

State-to-State

www.flabaroutofstaters.com

Fall 2004

INSIDE:

DIVISION NEWS:

- Meet your OOSPD officers 2
- Dennis Donet leaves OOSPD Executive Council 3
- Scenes from the Annual Meeting 4
- Minutes of the OOSPD Executive Council 5
- Minutes of the OOSPD long-range planning meeting 6
- Mark Your Calendar! ... 7

- Congratulations to our division administrator! . 8
- Member News 8

One Florida:

Hurricanes define state and provide sense of community

by Scott E. Atwood, President



August and September is hurricane season in Florida. And this year it's in full swing. Many of our fellow Bar members in the state have been displaced or had their operations severely disrupted. The courts and government offices have closed a number of times. And the people of Florida in general

have become an emotional wreck.

Our out-of-state membership has really stepped up to the plate in this time of trouble. Just before Labor Day, Bar YLD President Michael Faehner and I sent out a joint e-mail to every one of the Florida's out-of-state practitioners asking for your help. So many of you answered the call. It really made me proud. Thanks to your participation, the number of volunteers to help with legal services swelled by approximately 10

See "President's message," page 4

Check out the OOSPD's new website:

www.flabaroutofstaters.com

New, New & New!

No, that's not a big Miami law firm! It's what is happening at the **New York City CLE Seminar** this year.

- **NEW day:** Friday, December 3
- **NEW place:** **Fordham University Law School** (City Campus) 140 West 62nd Street, NYC

"We are trying a Friday in response to requests from a large number of past attendees," says Chair Richard Tanner.

"We are moving to a new location because the Bar Association of the City of New York was not responsive to our working needs ... and past attendees know what I am talking about there," says Richard. "This facility is more of a lecture hall format, although we did have to sacrifice some seating, so please book early," notes Richard.

What is *not* new is the quality of the speakers and the topics they will address for us. The best of the best speakers are returning, with fresh new views and updates

on topics with which multi-state practitioners deal regularly. We are drawing speakers from five states for our faculty this year, so once again the NYC seminar is *the one* not to miss.

- **Stuart Morris** will address wealth protection and planning concepts.
- **Tom Begley** will update us on complex issues for aging clients.
- **Ian Comisky** will address current nuances of the Sarbanes Act.
- **John Allen** will discuss new ABA multi-state ethics issues.
- **Alexander Bove** will give an advanced level asset protection presentation.

Based on that menu, this will be a program packed with quality education. A deli-style lunch, break snacks and Richard's sense of humor are still included in the tuition package.

Registration and/or questions? Call Arlee Colman at 800/342-8060, ext. 5625.

HAVE NEWS TO SHARE?

Partnership, new firm, published article, speaking engagement? Let us know so we can spread the news to your fellow members.



Meet your OOSPD officers



Scott E. Atwood,
President
Atlanta, GA



Eric Meeks,
President-elect
Cincinnati, OH



Wm. Scott Patterson,
Treasurer
Baltimore, MD



John C. Voorn,
Secretary
Orland Park, IL



E. Duffy Myrtetus,
Immediate Past
President
Richmond, VA

Scott E. Atwood, President

Scott Atwood is a partner with Weathersby, Howard & Kuck, LLC, in Atlanta. He practices labor and employment law. Scott received his undergraduate degree from Dartmouth College. He then obtained an M.A. in history from the College of William & Mary before earning his law degree from the University of Florida. He has practiced in Atlanta since 1995.

Scott is in his fifth term as out-of-state representative on The Florida Bar Young Lawyers Division's Board of Governors. In that capacity, he has served for a number of years as the YLD's liaison with the OOSPD and has been a member of the OOSPD Executive Council. Last year, Scott served as the YLD's vice-chairperson of the Bar's annual meeting. Scott also has served as the chairperson of the YLD's Affiliate Outreach committee, which is dedicated to increasing cooperation and networking between the state Bar and its local affiliates. He hopes he can help foster increased relations between OOSPD members in their respective communities and continue to make the OOSPD's voice heard on both the senior board and YLD board levels.

