



The Florida Bar Continuing Legal Education Committee and the
Solo & Small Firm Section present

Florida Law Update 2019

Thursday, June 27, 2019, 7:55 a.m. until 4:25 p.m.

COURSE CLASSIFICATION: INTERMEDIATE

Course 2873

rllibbert@floridabar.org

AGENDA

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|-------------------------|----------------------------------------------------------------------------|
| 7:55 a.m. – 8:00 a.m. | Opening Remarks
<i>Peggy Hoyt, Program Chair</i> |
| 8:00 a.m. – 8:50 a.m. | Business and Litigation Law Update
<i>Paige Greenlee, Tampa</i> |
| 8:50 a.m. – 9:40 a.m. | Employment Law Update
<i>Kevin Johnson, Tampa</i> |
| 9:40 a.m. – 10:30 a.m. | Bankruptcy
<i>Todd Budgen, Orlando</i> |
| 10:30 a.m. – 10:45 a.m. | Break |
| 10:45 a.m. – 11:35 a.m. | Elder Law
<i>Peggy Hoyt, Oviedo</i> |
| 11:35 – 12:20 p.m. | Estate Planning
<i>Alex Douglas, Orlando</i> |
| 12:20 p.m. – 1:45 p.m. | Lunch (on your own) |
| 1:45 p.m. – 2:35 p.m. | Criminal Law
<i>Denis DeVlaming, Clearwater</i> |
| 2:35 p.m. – 3:25 p.m. | Family Law Update
<i>Wade Luther, Orlando</i> |
| 3:25 p.m. – 3:35 p.m. | Break |
| 3:35 p.m. – 4:25 p.m. | Real Property Law Update
<i>Michael Gelfand, West Palm Beach</i> |



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SPEAKERS



TODD BUDGEN was born and raised in Daytona Beach, Mr. Budgen earned his Bachelor's degree and a minor in business from Northwestern University. He earned his law degree and a Master's degree in Management from Syracuse University. After law school, he worked at a mid-sized technology and transactional boutique firm and worked as an Assistant State Attorney. He has practiced law in the Orlando metropolitan area for close to twenty years since. Mr. Budgen is a member of MENSA and a prior Director of the Central Florida Bankruptcy Law Association. He was the largest chapter 7 filer in the Orlando Division circa 2009. In the years since, he has focused his practice on complex consumer cases, representing creditors, representing trustees and work as a mediator. Mr. Budgen's experience includes several district court and bankruptcy court reported decisions and 11th Circuit U.S. Appellate oral argument. When not at work, Mr. Budgen is a car enthusiast and he enjoys scouting college football every fall for Florida Citrus Sports.



DENIS DEVLAMING was educated at the Ohio State University where he received a B.A. in Psychology (1969). He graduated from Stetson University College of Law in 1972 with a Juris doctor degree. He accepted an appointment as a Florida Assistant State Attorney where he prosecuted in the Sixth Judicial Circuit from 1972 through 1975. Thereafter, he started his own law practice and has specialized in criminal defense ever since. His offices are located at 1101 Turner Street, Clearwater, Florida 33756. Phone: (727) 461-0525; fax: (727) 461-7930; e-mail: denis@deVlaming.com. Mr. deVlaming is the past president of the Pinellas County Criminal Defense Lawyers Association (1987), the Pinellas County Trial Lawyers Association (1991) and the Clearwater Bar Association (1994-1995). He also served as Chairman of the Criminal Law Section of the Clearwater Bar. He was elected statewide President of the Florida Association of Criminal Defense Lawyers (2002-2003) and is a member of the National Association of Criminal Defense Lawyers. In 2001 he was named senior counsel in The College of Master Advocates And Barristers and in 2010 he was inducted in to the American College of Trial Lawyers. He currently serves as president of First Step, Inc., a non-profit organization dedicated to helping needy men and women who are on probation. He is Board Certified in criminal law (1988-present) and has been approved by the Florida Bar to give Continuing Legal Education seminars on every aspect of the criminal trial. For over twenty five years he has been asked to lecture at the Board Certification Seminar for criminal trial law. He has authored over 50 published articles touching upon matters involving criminal law in both state-wide and national magazines. Mr. deVlaming

