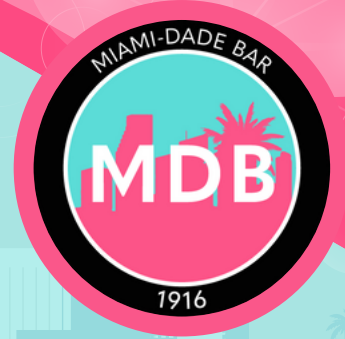


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MIAMI-DADE BAR BULLETIN



President's Message

An Open Letter to the Next President of the Miami Dade Bar

When the President of the United States leaves office it is a tradition to leave the next President a letter which is placed on a desk in the oval office. What a nice tradition. The letters eventually become public. The problem with such a practice for the Miami-Dade Bar is, at least for the moment, there is no desk to leave the letter on ! So, why not publish the letter in the Bulletin. Here is my letter to Suzette Russomanno, the incoming President of the Miami Dade Bar.

Dear Suzette:

Congratulations on your ascendancy as the first Cuban-American Female President of the Miami- Dade Bar. I am writing to tell you about some of the things I learned during my time as President of the Miami- Dade Bar. Naturally, you are free to create your own agenda and make your own decisions. Nonetheless, I thought it would be worthwhile to impart some of the things I learned during this past Bar year.

Be Active Positive. The political scientist, James Barber, in his remarkable treatise on the American Presidency, entitled "The Presidential Character," breaks down presidential leadership styles into four distinct categories: (i) active-positive; (ii) active-negative; (iii) passive - positive; and (iv) passive-negative.

The best quality in a leader is, perhaps obviously, active positive which Barber defines as "readiness to act, high optimism and an overall fondness for the Presidency." I aspired to all of these things, sometimes falling short. I encourage you to aspire to an "active positive" presidency.

Diplomacy. I am not a diplomat and, like you, I am a litigator. The President of the Bar has to be a diplomat and choose his or her words carefully.

Listening. Lawyers love to hear themselves talk. Nonetheless, as Bar President, I have had to learn how to shut up and listen. Listening is one of the most important parts of the job as Bar President.



We plan to make it the best bar year ever – join us.
The Miami Dade Bar: You Belong.

A handwritten signature in black ink, appearing to read "Roger Slade".

Roger Slade
MDB President



Manage Conflicting Agendas. People join bar associations for different reasons. It took some time for me to understand why people joined the bar, became involved in it and what they expected from their experience. Not everyone joins for the same reason. It is important to understand what people want out of their bar service so you can help them get it.

The Bar is Partners with the Judiciary. The Bar and the Judiciary need one another. The Judiciary needs the Bar to help get the message out to lawyers about what they can do better and what challenges Judges face. The Bar needs the Judiciary because connections with the Judiciary provide instant credibility to the Bar. The more Judges the MDB have that participate in our events, the greater our credibility is. It is, in some sense, a mutual dependency. This relationship requires constant attention.

Institutional Knowledge Matters. There is a vast difference between institutional knowledge and regular knowledge. Institutional knowledge is not something you can read in a book or find on Lexis/Nexis. It is the simple understanding of “the way things are done” and why they are done that way. My challenge, as a leader, was the fact that many times I did not accept that notion. The trick was to know when to say “yes” to doing it the way its always been done and when to say no.

Manage Democracy. Lawyers who join bar associations want to have their voices heard; they want assurance that their opinions matter. I had to learn to hear the opinions of bar members who I did not agree with and, from time to time, find common ground.

Let the Managers Manage. Many bar associations, like the Miami-Dade Bar, have professional managers which, in our case, is an Executive Director. The Miami-Dade Bar has had two really good executive directors in my time of service – Matt Ridgely and Bret Berlin. As tempting as it was to delve deeply into the minutiae of bar association management, at the end of the day, allowing the manager to make basic nuts and bolt decisions improved performance and lightened the President’s load considerably.

Protect the Bar and Its Property. The Bar has or will have lots of stuff – physical assets like desks, chairs, computers, financial assets like money in the bank and, finally, intellectual property like the designs for the MDB logo, the web site and the design for our signature events like Florida Law Con. Don’t let some interloper take things that belong to the Bar which it worked hard to acquire. Protect the Bar’s property like any business would.

Suzette, I know that you are going to be a great leader. And, you are going to learn a lot. Maybe you will write a letter like this one to Charise Morgan-Joseph. I encourage you to do so. Because the things we learn as President of the Miami-Dade Bar should not simply disappear into the atmosphere.

We plan to make it the best bar year ever – join us.

The Miami Dade Bar: You Belong.