Scott and his wife, Janet, have two children, Caroline, age five, and Laura, age 10 months. They enjoy Gator football, boating and frequent trips to Florida.

Eric Meeks, President-elect

Eric Meeks is a manager in the Cincinnati office of Pricewaterhouse Coopers, LLP. Eric is a member of a national tax-consulting group where he is the Central Region Product Champion for earnings and profits studies and stock basis determinations. During the last several years Eric has taught various transaction services and technology classes at national internal training sessions. He received his B.S. in accounting from Indiana State University, an M.B.A. with an emphasis in finance from Miami University, and his J.D. from Ohio Northern University. He is a certified management accountant (CMA), CPA licensed from Ohio, and he is licensed to practice law in Florida and Illinois.

Eric served as one of the out-of-state representatives on The Florida Bar's Young Lawyers Division's Board of Governors for five years. He is serving as the chair of the By-laws committee, vice chairperson of the Practice and Professional Enhancement committee, as well as being a member of the Budget and Technology committees. Additionally, he is the liaison with the Real Property and Tax Law Section.

Eric and his wife, Susan, who is a finance manager with Procter & Gamble, have two sons, Eric II, age three, and Carl, born in July. Eric has

completed five marathons, enjoys working on home improvement projects and making many family trips to the Sunshine State.

Wm. Scott Patterson, Treasurer

Scott Patterson has a national practice limited to representing policyholders in insurance coverage matters. Scott spent the first ten years of his legal career representing the insurance industry in Florida, first as defense and coverage counsel with Fowler, White, Boggs & Banker, P.A., and then in-house with several insurers. In 1999, Scott moved to Baltimore to become national coverage counsel for St. Paul Fire & Marine Insurance Company. Scott returned to private practice in 2002 when he founded the Insurance Coverage Law Group, a national practice limited to representing policyholders in coverage disputes. Originally based in D.C., the Insurance Coverage Law Group is now part of the firm Jiranek, Jennings & Patterson, LLP, in Baltimore. Scott is also of counsel with Aran, Correa & Guarch, P.A., in Miami.

Scott received his undergraduate and law degrees from The Florida State University. Scott and his wife, Silvia, a teacher at The Park School of Baltimore, have three young boys. Scott is an avid competitive sailor.



John C. Voorn, Secretary

John Voorn is a member of the firm Hiskes, Dillner, O'Donnell, Marovich & Lapp Ltd. in Orland Park, Illinois. While having a diversified general practice for almost 31 years, he now concentrates in real estate, condominium and community association representation, and elder law. He graduated from Hope College in Holland, Michigan, in 1966, spent 1966 to 1970 on active duty as a U.S. Army officer, and graduated from Valparaiso University School of Law (Indiana) in 1973. He has served on the OOSPD Executive Council for several years and is also a member of the Bar's Elder Law Section.

He holds additional licenses in Illinois, Indiana, Iowa, Hawaii, Arizona and U.S. Virgin Islands. He has authored articles for the division's newsletter, *State-to-State*, as well as *The Elder Law Advocate*.

John and his wife, Mary, have one child, Heather, who graduated from The Florida State University in April 2002, with a B.A. degree in criminology. They have a condominium in Daytona Beach Shores, Florida. John has served on the condominium's board of directors and as an officer.

E. Duffy Myrtetus, Immediate Past President

E. Duffy Myrtetus is a partner in the Richmond office of Kaufman & Canoles, PC, a Norfolk-based full-service firm, where he continues an active practice in both Virginia and Florida. He maintains a general practice, focused upon transactional and commercial litigation matters related to real estate and mortgage financing, corporate work, probate administration and commercial litigation.

He completed majors for his B.A. degrees in economics and Spanish from the University of Richmond in 1985, and graduated from St. Thomas University School of Law in 1988. He is admitted to the Virginia and Florida Bars.