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is an adjunct professor at Stetson College of Law in St. Petersburg, Florida teaching “Advanced Criminal Trial Advocacy” and is a past adjunct professor at the University of South Florida. He has also been a guest lecturer for the St. Petersburg College, the “Peoples Law School” in Pinellas County and been asked to speak at the statewide Florida Judicial Conference on criminal law and ethics (Circuit and County), the Florida Public Defender’s Association (trial tactics), the National Association of Criminal Defense Lawyers Annual seminar, the Gerald T. Bennett prosecutor/public defender trial training program at the University of Florida, the National College of DUI Defense held at Harvard law school (2005, 2009, 2014) and “Masters of DUI” held in Miami, Florida (2006). He has also travelled around the state giving a three hour interactive ethics seminar to the combined offices of the state attorney and public defender. And has written, produced, directed and acted in several mock trials for cable television. Mr. deVlaming has been inducted into “Who’s Who In American Law” (1989-present) and has been included in the book “Best Lawyers In America” (Naifeh and Smith, 1995-present). He was selected as one of the best criminal defense lawyers in Florida by the Florida Trend magazine (July 2004-6), Florida Monthly magazine (Sept. 2003), the Tampa Bay magazine (1997-present), the Tampa Metro magazine (2003-4) and Florida Super Lawyers magazine (2006-present). The Tampa edition of the Business Review newspaper included him as one of the Gulf Coast’s most influential lawyers (Oct. 2003). The national rating service of attorneys (Martindale-Hubbell) has given him an “A” rating since 1987. He is also listed in that publication’s “Bar Register of Preeminent Lawyers”. His peers have presented him with awards for professionalism and excellence in the field of criminal law by awarding him “The Barney” award (Inns of Court, 1997), “The Hindman” award (Pinellas County Criminal Defense Lawyers, 1998), “The Richard T. Earle” award (voted on by all Pinellas County Florida judges, 1998), “The William Reece Smith” award for professionalism (Stetson College of Law, 2008) and the “Jack Edmund” award (The Herbert G. Goldberg Inn of Court, Tampa 2011). In 2012 he was inducted in to the Stetson College of Law “Hall of Fame” (Florida).



ALEX DOUGLAS earned his Juris Doctor degree from the Florida State University College of Law, where he graduated with honors in 1989. Alex holds a Bachelor of Arts degree with honors from Washington University in St. Louis, Missouri. Alex is admitted to The Florida Bar and is also admitted to practice in federal court before the U.S. District Court for the Middle District of Florida, the Southern District of Florida, and the Eleventh Circuit Court of Appeals. Alex handles only probate, trust, and guardianship litigation and is rated by Martindale-Hubbell as an “AV” attorney, the highest rating. He has also been named a “Super Lawyer” by Thomson Reuters throughout the years and named to Florida Legal Elite. He actively speaks on probate, trust, and guardianship law and participates in The Florida Bar’s Real Property, Probate and Trust Law Section. He is an active member of the Orange County Bar’s Estate, Trust and Guardianship Committee where he serves on the Steering Committee. Alex and his wife, Maureen, live in Maitland and are

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members of All Saints Episcopal Church in Winter Park. They have two sons, AJ (attending the U.S. Naval Academy) and Avey (senior at Bishop Moore) and one daughter, Grace (junior at Bishop Moore). Alex's interests include boating, amateur radio, and camping with family.

Admission

State of Florida
U.S. District Court, Middle District of Florida
U.S. District Court, Southern District of Florida
U.S. Court of Appeals, Eleventh District

Education

J.D, with honors, The Florida State University College of Law, 1989 The F.S.U. Law School Moot Court
B.A., with honors, Washington University in St. Louis, Missouri

Awards

2015-2018, Super Lawyer, Super Lawyers Magazine, Thomas Reuters; 2015 Florida Super Lawyers, Florida Legal Elite
2016-2018 Legal Elite Attorney by Florida Trend Magazine

Member

Member of the Probate Law and Procedure Committee of The Florida Bar's Real Property, Probate and Trust Law Section; Member of the Orange County Bar Association; and Member, Central Florida Estate Planning Council; Member of the Probate Litigation Committee of the Florida Bar's Real Property, Probate and Trust Law Section; Member of the 9th Judicial Circuit Grievance Committee.