YLS President's Message

YLS President Tiffany-Ashley Disney

What a beautiful gala that was – from the dresses, to the venue, to the décor, to the warm sentiments that were shared by all who attended. At the gala, I passed the baton to incoming President of the Miami Dade Bar (MDB) Young Lawyer's Section (YLS), Beau Blumberg. I am confident that he and the rest of the new board will ensure that the YLS thrives as an organization. The gala made me proud to be the President of the YLS and to be a part of such an amazing organization. It truly was a night of celebration and joy. I can't help but to smile when I think about the gala.

As I sign off as the YLS President, I want to say one last thank you to Scott Merl, for being an advisor as Immediate Past President, Beau Blumberg, for being my right-hand man as President-Elect, the YLS Executive Committee, Jessica Gopiao, Mariana Suarez, Thomas Graham, and Michelle Muskus, and to the rest of the YLS Board of Directors: Chris Ajizian, Lauren Allen, Phoenix Barker, Arda Barlas, David Emas, Megan Gonzalez, Amber Kornreich, Veronica Lopez-Calleja, Audrey-Jade Salbo, Ashley Saul, Tyler J. Walters, and Erin Weinstock.



Thank you for capturing my vision for the year and putting on so many amazing programs for young lawyers so seamlessly. I am so grateful to each of you for your hard work and support. I will forever refer to you as "my board", and I will sincerely miss dreaming, planning, and laughing in the board room with you all.

And to the incoming YLS Board, I leave you with the charge: this job is not an easy one, to be a leader, and to have the community look up to you, but it is a rewarding challenge. Always remember that you are leaving a lasting impact on the young lawyers in the legal community, and the community at large through our programs. Today, you are the young lawyers, and you do not have to leave things as they were yesterday, because you can build a better tomorrow. Go, dream, build.

Lastly, I want to give one last plea to all MDB Members, both young and experienced, to continue to come out to our events and support the YLS. The young lawyers need you, the "wiser" ones, to network with us and mentor us. We have two amazing events coming up that we hope you will attend and bring your associates to:

A Letter from the Editor-in-Chief

I am pleased to provide the June issue of the Bulletin. Please continue to submit your articles, notes or short blurbs for publication in our next issue.

Submit your article here:

<https://forms.gle/Xhn7ypRXLiNoy238>



Sydney Smith is an Associate at Jeffrey Law, PA, where she represents clients in family law matters.



Spring seems like such an optimistic season, doesn't it? And yet the economic forecast for the months ahead seems decidedly less blossomy.

With economists predicting a downturn of undetermined magnitude at some point this year, we at Florida Lawyers Mutual want lawyers in our state to be mindful of the relationship between **economic recession** and **lawyers' professional liability**.

Did you know that, historically, recessions have meant a significant uptick in the number of malpractice claims brought against lawyers? As tough economic times put pressure on clients, they may look for windfalls in the form of an errors & omissions claim against counsel. Meritorious or not, such claims can become extraordinarily disruptive to the lawyer.

In light of the current economic landscape, we're sharing four essential "Do Nots" for lawyers practicing in the midst of recession:

1. **Do not sue your clients for failure to pay.**

As recession creeps in, it's possible clients will find themselves less willing or less able to timely satisfy outstanding invoices from your firm.

The temptation to take legal action can be strong – especially if your firm is similarly feeling the grip of recession. But suing a client for fees is, effectively, inviting a counterclaim for legal malpractice – and as the ABA points out, the malpractice claim "usually seeks an amount far in excess of the legal fees in dispute."

2. **Do not lower your client screening standards.** In downturned times, it can be tempting to take on clients who you are less than comfortable representing – or simply to take on more clients than you realistically have time or capacity for. Can the client afford your services? Does he or she have unrealistic expectations or a cumbersome case with very little time left on the filing clock? Has the client already parted ways with multiple other lawyers regarding the same matter? Does he or she strike you as confrontational or angry? Are you thinking of helping a family member or friend against your better judgment simply because they are facing hard times? Heed these red flags!

3. **Do not venture into unfamiliar practice areas simply to bring in more business.**

This has been a common trap for lawyers during previous times of economic uncertainty. So many of those lawyers have found that dabbling does not pay. Unfailingly, what seems like a "simple case" becomes a quagmire, and lawyers without sufficient experience and expertise in a given area may find themselves under fire either for making mistakes or billing clients for "learning on the job." Remember: the duty of competence does not yield to market conditions.

4. **Don't be without high-quality lawyers' professional liability insurance.** Should you find yourself facing a legal malpractice claim – even an unmeritorious one – you'll want to know that you have high-quality coverage from a provider you can count on. Florida Lawyers Mutual was created by The Florida Bar so that lawyers like you would have a reliable source of coverage. We provide you with robust policy features and a personalized, Florida-based claims experience designed to protect your practice *and* your reputation – and we've been doing that for well over 30 years. It's the reason we are the Miami-Dade Bar's recommended provider of professional liability insurance provider for its members. Get a quick, no-obligation, ballpark premium indication at www.flmic.com today.



