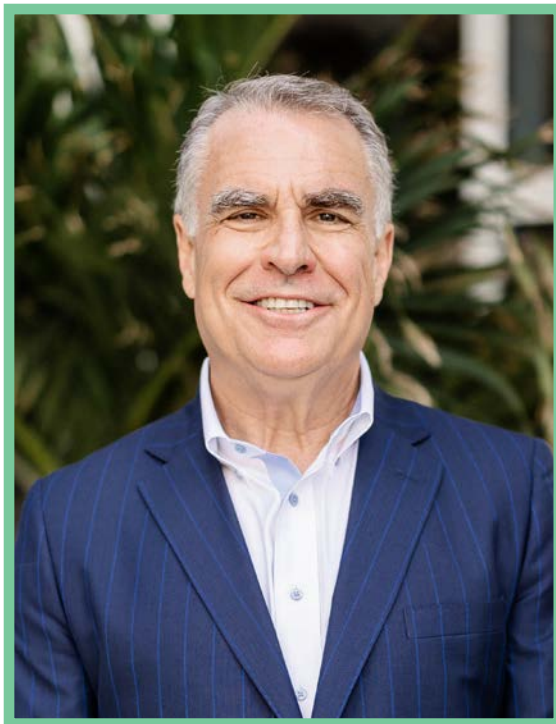
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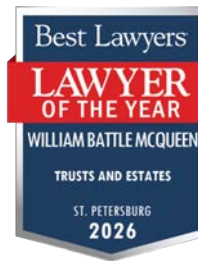
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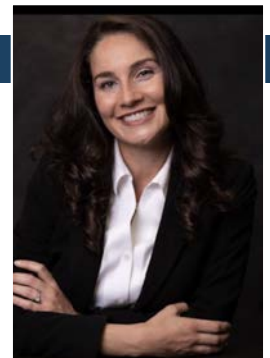


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PFAWL Empowering Women Lawyers and Strengthening Community Connections in 2026

By Victoria Bell



The Pinellas Chapter of the Florida Association of Women Lawyers (PFAWL) has continued the year with a renewed focus on community engagement, advocacy, and professional development. Dedicated to the advancement of women in the legal profession, this chapter has committed to making a positive impact both within the legal community and throughout the state. This year, the chapter has connected members with local organizations, provided legal education, and supported causes that align with the values of equity, justice, and service.

PFAWL held their Fourth Annual "When There Are Nine" Judicial Panel in March at Stetson University College of Law in Gulfport. It was a great opportunity to learn from leaders in the judiciary and connect with fellow legal professionals. PFAWL also held their Second Annual Judicial Reception in April at Savant on Second in St. Petersburg. We encourage you to sign up for our monthly e-newsletter

and e-blasts, as events are being added regularly. Additionally, please follow us on social media or contact us at pfawlsocialdirector@gmail.com. We look forward to seeing you soon!



Victoria Bell practices in the areas of criminal law, family law, and landlord-tenant matters. Her practice is built on a foundation of compassion, integrity, and a commitment to achieving positive outcomes for those she represents. She lives in Palm Harbor with her husband and two children. Victoria can be reached at victoriabellesq@gmail.com.

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CHANGING LANES

St. Petersburg Bar Association (SPBA) members enjoyed an uplifting membership luncheon with Keynote Speaker Karyn Parsons. Known as “Hilary” on the hit sitcom *Fresh Prince of Bel Air*, Karyn inspired members as she shared her journey from successful actress to successful author despite feelings of imposter syndrome.

Members enjoyed a candid Q&A and discussion about imposter syndrome, feelings of inadequacy within the law profession, and the importance of finding a supportive law firm environment. At times, challenges result in changing lanes to find the right fit and mentorship can mitigate setbacks!







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to learn about sponsorship and volunteer opportunities.

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