Martindale-Hubbell Rating:

AV

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MICHAEL J. GELFAND, is dual Florida Bar Board Certified, in Real Estate Law and in Condominium and Planned Development Law. He is also a Certified Circuit and County Civil Court Mediator, Homeowners' Association Mediator, Arbitrator, and Parliamentarian. Michael Gelfand, is the senior partner of Gelfand & Arpe, P.A. Located in West Palm Beach, his firm emphasizes a community association law practice, counseling associations and owners how to set legitimate goals and how to effectively achieve those goals. Mr. Gelfand is a Past Chair of The Florida Bar's Real Property, Probate and Trust Law Section, the Bar's largest section with over 10,000 members. He served as the Section's Real Property Division Director and chaired the its Legislative Review Committee and Condominium and Planned Development Committee. He also chaired the Palm Beach County Bar's Community Association Law Continuing Legal Education Committee. He served many terms as Special Master for the City of Boca Raton after chairing the City's Builders Board of Adjustment and Appeals, receiving a City Proclamation for "interpretation and application, and his overall professionalism and dedication to the City." He received a gubernatorial appointment to the Fifteenth Circuit Judicial Nominating Commission. Mr. Gelfand co-owned ARC Mediation, Palm Beach County's largest mediation and arbitration firm, for over a decade. Michael Gelfand is a sought-after community association law commentator, including presentations for the American Bar Association, American Legal Institute, American College of Real Estate Lawyers, The Florida Bar, the University of Miami and the Chautauqua Institute, among others. His acclaimed writings include *A The Plaza East Trilogy: Not a Nursery Rhyme, but Scary Warfare@*, *The Florida Bar Journal*, analyzing the collision between hurricanes and Florida's condominium property insurance legislation. The Florida Bar has published his works including "Alternate Dispute Resolution, Arbitration and Mediation" and "Condominium and Homeowner Association Liens" and many statutory updates. Mr. Gelfand's national recognition includes induction into the College of Community Association Lawyers, and as a Fellow of the renowned American College of Real Estate Lawyers, including serving as Chair of ACREL's Common Interest Ownership Committee. Michael Gelfand believes in personal community involvement, encouraging all to become involved in their communities. A recipient of the Palm Beach County *Pro Bono* Child Advocate of the Year Award, his public-school volunteer efforts include serving as the real estate/construction appointee on the Palm Beach County School District's Construction Oversight and Review Committee, and as a magistrate for the District's Law Magnet Program. He also chaired the Youth Orchestra of Palm Beach County, Florida.

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PAIGE A. GREENLEE is a commercial litigator with the law firm of Greenlee Law PLLC in Tampa, and has extensive experience representing clients in complex commercial litigation matters. Paige currently serves on The Florida Bar Board of Governors and was the 2012-2013 President of the Florida Bar Young Lawyers Division. She has also held leadership positions in several local voluntary bar associations, including the Hillsborough Association for Women Lawyers and is a member of the William Reece Smith, Jr. Inn of Court. Paige has been involved in The Florida Bar and has served on several of its committees, including the Annual Convention Committee and the Code and Rules of Evidence Committee. She currently sits on the Executive Council for both the Business Law Section of The Florida Bar and the Solo and Small Firm Section of The Florida Bar. In addition, Paige serves on the Board of Directors of The Florida Bar Foundation and chairs its Development Committee. She has served on the Board of Directors for the Hillsborough County Bar Association since 2013 and has been active in local bar organizations since she moved to Tampa in 2002. Paige has been recognized as a Super Lawyer from 2013 to the present and for 2014, 2015, 2017, and 2018, she was listed as one of the Top 50 Women Lawyers in Florida by Super Lawyers magazine. In addition, in 2017, Paige was recognized as one of the Top 100 Lawyers in Florida and one of the Top 50 Lawyers in Tampa Bay, both by Super Lawyers magazine.