Aaron H. Wallace is a lawyer and author who serves as Director of Marketing at Florida Lawyers Mutual Insurance Company, the state's only direct-write lawyers' professional liability insurer. A-rated by AM Best for Excellent Financial Strength and owned by its member lawyers, Florida Lawyers Mutual provides high-quality policy features (including a cyber liability endorsement at no additional premium cost), value-added membership benefits (including more than 33 hours of cost-free CLE for each reporting period), and legendary member service. The Company recently declared an historic member dividend. (Dividends are paid at the sole discretion of the Company's Board of Directors; a past dividend does not guarantee the payment or amount of future dividends; details available at flmic.com.) Get a quick premium indication and learn more about how Florida Lawyers Mutual can add value to your practice at www.flmic.com.

Guide to Legal Outsourcing: What Solo Lawyers and Small Firms Should Know

Matt Lurie, Ruby



It's no secret that lawyers are busy people. Writing briefs, communicating with clients, generating leads, conducting research, preparing for deposition, marketing services—an attorney's list of tasks goes on and on. It's no wonder [74% of US law firms](#) feel as though they're spending too much time on administrative tasks, as opposed to practicing law.

That's where legal outsourcing comes in.

What is legal outsourcing, and why should you consider it?

Legal outsourcing means having someone else—typically another company or independent contractor—take on specific responsibilities for your firm.

If you're new to legal outsourcing, you may be wondering what the process really entails and if it's the right fit for your practice.

Is outsourcing worth the expense?

What are the pros and cons of outsourcing a function rather than hiring someone to manage it in-house?

By delegating the right processes to the right contract attorneys, paralegals, paraprofessionals, and service providers, law firms can focus on what they do best: practicing law. Legal outsourcing for small law firms can be particularly transformative, enabling two- to 15-person teams and solo attorneys to serve clients at otherwise unachievable scales and speeds.

At a high level, legal outsourcing is a good idea when you need cost-effective expertise on demand. You can optimize processes such as marketing or client service, for instance, at a fraction of the cost of an employee's salary. In many instances, it's cheaper and more efficient for attorneys to outsource these kinds of tasks rather than hire additional staff.

Further benefits of legal outsourcing include:

- Sustainable staffing—you don't need to worry about training, turnover, or extended leaves.
- 24/7 coverage—you can use outsourcing to ensure someone is handling key processes, such as client communication, during and beyond business hours.
- Peace of mind and focus—you can rest assured qualified professionals are taking care of things that would otherwise distract you from your work.

How lawyers and law firms make use of legal outsourcing

Outsourcing is less established within the legal world as compared to other industries. But over the last few decades, lawyers have begun to see the value in delegating aspects of work that once seemed intrinsic to their roles.

Such activities include, but are not limited to:

- Drafting agreements, motions, memos, and briefs
- Filing motions and petitions
- Editing and proofreading documents
- Conducting discovery
- Performing due diligence
- Managing billing and payment
- Growing a firm's presence through marketing, advertising, and business development
- Communicating with callers and website visitors

Often referred to as legal process outsourcing (LPO), the fragmentation of legal work and the availability of on-demand support has fueled growth for small firms that lack the resources of their Big Law counterparts. Indeed, many attorneys rely on outsourcing to stay in business. It's no surprise the sector is [poised for explosive growth in the 2020s](#).

Where to begin with legal outsourcing

As an attorney working within a small firm, perhaps you're used to doing everything yourself and you're not sure how to split your workflow into discrete tasks.

We don't recommend outsourcing anything and everything all at once. To minimize complexity and make the transition a positive one for yourself, your firm, and the people you serve, start with those processes that have the greatest impact on your productivity at this very moment.

Losing billable hours to unexpected interruptions such as phone calls? Outsource those calls to a receptionist service.

Distracted by multiple caseloads, client needs, and administrative tasks better left to associate attorneys and paralegals? Look into a flexible staffing solution.

Ask yourself, what do you or your team spend too much time doing? What distracts the most from billable hours?

If it's not related to your core areas of focus, consider outsourcing it.

Learn more in the definitive guide to legal outsourcing for small firms.

This is just a brief overview of legal outsourcing. For more information, a complete look at benefits and drawbacks, and tips for getting started, [check out Hire an Esquire and Ruby's definitive guide](#).