A native Miamian, Duffy relocated his law practice to Richmond in 1991. He has been a member of the OOSPD

Executive Council since 1999, served as secretary in 1999-2000, and was president in 2002-2003. He is a past chairman of the Real Estate Section for the Richmond Bar Association. He

regularly lectures on remedies and litigation matters associated with real estate claims and mortgage finance disputes. He and his wife, Conchi, have three children.

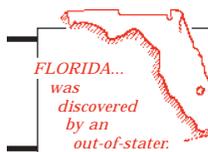
Dennis Donet leaves OOSPD Executive Council

It is with regret that the division announces the resignation of Dennis Donet from its Executive Council, effective June 2004. Dennis has been an active and valued member of the Executive Council for the past several years, serving most recently as its treasurer. He has also served as the division's secretary and has been both the editor and a frequent contributor to the division's newsletter, *State-to-State*.

Dennis, who is a Florida native, practiced for a number of years outside of Florida. He has now joined his father at the Coral Gables firm

of Garcia-Vidal & Donet, LLP, where he practices commercial and construction litigation. Obligations from his busy practice have required him to reduce his Bar commitments.

Despite having moved back to Florida some time ago, Dennis has remained active in the division. He also remains active with the Bar's General Practice Section. Dennis's hard work and dedication to the division will be missed. The division thanks Dennis for his valued contributions and wishes him the best in the future.



State-to-State

THE PUBLICATION OF THE FLORIDA BAR
OUT-OF-STATE PRACTITIONERS DIVISION

Scott E. Atwood (Atlanta, GA)	President
Eric Meeks (Cincinnati, OH)	President-elect
Wm. Scott Patterson (Baltimore, MD)	Treasurer
John C. Voorn (Orland Park, IL)	Secretary
E. Duffy Myrtetus (Richmond, VA)	Immediate Past President
Arlee Colman, Tallahassee, FL	Division Administrator
Susan Trainor, Tallahassee, FL	Staff Editor
Lynn M. Brady, Tallahassee, FL	Layout

State-to-State is devoted to Florida and multi-jurisdictional legal matters. It is editorially reviewed and peer reviewed for matters concerning relevancy, content, accuracy and style.

Statements or expressions of opinion or comments appearing herein are those of the contributors and not of The Florida Bar or the division.

The deadline for the **Winter 2004** issue is **November 1, 2004**. Articles should be of interest to legal practitioners with multi-jurisdictional practices. Please submit articles in rich text format (rtf) via e-mail to Susan Trainor, editor@ctf.nu. Please include a brief (2-3 sentence) biography and photograph of the author. If a digital photo is not available, please mail a print to The Florida Bar, OOSPD, 651 East Jefferson Street, Tallahassee, FL 32399-2300.

Scenes from the Annual Meeting

Boca Raton Resort & Club, June 2004



OOSPD President Scott Atwood (right) with International Law Section Chair Lucius Smejda at the joint reception.



Florida Bar President Kelly Overstreet Johnson swears in the new Executive Council officers and members.



Former Florida Bar Presidents Miles McGrane (second from left) and Herman Russomano (second from right) and Florida Supreme Court Justice Peggy Quince (center) at the joint reception with International Law and Government Lawyers

President's message

from page 1

percent. The Florida Bar thanks you. I thank you. And most important, the people of Florida thank you.

But it's not over. As I write, other hurricanes are on the horizon. As they prepare to batter an already battered state, I'll ask you again to take some time to help out. If you have not already volunteered your services,

please do so. It doesn't matter what your specialty is. The Bar will provide you guidance, and your commitment generally will be pretty limited. And if you simply feel uncomfortable taking on a specific request, turn it down—they'll have something else.

Whether you're a native Floridian who's gone AWOL, a wannabe Floridian or an are-you-kidding-me-it's-too-hot-there non-Floridian who simply has clients there, our Bar membership gives us a close connection to the

state. You're an officer of the court there, too, and the legal system needs some relief. Both the Bar and the people of Florida desperately need your help. Please lend a hand.

