



Miami-Dade County Bar Association

To: Miami-Dade County Bar Association Executive Committee and Board of Directors

From: Suzette L. Russomanno, Esq., Secretary

RE: Meeting Minutes For December 16, 2020 Board Meeting

Date: January 18, 2021

Attendance

[See Meeting Attendance July 2020-June 2021.xlsx](#)

President Muir called the meeting to order at 5:01 p.m. after it was established that a quorum was present.

Secretary Russomanno moved to approve the consent agenda; Director Blake seconded the Motion. Motion carried.

Legal Aid Report

Executive Director Ladis thanked everyone for contributing to the toy drive and needy client fund. She advised that if any lawyers were performing pro bono work, now was a good time to send hours as they are preparing the Put Something Back Report for the Circuit Judge. She further advised that even if you are doing the pro bono work on you own, you should still send the hours to Put Something Back so that you can get credit.

The Nuts and Bolts Seminar was held on December 4, 2020. The DCBA did a great job of helping with the webinar. Close to 100 people attended. Executive Director Ladis also asked everyone to save the date for a January 29, 2021. Dade Legal Aid is hosting an event with the Pro Bono Committee to recruit people for the probate seminars.

Dade Legal Aid has added membership link on their website to help with DCBA membership drive. She further thanked everyone that helped with gifts and Inns of Court that helped getting gifts to the kids.

Affiliated Bar Reports

APABA-No representative present. As such, no report provided.

Caribbean Bar Association-There is a Broward drop-off for toys. Toy Drive ends December 18, - 2020, but she is sure they are agreeing to extend it. E-mail Charise Morgan Joseph with any questions.

CABA-\$14,000 raised for CABA pro bono. The 2021 CABA installation will be a boating regatta and will be held in May 2021.

FACDL-Michael Davis presented the report. January 7, 2021 there will be an drive-thru legal event that helps people get their licensed fixed. It is a diversion program.

Gwen Cherry-Most of December events have occurred. They are having a toy drive with Broward Children's Center. Information about the Toy Drive is on the website.

Haitian Lawyers- No representative present. As such, no report provided.

MDFAWL- No representative present. As such, no report provided.

South Miami-January CLE for forensic in discovery. It will teach lawyers how to get information from cell phones for use as evidence in their cases.

Wilkie D. Ferguson-Has partnered with the Overtown Youth Center to provide toys to kids in committee who needs them. The Toy Drive was from 9:00 a.m. to 9:00 p.m. You can make a donation through Wilke D. Ferguson website.

Committee Report

A. By-Laws Committee

There has been a lot of push back regarding increasing membership groups. This would be a non-lawyer category (vendor membership). Vendors must have some type of relationship to the legal field. They would not be able to run for a position and would not have voting rights.

Director Jordon moved to approve the bylaw amendment. Director Davis seconded the motion. Director Rogero voted against this by law in the committee meeting. Director Elias concerned with whether vendors will be conducting business lawfully. Vice President Hockman liked that the membership committee has sole discretion to permit vendors. President-Elect Puglisi believed this will tie people to the organization and bring more sponsorship dollars. Membership committee will be able to handle this. President Elect Puglisi asked the board to support the amendment.

Director Cynamon stated the board holds the right to grant rights to members. Motion carried.

B. Professionalism Committee

President Muir provided the report. She advised the committee is accepting applications for the Dyer award. It is the DCBA's most prestigious award.

Treasurer's Report

Treasurer Morgan Joseph updated the board on the DCBA's account balances and advised the board that the property taxes were paid early.

Secretary's Report

Secretary Russomanno advised the board to Save the Date for the annual DCBA Bench & Bar. The event will be held on April 9, 2021.

The theme for the Bench and Bar is “Survive and Thrive.” We encourage everyone to provide ideas for how their area of practice overcame obstacles and what new trends are emerging in your area of practice due to COVID.

Vice-President Report

No report. May be out January or February for surgery.

President-Elect Report

President Puglisi advised there will be a CLE planned called “As Nasty As We Want To Be.” It will be about how South Florida lawyers helped shaped the First Amendment. Have split membership committee into CLE, membership benefits, YLS, law students. We need to show members we are doing everything we can to give them a member benefit.

She further advised the Florida Supreme Court decided on their own that they wanted to make change to the Speedy Trial rule. This is usually proposed by the Florida Bar Rules Committee. In this particular case it would be the Criminal Court Rules Committee of the Florida Bar. The Supreme Court decided to bypass the committee and go to the Steering Committee. According to President-Elect Puglisi, the proposed changes are awful. The rules committee previously voted 27-3 against the change. In October, the Supreme Court decided on their own they were going to make the change. Supreme Court has the right to do this, but we have the rules committee for a reason and this letter says they should not do this and they should go to the Florida Bar Rules Committee, which is a body that is experienced in that area of law.