Split into seven chapters, the guide covers:

- What legal outsourcing is
- How legal outsourcing works
- Processes law firms should consider outsourcing
- Pros and cons of legal outsourcing
- Outsourcing and client experience
- Outsourcing with contract attorneys
- Getting started with legal outsourcing



Ruby delivers exceptional experiences to callers and website visitors, building trust and long-lasting client relationships. Ruby's highly trained US-based virtual receptionists and chat specialists answer calls and chats live, 24/7/365, saving small law firms time to focus on what they do best. Learn how Ruby's virtual receptionist solutions can grow your practice.

The Miami Dade Bar Association members save 8% with promo code **MDBA** or by signing up [here](#).

ruby®



I-95's Dangerous Express Lane System Strikes Again

Stuart J. Weissman

A vulnerable piece of our transportation system is our dangerous interstate highway system, where thousands of catastrophic injuries and deaths occur each year. South Florida's portion of I-95 ranks among the deadliest stretches of highway in the nation.

We have all likely seen the creation of 'express lanes' which separate regular lanes from express lanes. The stated purpose is to create a faster trip by paying a toll. Or perhaps the real purpose is to generate money. Bottom line - certain express lane systems, like the one on I-95, are creating far more danger compared to any benefit they provide.

The South Florida I-95 express lane system utilizes plastic poles to separate the lanes. While the goal of the poles is to keep drivers in their respective lanes, we continue to see a broken system.

Because the poles are made from flimsy plastic, they are prone to being damaged. When this occurs, gaps in between the poles are created, enabling drivers to dangerously move between express and regular lanes. The practice, known as 'lane diving,' causes horrific wrecks.

Ask anyone who has driven on I-95 about these poles, and their response will likely be fraught with disgust, anger, and most of all, fear of being cut-off by a lane diver. While lane divers are indeed careless, the underlying system is enabling and incentivizing this dangerous behavior.

Initially, the poles in South Florida were spaced 20-feet apart. So, when one went down, it would create a 40-foot gap, making lane diving as easy feat. Recognizing the problem, the Florida Department of Transportation moved the poles 10-feet apart in certain areas and 5-foot apart in others.

Placing the poles 5-feet apart actually proved to be safer, reducing lane diving by about 90%. Shockingly, the FDOT has not adopted the 5-foot spacing plan everywhere, thereby still allowing for the creation of large gaps when one or more poles go down.

The simple truth: It is not possible to keep drivers safe under the current system because the second a pole goes down, a large gap is created inviting lane diving.

While the FDOT is responsible for maintaining the highway system, others also share in that responsibility. The FDOT often works with third-party contractors to handle maintenance and repairs. These companies must likewise be held accountable when a catastrophic event occurs.

Our firm has pursued multiple cases involving wrecks that result from lane diving, including a recent \$12.26 million settlement in a case involving a wreck on I-95 after a lane diver caused a horrific collision. The wreck left our client with life-altering injuries, including a traumatic brain injury.

So long as the current express lane system remains, motorists will continue to be in danger. Certainly, drivers should resist the temptation of illegally lane diving. But, more importantly, the motorists of South Florida deserve a safer system. And, if you are going to charge hefty toll prices, then you ought to make certain a safe system is provided to all who use it. Safety must come before profits.

Miami-based trial law firm Ratzan Weissman & Boldt (RWB) handles catastrophic injury, highway construction, transportation negligence, medical malpractice, birth injury, and building safety cases, both in Florida and throughout the U.S.

Stuart J. Weissman is a partner of Ratzan Weissman & Boldt. He focuses his practice on catastrophic negligence, medical malpractice, products liability, wrongful death, and commercial disputes. Mr. Weissman and RWB are frequently retained to handle cases throughout the state and the country. Beyond Florida, Mr. Weissman has handled cases in states including Alabama, Arkansas, California, Rhode Island, and Texas.

Mr. Weissman has devoted his career to representing those in need of justice and giving them a voice in taking on some of the most powerful corporations, hospitals, doctors, product manufacturers, and other massive companies around the country. Mr. Weissman's mission is full, fair, and complete compensation to his clients while working to deter unacceptable and unsafe behavior.



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Subchapter V Is Good For Business

Jeffrey Bast



If you are not a bankruptcy lawyer, read this. And if you are a bankruptcy lawyer, you should too. If you represent small businesses, whether in deals or disputes, you should know about a useful tool that is being overlooked by many. It allows small businesses to restructure their debts and emerge with a clean bill of health and ownership intact. I am talking about Subchapter V bankruptcy. It was introduced as part of the Small Business Reorganization Act of 2019, and it came into effect at the end of February 2020. You probably did not even notice. In fairness, we did have a little pandemic just a few weeks later.

Subchapter V basically allows small business owners with debts of no more than \$7.5 million (thanks to the CARES Act) to retain control of their business and reorganize their debts through a streamlined process without the burdens of a creditor's committee or the expenses of monthly US Trustee fees. It is faster and cheaper than a typical chapter 11. This is particularly helpful for small business owners who may not have the resources or time to engage in lengthy creditor negotiations and court proceedings.