If you want to lend a hand, please e-mail anewberry@flabar.org and provide your name, Bar number and contact information, as well as any areas of specialty that you may be able to offer. You can also contact me at satwood@whk.com or 404/816-8611 if you have any suggestions or comments.



Minutes of the OOSPD Executive Council

June 25, 2004 • Boca Raton, Florida

The OOSPD Executive Council meeting took place in conjunction with The Florida Bar's annual meeting held in Boca Raton, Florida. The meeting took place on June 25, 2004.

Council members present:

- President Scott Atwood
- Bard Brockman
- Tim Chinaris
- Ian Comisky
- Dennis Donet
- Eric Meeks
- Duffy Myrtetus
- Richard Tanner
- John Voorn
- Mindi Wells

Guests present:

- David Arrami
- Michael Faehner
- Mark Romance

1. Call to order

President Scott Atwood called the meeting to order at 4:35 p.m. (EST)

2. Nominations

The chair of the Nominating Committee, Bard Brockman, stated that the proposed slate of officers for the OOSPD 2004-05 Bar year are as follows:

President	Scott Atwood
President-elect	Eric Meeks
Secretary	John Voorn
Treasurer	Scott Patterson

It was moved and seconded that the proposed slate be approved as the new officers of the OOSPD. The motion carried unanimously.

New Florida Bar President Kelly Overstreet Johnson arrived and administered the oath of office to the new officers.

3. President's report

The president reported on the Long Range Planning meeting held at the Florida House in Washington, DC, on April 18, 2004. He requested that the secretary prepare a memorandum of the major themes of that

meeting to be distributed to all members by e-mail. Those themes include the following:

1. Seek a more formalized committee structure
2. Foster the image of the activities of the OOSPD
3. Make more committee appointments this year
4. Pursue a sustained membership drive
5. Continue involvement with the Council of Sections
6. Foster relationships and interaction with other sections and divisions of the Bar

The president commented on how well the government lawyers week-end program had gone, including the special activities that were arranged, and he complimented the chair of the Government Lawyers Section for the excellent program. He commented on the quality of the OOSPD CLE program held as part of the Washington program. It was mentioned that the OOSPD may consider interacting with the Young Lawyers Division at its April 6-8, 2005, program to be held in New Orleans.

4. Website

The president advised all of the members that the website is now www.flabaroutofstater.com or [.org](http://www.flabar.org) and is currently in operation and will be updated periodically to advise members of upcoming events. He was advised that The Florida Bar is in the process of redesigning its entire website, i.e., www.flabar.org. Discussion revolved around how to add services to the membership on the division's website, such as a members' only section. Considerable cost savings was achieved with the \$1,500 investment to make the website operational as compared to the \$4,000 typically expended to do a hard copy membership directory. Further discussion revolved around features that

could be part of the division's website.

5. Committees

The president announced the following committee assignments:

Membership - Eric Meeks, chair

Communication - To include the newsletter and website, chair to be determined

Budget - Scott Patterson, chair; Eric Meeks, member

Networking - Scott Atwood, chair

CLE - Richard Tanner and Tim Chinaris, co-chairs

Council of Sections Liaisons - Duffy Myrtetus, chair

6. Future meetings

It is intended to have an Executive Council meeting and a reception on Friday, October 15, 2004, as part of the BOG out-of-state meeting in Las Vegas, Nevada. The division would like to co-sponsor the reception with the BOG. No division CLE program will be offered at this meeting. The Executive Council felt it important to publicize this gathering to western state Florida Bar members. The meeting will be at the Bellagio Resort.

The consensus was that there would be no Chicago seminar in 2004.

An Executive Council meeting will be held as part of the Bar's 2005 annual meeting to be held at the Marriott World Center in Orlando, Florida, on June 22-25, 2005. Date and time to be determined.

Also discussed was the possibility of having an Executive Council meeting in New York on December 3, 2004, in conjunction with the annual New York seminar.