PEGGY HOYT is a Stetson University graduate receiving her B.B.A., *cum laude*, in 1981, her M.B.A. in 1982 and her J.D., *cum laude*, in 1993. Her work experience includes time as a college recruiter, financial consultant, account executive and chief financial officer before entering law school. She is a founding partner of Hoyt & Bryan, LLC. Peggy is dual certified by the Florida Bar in Wills, Trusts, and Estates and in Elder Law. Peggy practices in the areas of family wealth and legacy counselling, including trust and estate planning and administration, elder law, small business creation, succession and exit planning, real estate transactions and animal law. In addition to her law degree, she holds a Florida real estate license. Peggy formerly held a NASD Series 7 license and health, life and variable annuities licenses. She serves as a certified FINRA Arbitrator and is also a Florida Circuit Court Mediator concentrating in family business, estate administration, and animal law issues. Peggy also taught Animal Law as an adjunct professor with Barry University College of Law. Peggy is the author of *All My Children Wear Fur Coats – How to Leave a Legacy to Your Pet*, an informative and inspirational guide for pet owners who want to include their pets as part of their estate plans. She is a co-author of the following books with Candace M. Pollock: *Special People, Special Planning – Creating a Safe Legal Haven for Families with Special Needs* designed to educate families about the planning options and protections for their special needs family members; *Loving Without a License – An Estate Planning Survival Guide for Unmarried Couples*

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and Same Sex Partners, created to address the unique planning needs of unmarried individuals in today's society; *A Matter of Trust – The Importance of Personal Instructions* stressing the importance of supplementing legal estate planning with personal instructions; *Women in Transition – Navigating the Legal and Financial Challenges in Your Life* created for all women as they learn, live and grow throughout their lives. Peggy is co-author with Scott Farnsworth of *Like a Library Burning – Sharing and Saving a Lifetime of Stories*, which addresses protecting and passing on a lifetime of stories. Peggy is co-author with Deborah Roser of *Thank Everybody for Everything! Grow your Life and Your Business with Gratitude*, and the companion five-year gratitude journal, *Gratitude Expressions*, *Straight Talk! About Estate Planning and Straight Talk! What to Do When Someone Dies*. Her most recent books are *What's the Deal With...Estate Planning* and *What's the Deal With...Estate Administration*. Peggy speaks at the local, regional and national levels on estate planning and elder law topics including pet planning, special needs planning and planning for unmarried couples and same sex partners. Peggy has been featured on CNN Financial News, the Wall Street Journal and the Orlando Sentinel for her work in pet planning.

EDUCATION: Stetson University, B.B.A (Marketing/Management 1981), *cum laude*; Stetson University, M.B.A. (Finance 1982); Stetson University College of Law, J.D. (1993), *cum laude*, Phi Delta Phi

PROFESSIONAL AND CIVIC AFFILIATIONS: *WealthCounsel and ElderCounsel, Member; Central Florida Estate Planning Council, Member, Past President, Member; The Florida Bar, member; Past Chair for the General Practice, Solo and Small Firm Section and member of the Animal Law Committee*



KEVIN D. JOHNSON is a shareholder of Johnson Jackson LLC. He has represented management in labor and employment law matters for 25 years. Kevin has experience litigating cases in jurisdictions throughout the U.S., both in single-plaintiff cases and in nationwide class and collective actions. Kevin graduated from the University of Florida Levin College of Law in 1994. He became board certified in Labor and Employment law by The Florida Bar in 2007, and he has been recognized in the field of employment law by various publications including *Best Lawyers in America*, *Florida Trend* magazine, and *Super Lawyers* magazine, which has named him as one of the Top 100 lawyers in Florida.

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WADE P. LUTHER is the sole shareholder at The Law Offices of Wade P. Luther, P.A. which is located in Baldwin Park, Orlando. Wade practices exclusively in the area of Family Law. He is a Florida Supreme Court Certified Family Mediator and is formally trained in the Collaborative Law Process. Wade is a member of the Collaborative Family Law Group of Central Florida; the Florida Academy of Collaborative Professionals; and the International Academy of Collaborative Professionals. He is also a member of the Orange County Bar Association and the Central Florida Family Law American Inn of Court. He attended George Mason University School of Law and the University of Central Florida where he received his B.S.B.A with a major in business finance.

CLE Credit

General: 8.0 hours

Certification Credit

Business Litigation: 1.0 hour
Criminal Law: 1.0 hour
Elder Law: 1.0 hour
Labor and Employment Law: 1.0 hour
Marital and Family Law: 1.0 hour
Real Estate: 1.0 hour
Wills, Trusts and Estates: 1.0 hour