The streamlined Subchapter V process can be completed in a more efficient manner, saving both time and money for the owner.

Small business owners can also take advantage of a number of other benefits, including the ability to reduce their debt obligations, sell encumbered assets, and assume or reject burdensome leases and other contracts. These tools can be lifesavers for business owners facing overwhelming debt obligations, cash flow concerns, or the risk of losing litigation.

But the most obvious benefit of Subchapter V is that it provides small business owners with a vehicle to save their businesses. Many small business owners facing financial distress may feel as though they have no option but shut down. Perhaps worse, others will put themselves in personal debt, borrowing money and even mortgaging their home to keep the business afloat. But now you can offer them a lifeline. Subchapter V bankruptcy can allow them to restructure and emerge from bankruptcy with clean balance sheets and more viable entities.

Of course, it's important to note that Subchapter V bankruptcy is not right for every small business owner. Before deciding to file any bankruptcy, business owners should carefully consider their options and consult with a qualified business bankruptcy attorney. If your client is struggling financially or perhaps they risk losing that major litigation, Subchapter V may help you help them get back on track.

Jeff has been practicing in the insolvency and litigation arena for more than 25 years. He guides business clients through all types of insolvency-related issues including bankruptcy and bankruptcy avoidance, emphasizing corporate reorganization, workouts, and liquidation. Through his experience in commercial litigation, Jeff knows his way around the courtroom, but he also knows that his clients are often better served by staying out of court. For this reason, Jeff's initial focus is often avoiding bankruptcy when possible. Jeff's business background makes him well-suited to guiding his clients with insolvency-related transactions as well. Indeed, Jeff has extensive experience with all aspects of bankruptcy sales, acquisitions, and financing. Jeff represents corporate and individual debtors, shareholders, trustees, receivers, indenture trustees, and creditors' committees, as well as secured and unsecured creditors in workouts, reorganizations, and litigation.

After law school, Jeff completed two bankruptcy judicial clerkships in Texas and Florida. He then practiced law in the restructuring groups at two international law firms, working his way up to equity partner at both firms. In 2008, Jeff left the big firm life to start his own solo practice. In 2009, he founded Bast Amron LLP with his partner Brett Amron. The firm is now widely recognized as one of South Florida's top boutique firms delivering sophisticated advice to an array of clients with complex commercial disputes.

Jeff is a frequent speaker and writer both in the U.S. and abroad on topics related to insolvency. Jeff has been recognized by his peers and numerous publications for professional excellence including: Best Lawyers in America, Chambers and Partners, Martindale Hubble, South Florida Legal Guide, and Florida Super Lawyers.



Can ChatGPT Help Co-Parents Navigate The Legal System?

Rebecca Perra



ChatGPT, an artificial intelligence (AI) chatbot, is the fastest-growing app of all time. It launched in November 2022, and only two months later, in January 2023, it had 100 million monthly active users.

For reference, it took TikTok 9 months to reach that mark, and Instagram took two and a half years!

It's considered "generative" AI because it not only analyzes data but also creates, or generates, its own writing. This can include legal documents.

Certainly, a lot of people find ChatGPT useful (or at least entertaining). But is it a tool you can use to manage a serious family law case involving divorce, parenting time, or parenting responsibilities? Let's explore the possibilities.

Very important note: Nothing in this article should be construed as legal advice. We are not affiliated with ChatGPT and definitely cannot guarantee any of its replies are valid.

Can co-parents use ChatGPT to navigate the court system?

Using generative AI like ChatGPT might save you time and money—especially if you and your former partner are able to cooperate a little.

Navigating the court system is complicated and often overwhelming for co-parents. If you're not a lawyer, it's difficult to wade through a 400-page divorce packet and make sense of each document when you're already feeling emotionally overwhelmed.

But you can ask ChatGPT to explain each document. For example, you could write a prompt that says, "Explain a Petition for Dissolution of Marriage in Florida—in plain English, without legal jargon."

ChatGPT is most useful for helping you figure out procedural actions (definition/explanation), not legal arguments. (Basically, "What is this paperwork asking for?" But maybe not, "What previous legal cases apply to my case and how should I explain them to the judge?")

Important note: Avoid inputting private details about your case, your co-parent, or yourself—for safety and privacy reasons. ChatGPT is not guaranteed to be private.

Another important note: If possible, you should still hire a lawyer to review your paperwork. Even ChatGPT can't analyze your documents as thoroughly, accurately, and helpfully as a live legal expert who knows your specific case, the specific court you're appearing in, and possibly even the specific judge who will rule on your case.

However, you might pay for fewer hours of your attorney's time if your paperwork is in good order to start with.