Another possible Executive Council meeting would be in conjunction with the YLD meeting on April 6-8, 2005, in New Orleans.

Also, conference call meetings may be scheduled as needed.

continued...



Minutes

from preceding page

7. CLE

Richard Tanner reported on the preparations being made for the all-day New York CLE seminar to be held on Friday, December 3, 2004. It will be held at the Fordham Law School located on West 50th Street, which is adjacent to the Lincoln Center. Hotel arrangements are being made at the Hudson. Lunch will be included. The president stated that he was encouraging other sections to apprise our division of their out-of-state CLE activities to give us an opportunity to cooperate with them to gain visibility. We could serve as a co-sponsor and publicize those programs to our members and contribute toward the cost of the activities to include receptions where scheduled.

8. Regional meetings

The president indicated he wanted

to continue to encourage council members as well as out-of-state practitioners to continue the networking process by scheduling receptions for Florida Bar members in their areas. The division will defray the cost of those activities when approved in advance.

9. Practice management

The president noted that Dustin Cole, a practice management specialist, instructs lawyers on effective practice management and how to market their practices. The president has been communicating with Mr. Cole relative to scheduling a "Webinar" seminar on the web for the benefit of division members. When members sign up they get a PIN to participate in the seminar. Mr. Cole has been requested to provide a proposal to the division.

10. Leadership conference

It was noted that the Bar's leader-

ship conference is scheduled for July 23-24, 2004, in Tallahassee, Florida. Comments were made from past participants about the quality and benefits of attending. Council members were encouraged to attend.

11. Minutes

A motion was made and seconded to approve the January 8, 2004, conference call minutes. The motion carried.

12. Adjournment

A motion was made and seconded to adjourn the meeting. The motion carried, and the meeting adjourned at 6:17 p.m. (EST) The members then proceeded to attend the joint reception with the International Law and Government Lawyers sections being held in conjunction with the Bar's annual meeting. The cost of the reception was shared.

— John Voorn, Secretary

Minutes of the OOSPD long-range planning meeting

April 18, 2004 • Washington, DC

The meeting was held at the Florida House in Washington, DC, for the purpose of discussing the division's long-range planning. Present either in person or by phone were the following:

Participants (in person or by phone)

- President Scott Atwood
- Brian Burgoon
- Arlee Colman, Division Administrator
- Ian Comisky
- Tim Chinaris
- Duffy Myrtetus
- Philip Sprinkle
- Richard Tanner
- John Voorn
- Victoria Wu

The meeting began at 1:00 p.m. (EST)

At the outset, the president indicated to the attendees that the purpose of the meeting was for long-range planning, to include determining the expectations of the division specifically for the Executive Council and its members in implementing the goals. The following sets forth issues, concepts and themes that were discussed.

Key concepts to focus on:

1. Education of the members

- Need to provide information and keep them up-to-date on current developments in addition to CLE and networking issues.
- Improve usefulness of the division's newsletter, *State-to-State*. Encourage out-of-state practitioners to write articles of gen-

eral interest to members; also encourage in-state lawyers to author articles on Florida law developments of which our members need to be apprised.

- Issues of MJP regularly need to be addressed.
- Information dissemination.
- Communicate on how Florida law developments impact our members.
- Encourage member participation in the Executive Council so there is not a challenge to fill vacancies.
- Continue to improve CLE opportunities. Consider regular CLE at Orlando annual meeting. Organize one-hour conference call CLEs. More mini-CLE programs in different cities. Get more



Division News



people to assist with program presentation.

2. Lobbying (*legislative activities et al.*)

- Need to promote ourselves to The Florida Bar.
- Focus on marketing the division.
- Get people to join our division because they believe they should and they will benefit.
- Continue to ensure that interests of members are focal point.

