



PALM BEACH COUNTY BAR ASSOCIATION

BULLETIN

www.palmbeachbar.org

October 2011

Mark your calendar for upcoming Membership Events

Lawyers Have Heart Run

October 1
Meyer Amphitheatre, Downtown WPB

Second Biennial Diversity Summit

October 14
Marriott West Palm Beach

Family Picnic

October 22
Dreher Park, West Palm Beach

Membership Luncheon

November 14
Marriott West Palm Beach
Speaker: FL Bar President Scott G. Hawkins

Annual Holiday Party & Silent Auction

December 1
Frenchman's Reserve, Palm Beach Gardens

Third Annual Lawyer Variety Show

January 21, 2012
Eissey Theatre, Palm Beach State College

Bench Bar Conference

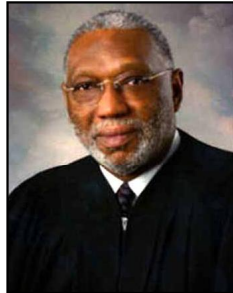
March 9
Palm Beach County Convention Center

Annual Judicial Reception

May 1
The Harriet at City Place

Annual Installation Banquet

June 2
The Breakers Hotel, Palm Beach



Florida Supreme Court Justice James E.C. Perry To be Keynote Speaker at the Second Biennial Diversity Summit

Friday, October 14, 2011

The Marriott West Palm Beach

11:45 - 4:00 Lunch & Round table and Panel Discussions

4:00 - 5:00 p.m. Cocktail Reception

The purpose of the summit is to promote dialogue between managing and hiring partners, government and agency heads, associates and Judges on ways to improve the diversity in our legal community. The event will feature a panel discussion, and include prominent local and national leaders, including Daryl Parks, President of the National Bar Association; U.S. Attorney Willy Ferrer; Carey Haughwout, 15th Judicial Circuit Public Defender; Michael McAuliffe, 15th Judicial Circuit State Attorney; and many more. Registration is required and can be done by going to the Bar's website at palmbeachbar.org

Second Annual Family Picnic!

Saturday, October 22 • 10:00 am to 1:00 pm

Dreher Park, West Palm Beach

Bungee jump, face painting, bounce house, rock wall, bake-off challenge, BBQ and more!

Cost: \$20 for adults and \$5 for children 13 and younger

RSVP online @ www.palmbeachbar.org

Sponsors to date include Lytal Reiter Smith Ivey & Fronrath; Debra Duran & Associates; Law Offices of Robin Bresky; Legal Graphicworks; Lesser Lesser Landy & Smith; Matrix Mediation; Murray Guar Trial Attorneys; Rock Legal Services and Investigations; Sabadell United Bank; Dermatology Associates of the Palm Beaches; Hinman, Howard & Kattell; and Shipyard Brewing Company

So You Think You Can Bake?

Second Annual Dessert Bake-Off Challenge

The highlight of the 2011 Bar Picnic will include our Second Annual Law Firm Bake-Off Challenge in which participating law firms are competing to be crowned the winner of the "Best Baked Dessert." Each firm can have two entries. The bake-off will be judged by three local judges and all are welcome to sample the entries after the competition!! If your firm wants to submit a baked good contact Patricia DeRamus at 366-9099.

Enter your firm's best dessert in our Law Firm Dessert Bake-Off Challenge. Again, this year's entries will be based on "taste and presentation." The Rules are simple – "baked dessert" and you must be registered.

Prizes!

1st Place - \$100 William-Sonoma Gift Card, a Law Firm plaque with photo of winning entry

2nd Place - \$50 William-Sonoma Gift Card

3rd Place - \$25 William-Sonoma Gift Card

* winners' names will be displayed in the Palm Beach County Bar Office



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Rule 1.280(f): Court Filing of Documents and Discovery

By Matt Triggs and Jonathan Galler

To file discovery, or not to file discovery, that is no longer the question.

New Rule 1.280(f), effective October 1, 2011, *prohibits* the filing of information obtained during discovery unless the information is filed for good cause. Moreover, when discovery materials are filed, attorneys must take care to comply with new Rule of Judicial Administration 2.425, which requires the redaction of certain confidential or personal information.

Rule 1.280(f) provides as follows:

(f) Court Filing of Documents and Discovery.

Information obtained during discovery shall not be filed with the court until such time as it is filed for good cause. The requirement of good cause is satisfied only where the filing of the information is allowed or required by another applicable rule of procedure or by court order. All filings of discovery documents shall comply with Florida Rule of Judicial Administration 2.425. The court shall have authority to impose sanctions for violation of this rule.

The new rule is one of several amendments to the rules of court recently adopted by the Florida Supreme Court to reduce the amount of personal information in the court records as part of an “ongoing effort to provide the public with electronic access to nonconfidential court records.”¹

The Supreme Court has referred to the new Rule of Judicial Administration 2.425 as the “centerpiece of the amendments.” That rule, which is modeled after but not identical to Federal Rule of Civil Procedure 5.2, “sets forth the categories of personal information that must not be filed or must be truncated or redacted before filing, and provides exceptions that allow for the filing of complete information in appropriate circumstances.”²

¹ In re Implementation of Committee on Privacy and Court Records Recommendations – Amendments to the Florida Rules of Civil Procedure, 2011 WL 2566360, *1 (June 30, 2011).

² Id. at *3.



By way of just a few examples, new Rule 2.425 provides, with limited exceptions, that no portion of a social security number, bank account number or credit card number may be filed. The rule also provides that only the last four digits of driver’s license numbers and taxpayer identification numbers may be filed and, further, that email addresses must be truncated. As always, practitioners should take the time to familiarize themselves with the various provisions of the new rule.

The Supreme Court also adopted amendments to several other rules of civil procedure to conform to or reference the new rule of judicial administration.

Specifically, Rule 1.310(f) has been amended to provide that copies of depositions may be filed only when “in compliance with Florida Rule of Judicial Administration 2.425 and rule 1.280(f).” Rules 1.340(e) and 1.350(d) have also been amended to provide that answers to interrogatories and documents produced in discovery may be filed only when “in compliance with Florida Rule of Judicial Administration 2.425 and rule 1.280(f).”

The Committee Notes to Rules 1.310, 1.340 and 1.350 explain that the purpose of those amendments is “to require persons filing discovery materials with the court to make sure that good cause exists prior to filing discovery materials and that certain specific personal information is redacted.”

This means that practitioners will sometimes – perhaps frequently -- have to redact discovery materials that are filed in support of or in opposition to various motions, including, for instance, motions for summary judgment. Correspondence

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The 24th Annual Pro Bono Recognition Evening will be held on Saturday evening May 19, 2012 at the Palm Beach County Convention Center. Anyone wishing to nominate an attorney, support staff member, law firm, individual or group for a Pro Bono Award for exemplary pro bono work in 2011 please fill out the form below. Reasons for the nomination should accompany this form and client names are not necessary. Client names will not be used for any press releases or for the program the night of the event without the client's written consent.

Robert Bertisch, Executive Director