Bonus tip: More tech that may help you reduce legal fees

Another way to reduce your attorney's billable time is to use a co-parenting app, like OurFamilyWizard, to keep all your communication on the record. Then, when you need to submit all the messages between you and your co-parent, you just have to click "download" and pass a PDF to your lawyer.

Can co-parents use ChatGPT to create co-parenting documents?

ChatGPT could be useful for generating first drafts of basic documents, like a parenting plan, parenting time schedule, or marital settlement agreement. It might also help you uncover your primary options within those docs.

You don't have to accept the first draft it generates, of course—in fact, ChatGPT works best if you keep adding prompts to refine its replies. So tell it which parts you want to change. But reading its suggestions can help you figure out what you do and don't like.

And it can get pretty specific—if you ask ChatGPT to help you develop a parenting plan, you can give it as much information as you want to include (as long as it's not private). For example, you could ask it to draft a parenting plan for the co-parents of a child who spends 15 hours a week doing competitive gymnastics, or a parenting plan suitable for co-parents who live on opposite sides of the country.

Important note: Again, don't feed the bot your personal information. Forbes warns, "The data that you enter into an AI app is potentially not at all entirely private to you and you alone." In fact, "If there is confidential data in the draft, that too is potentially now within the confines of ChatGPT."



Can ChatGPT Help Co-Parents Navigate The Legal System?

continued...

You can ask the chatbot to draft a parenting plan, but don't include things like your child's name, birthdate, or school—you can fill those in later.

Another important note: You still need an attorney to review your document. They can make sure your document is formatted properly and written clearly, with the right terminology, along with state-specific criteria. They might even spot potential problems in your plan, and it's so much easier to follow a smart plan from the beginning than it is to spend time solving the problems created by a flawed plan.

Still, starting with ChatGPT might be cheaper than having your lawyer, mediator, or parenting coordinator draft the plan for you in the first place.

What types of co-parents can use ChatGPT effectively?

ChatGPT might be a helpful tool for co-parents who can keep their child's best interests in mind when communicating and, as a result, cooperate at least a little. The chatbot is not a mediator or a conflict resolution specialist. Plus, only one person can use it at a time—so you have to take turns with the same account or just work separately.

Important note: If you and your co-parent experience high levels of conflict, you will probably need a lawyer, mediator, or parenting coordinator to help you settle on a workable plan.

What's the future of AI in family law for co-parents?

With any complex software, it takes time to work out the bugs and truly understand its implications. Nothing can be guaranteed. But one thing is clear: Generative AI is becoming an increasingly strong force in many industries, including the legal field.

It's an impressive tool for simplifying a very complex process. But at the end of the day, it's a robot. It's a tool. It can be a time saver, but it makes mistakes. It's up to human experts to verify its work.

Safe, completely private AI designed for co-parents

OurFamilyWizard has a special AI feature called ToneMeter™ that helps you write calmly so that the message doesn't stir up conflict (or look unflattering when your family law pros see it). It's like an emotional spell-check.

When you write a message, ToneMeter analyzes how that message will come across to your co-parent. It marks passages that could seem aggressive, humiliating, upsetting, or hurtful so that you have a chance to rewrite it.

Rewriting a marked passage is completely optional—ToneMeter doesn't make any changes or suggest new ways to write it. It's just a gentle nudge. The decisions are up to you.

Best of all, it's 100% private—it isn't logged in the documentation, and it's never visible to your co-parent.



Pool Safety & Protecting Our Children

Adam C. Finkel (MDB Treasurer)



Somehow summer is already just around the corner. For Floridians, that means it's almost time for weekends at the pool and barbecuing. While relaxing at the pool is one of the perks of living in Florida, we cannot forget about safety. Every year, lives are lost due to drowning, and in Florida, drowning is the leading cause of accidental death in and around the home for children under the age of 5. To the average person, pool safety means looking for a lifeguard, but there is far more that goes into it. While it remains a responsibility of the pool owner to provide a safe environment, many property owners flatly ignore their duty. When taking your kids to pools at a friend's house, or even an apartment building or hotel, it's important that we all first look for necessary pool safety measures.

There is no question that watching your kids is critically important, but studies show that it's inevitable that a child will be out of a parent's sight, even for just a second. We've all been in a shopping mall or at the park and our son or daughter was there one second, and gone the next. This is reality and is unavoidable. It's also exactly why Florida law mandates that pool owners have certain safety measures in place to prevent unattended children from gaining access to a pool. But let's not assume that all pool owners do what they are supposed to.