3. Networking

- Use our directory (to be on the website) for referrals.
- Have friends and mentors to serve as a resource for advice.
- Seek to interact with other section executive councils to apprise them as to what our division does.
- Do inter-group networking.
- Assist other sections with their programs.
- There needs to be continuous participation in the Council of Sections—we go there to listen and network, not make changes. Could appoint a member of our Executive Council to be a liaison with the Council of Sections (that council meets at the annual meeting as well as in September and January). That representative could be our immediate past president. Consider the outgoing president and the incoming president go to the Council of Sections in order to create continuity.
- Consider attending executive council meetings of other sections to advise them of our existence and function—focus on marketing our division.
- Get our key members to be active in their practice (regional) areas, i.e., get an affiliate group in our major cities.
- Also consider co-hosting programs at the Bar's annual meeting.

4. Member benefits

- Providing helpful information to members.

- Expanding membership base.
- Advocating for members.
- We need to be an information source for our members.
- Funding remains an issue. Concern about long-term financial status—rather make money on programs and services than raise dues.
- We need to ask if it is a member service or a profit margin issue.
- Question what do we absolutely have to do, i.e., the bare minimum, and what should we be doing to enhance the value of membership?
- Create more ad hoc committees.

- Getting non-executive council members involved in independent projects.
- Division expects to have its own fully operational website in approximately one week, and that will provide links to other websites.
- Put together a brochure specifying the benefits of joining the division, including members available for consultation with other members.

The meeting concluded at approximately 4:00 p.m. (EST)

—John C. Voorn, Secretary

Want to get involved?

Positions are available on the following committees:

Membership, Networking, Communications, CLE.

Please contact Scott Atwood,
satwood@whk.com or 404/816-8611

or Arlee Colman, acolman@flabar.org.

Mark Your Calendar!

OCTOBER 14, 2004 • 5:30 p.m.

Reception at The Bellagio
in conjunction with The Florida Bar
Board of Governors Out-of-State Meeting
Las Vegas, NV

OCTOBER 15, 2004 • 4:00 p.m.

OOSPD Executive Council Meeting
in conjunction with The Florida Bar
Board of Governors Out-of-State Meeting
Las Vegas, NV

DECEMBER 3, 2004

NYC Seminar
[Note new location this year]
Fordham University Law School
140 West 62nd Street
New York, NY

Keep an eye out for upcoming events in your area.

Congratulations to our division administrator!

Arlee J. Colman, program administrator for the Out of State Practitioners Division, recently finished a commission for Governor Jeb Bush. If you weren't aware of it, our administrator is an artist in her free time. She was asked by the governor to paint a portrait of the First Lady's Siamese cat "Sugar" for Mrs. Bush's birthday. After holding a photo shoot with Sugar at the Governor's Mansion, Arlee completed the painting and delivered it to the Capitol. Although she has no intention of leaving The Florida Bar, art has become an integral part of Arlee's life, and a part that obviously adds a lot of excitement!



Division Administrator, Arlee Colman, poses with Florida Governor, Jeb Bush, and the portrait she painted of Mrs. Bush's Siamese cat, "Sugar."

Member News

Victoria Wu, a member of the division's Executive Council and a member of The Florida Bar Young Lawyers Division's Board of Governors, is running for secretary-treasurer of the American Bar Association Young Lawyers Division. The OOSPD Executive Council has endorsed her candidacy.

Out-of-state practitioner **Christopher Scott** of Norfolk, Virginia, recently became certified in tax law. Christopher, a graduate of University of Virginia Law who holds an LLM in tax from New York University, is with the law firm of Wilcox & Savage in Norfolk. Congratulations to Christopher!

Please note:

As an out-of-state member of The Florida Bar, you are eligible to become **certified in your practice area**. The division urges you to consider becoming certified. While the process is predictably difficult, the benefits of being able to hold yourself out as a certified member of the Bar in your practice area are considerable.

The Florida Bar
651 East Jefferson Street
Tallahassee, FL 32399-2300

PRSRT-STD
U.S. POSTAGE
PAID
TALLAHASSEE, FL
Permit No. 43