Florida Bar has written an opinion letter as to why this is a horrible rule. Not just terrible for criminal defendant, but the procedural aspect. Supreme Court should not have the right to make whatever change they want without going through a procedure and a process. Whether you are a civil or criminal lawyer, it is important for us all. The Executive Committee recommended that letter prepared by the FACDL Statewide be executed by the DCBA.

FACDL state wide to be sent to justices regarding proposed rule change. President-Elect Puglisi moved to approve the DCBA sign the letter prepared by FACDL statewide regarding the Supreme Court’s actions. Director Blake seconded the Motion.

The FACDL is focusing on the procedure, not the substance of the rule.

Director Rogero asked what type of change is proposed to the rule. President Elect Puglisi stated there are many proposed changes, but the worst one is that the speedy trial rule will not begin to run until charges are filed and not when the person is arrested.

Director Davis added that what is most important about this we as a bar ask the Court to follow the rules in terms of changing court rules and not to change them without the input of the Florid Bar Rules Committees. Motion carried. No abstentions.

Membership Report

CIM will send an email every week asking members to help get expired members to renew. CIM will do all the follow up. It wants to get all this done by the end of the year. CIM advised we had a really good week in ads. \$1,000 were sent to the DCBA this week. We are planning an event with Attorney General Ashley Moody in April. Working on an updated logo and hopefully it will be ready in the New Year. Also working on the fundraising deck.

President Muir advised that Ms. Mas was a part of the Momentum fundraising campaign committee for the University of Miami that raised a several dollars for the University.

Young Lawyers' Section Report

No report.

President's Report

Last spring President Muir sought letters of interest from banks in which she had contacts. It was decided that Centennial Bank was the best bank. Since then, Centennial has had concerns about the max price for construction. Construction company thinks it is 2.5 million, but there could be other variables. Centennial is not comfortable lending the DCBA the money for a bridge loan because we are not meeting our budget. President Muir contacted people in the development world, such as Terra Group. They recommended Jorge Rauckis. EC recommended we retain him to help us secure financing.

President-Elect Puglisi moved to approve to have a mortgage broker look into this matter. Director Libhen seconded. Chair relinquished to President-Elect Puglisi as President Muir wanted to participate in the discussion. Director Hockman voted to retain the mortgage broker, but he was concerned if we have to pay for something that is presented to us. President Muir stated the percentage fee comes out of the loan and not out of our pocket. Director Rogero stated the loan is something we ultimately will have to pay. President Muir stated if we cannot get tenants then we sell the building with the improvements.

Director Elias asked if we can lower it to 1% instead of 1.5%. President Muir requested that the Executive Committee be delegated the task of negotiating the fee and determining whether it is standard in the community.

Director Libhen stated we should try to negotiate the proposed financing with the bank.

Vice President Hockman amended the motion to allow the Executive Committee to negotiate the broker's fee. Motion carried. No abstention.

The Board voted on the Executive Committee's recommendation to hire mortgage broker and as amended in terms of negotiation by EC. Motion carried.

Intercredit Bank is very eager to do this deal with us. Mr. Rawicz has worked on similar projects in the past like Espanola Way Rehab. It is a starting offer from the bank and it is negotiable. Executive Committee had some questions about it. Abbreviation was for title insurance. There was a question as to \$6700. \$1,000 fee for entertaining our project. Additional amount is for the new appraisal to make sure it is worth what we think it is (because our appraisal expires after a year). Mr. Rawicz stated appraisal fee is negotiable. Bank wants a business plan. Ms. Garcia had a call with Executive

Director of San Diego Bar Association and they have a larger membership because they have a business center in Downtown San Diego.

In the foreseeable future there will be a litigation bonanza in South Florida. We are going to show Intercredit Bank that it is worth their while to lend to the DCBA.

If terms are reached with Mr. Rawicz, we are authorizing him to negotiate better terms with Intercredit Bank, present it to the Executive Committee, and board will delegate authority to the Executive Committee to approve loan terms, provided that the Board is provided the terms for review beforehand. Secretary Russomanno opposed motion. Motion carried.

Director Davis moved to extend the contract with the commercial realtor (AIM) for the duration of the remodeling construction of the DCBA building. Director Leslie seconded the Motion. Vice President Hockman abstained. Motion carried.

President Muir appointed everyone to the building fundraising committee. DDA has committed to providing \$25,000 for soft bono clinic.

Podcasting Issue-Olga Hernandez is building us our on Podcast platform.

New Business

None.

Meeting adjourned at 6:15 p.m.