First and foremost, all pools must be surrounded by a barrier (a pool safety fence), with a self-closing and self-latching gate, and the release mechanism must be at least 4½ feet above the ground. The point of this is simple: only give adults the ability to open the gate, and when the gate is closed, it will automatically close, lock, and keep our children out. For the same reason, if you're building a pool, no matter what your contractor says, do not allow that pool to be filled with water until a proper safety fence is installed first! Just last month, The Haggard Law Firm represented a family that lost their daughter after a pool contractor filled a pool with water before a barrier was put up. While the \$10.9 Million Dollar settlement helps send a message to other contractors in the industry, there isn't a day that goes by that the family would give the money back for just one more moment with their daughter.

The barrier should also not be a design that is climbable, or even allows our children to squeeze through. A child's head is about 4 inches. If there is a gap between the bars greater than that, then that gate is not good enough. If that gate is a chain-link fence, kids will climb into the pool.

For this reason, be sure to look around for other chairs or items that a kid may use to prop up next to a pool barrier to help them climb in. Remember, just as our kids scream for joy when they find out that they're going to the pool, they won't hesitate to try and make their way into the pool with or without adult supervision.

While effective barriers will keep children out of the pool when they're not supposed to be there, children drown every year due to deficiencies with the pool itself. As we all know, children love to play close to the safety line separating the shallow and deep end. Although a properly affixed safety line will keep children in the shallow end, if the line is not taut and positioned ahead of the slope into the deep end, a child's feet may land on the slope decline and they can slip into the deep end. It only takes a second for a child to go from bouncing happily in the water, to submerged in the deep end. Get in the pool before your kids do, and check it out!

As a trial attorney with The Haggard Law Firm, and an avid supporter of the National Drowning Prevention Alliance and many other aquatics organizations, I have seen far too many children catastrophically injured or fatally drown in a pool that was not properly maintained by the pool owner. Drowning is not like what we see in the movies. It's quite and quick. In just seconds or minutes, a child can go from happy and running around, to submerged and sustaining a life-altering brain injury. In 2003, The Haggard Law Firm sued an apartment complex after a broken gate allowed a toddler to gain entry into the pool area, and ultimately fell into the pool and sustained irreversible brain damage. The jury awarded the family \$100 million dollars to account for the life-changing future for the family. And in 2015, we represented a family that rented a home from one of the largest single-family home operators in the country. While there was a pool in the backyard, there was no fence. After two toddlers gained entry to the pool through sliding glass doors, one drowned and the other child suffered an anoxic brain injury. The matter settled for \$11.8 Million Dollars. This house easily could have been a vacation rental home that so many of us will use this summer. Whenever at a vacation rental, or a friend's house, look for a barrier, but also check the doors that lead to the pool area. Will they lock? Does an alarm sound when they're opened? Alarms are critical to alerting adults when someone is entering the pool area. In the amount of time it takes you to walk upstairs or to visit the bathroom, a child can open a sliding door and make their way into the pool.

Just last year, The Haggard Law Firm represented a family, after their son drowned in their own community pool. The property managers didn't bother to have a proper gate, but instead used a loose chain and padlock. From afar it might have seemed ok, but up close it was completely unacceptable and dangerous. Less than one year later, our client lost his fight and his parents settled their son's case for nearly \$12 Million Dollars. There isn't a day that goes by that they'd give every dollar back for one last hug from their son.



First Things First – Five Tips For First-Year First-Gens

continued...

We don't share these stories to scare you. There's no need to be scared of pools if you're educated in pool safety. With that education comes an appreciation for the risks of unsafe pool practices. Every grieving family we have helped firmly believed that this could never happen to them. The risks are simply too high to be so naive.

Summer is nearly here. May we all have an incredible time, but please let's be safe. Not much is better than a pool day during the hot summer, but let's not forget that the pool is one of the most dangerous aspects of a home. Keeping our kids safe is not just about watching them as much as possible, but realizing that drowning prevention is about layers of protection. Parental supervision is just one layer. Please keep an eye out for pool gates, alarms, and safe pool designs. If those measures aren't there, the pool day is simply not worth it. Head for ice cream with the kids and get home.



Adam Finkel is an associate attorney with The Haggard Law Firm with extensive experience working with victims of crime as a former state prosecutor.

Prior to joining The Haggard Law Firm, Adam was an associate attorney at Mase, Tinelli, Mebane & Briggs practicing in the areas of admiralty and maritime, personal injury, and general civil litigation matters.

Before entering into private practice, Adam spent almost six years working for the Miami-Dade County State Attorney's Office. Mr. Finkel was a member of the Gang Unit and was asked to serve in the county's specialized Gun Violence Unit, as the lead attorney prosecuting hundreds of violent criminals. In order to investigate crime and prepare for trial, Mr. Finkel worked closely with local law enforcement, as well as Federal agencies such as the Federal Bureau of Investigation, Bureau of Alcohol, Tobacco, Firearms and Explosives, and the Department of Homeland Security. Though obtaining many guilty verdicts and prevailing at trial against some of the county's most heinous gang members, Finkel also worked within the community to help troubled youths enroll in college.

Inspired by his experience at the State Attorney's Office, Adam became involved with Empowered Youth, a non-profit organization dedicated to enhancing the lives of inner-city, at-risk youth. The program serves young men between the ages of 12 and 21, most of whom have been referred to us by the Department of Juvenile Justice.



INSTALLATION GALA 2023

Thank you to everyone who attended the Installation Gala. Your presence made the event truly special and memorable. We appreciate your support and look forward to the incredible journey ahead together!



This event brought together individuals from the legal community, all gathered to honor our outstanding members and usher in a new chapter of leadership within the Miami Dade Bar.



The night was filled with an enchanting ambiance and an atmosphere of camaraderie. Notable speakers graced the stage, delivering remarkable speeches that captivated the audience and underscored the significance of this occasion.

Once again, we extend our heartfelt thanks for being a part of this unforgettable evening.

Private investigators can be an invaluable asset to attorneys in a variety of ways, including skip tracing, asset searches, background reports, surveillance, jury vetting, international investigations, and online research. Attorneys who work with private investigators can gain a competitive advantage in their cases and improve their chances of achieving a positive outcome for their clients. How?

One of the most common services that private investigators offer to attorneys is **skip tracing**. Skip tracing is the process of locating a person who has gone missing or has intentionally tried to avoid being found. This service is especially useful in civil cases where a person may be trying to evade service of process or in criminal cases where a witness or defendant may have fled the area. Private investigators use a variety of techniques to locate individuals, including database searches, social media searches, and interviews with friends and family members.

Asset searches are another important service valued by attorneys. In many civil cases, the amount of damages that can be recovered is limited by the defendant's ability to pay. Private investigators can help attorneys determine the assets that a defendant has. These might include bank, brokerage and crypto accounts, real estate, and other investments. This information can be used to negotiate a settlement or to prepare for trial.

Background reports are also a key service that private investigators provide to attorneys. Background reports can provide information on an individual's criminal history, employment history, and financial history. This information can be used to assess the credibility of witnesses, to prepare for cross-examination, or to determine whether a potential client has a history of fraudulent behavior.

Surveillance might be one of the most commonly known PI tools that can be used to gather evidence in a variety of cases, including insurance defense, infidelity, personal injury cases, divorce cases, and workers' compensation cases.

Jury vetting is a service that is becoming increasingly popular among private investigators. Jury vetting involves our team working in real-time during voir dire to look into the backgrounds of members of the jury pool. This can include social media posts, political contributions and registrations, criminal history, employment, and more. We match this against what our client has identified as their "ideal juror" to give a thumbs up or thumbs down on each potential juror.

If you have business interests internationally, Private Investigators can help find critical information. **International investigations** can involve locating witnesses or defendants who are overseas, conducting background checks on foreign companies or individuals, or gathering evidence in foreign jurisdictions. PI's who specialize in international investigations have experience working with foreign governments, law enforcement agencies, and legal systems.

Finally, open-source research conducted by experienced analysts can uncover all kinds of clues. This includes researching social media platforms, blogs, public records, and other websites.

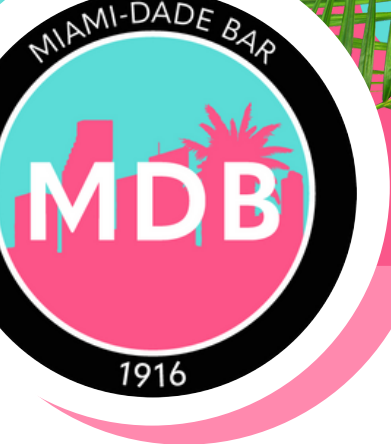
When you have a tough case, it never hurts to review it with a private investigator to see which out-of-the-box tools may be available. There are so many ways investigators can add value to attorneys beyond the traditional thought-of methods.



ABOUT Crossroads Investigations

Named the top investigation firm in South Florida by the Daily Business Review for the last seven years, Crossroads Investigations is a full-service national private investigation agency with global capabilities operated by a former Central Intelligence Agency (CIA) officer, and is a leading firm in Florida, offering specialized private investigation services, to include asset and bank searches, background checks, due diligence, surveillance, locate reports and employment and tenant screening.

Crossroads' President, Marc Hurwitz, is a Board Accredited Investigator, a Florida Board Certified Investigator, and a Certified International Investigator. He has been a member of the Florida Bar's Grievance Committee and was the Founding Chair of the Aventura Marketing Council's Law Committee. Marc has also twice been named Chair of the annual North Dade Justice Center's Law Day.



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