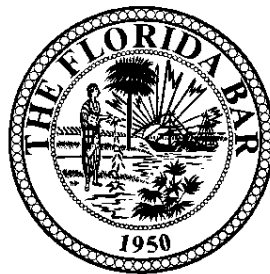


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Standing Committee on Advertising

Tenth Edition

Updated 8/2023

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Admitted to The Florida Bar, 1991
Rated AV by Martindale Hubbell® from 2000 to present
included in Best Lawyers 2000 to present

Jane Smith, Attorney at Law

Graduated Cum Laude from
the University of Florida Law School, 1991
Admitted to The Florida Bar 1991

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Attorneys at Law

John Smith, Esq.

Jane Jones, Esq.

{Date}

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Dear Homeowner:

I obtained your name from the public records of the Clerk of Court. These records indicate that a foreclosure has been filed against you. My knowledge about the specifics of your case is limited to the information contained in the public records. You may have legal defenses to avoid foreclosure.

Federal and state laws provide pre-foreclosure requirements for lenders and protections for homeowners. A failure by the lender to comply with these requirements could result in a defective foreclosure. It may be possible for the homeowner to remain in their home during the foreclosure process. The lawyers of Smith & Jones have over 30 years of combined experienced in real estate and foreclosure cases. John Smith graduated from Florida State University School of Law in 1991 and was admitted to The Florida Bar in 1991. Jane Jones graduated from the University of Florida Law School in 1993 and was admitted to The Florida Bar in 1993. We know what steps the bank must take to foreclose on your home and want to help you.

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Very truly yours,

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*John Smith, Esq.
J.D. FSU 2005
Admitted to The
Florida Bar in 2005*



*Jane Smith, Esq.
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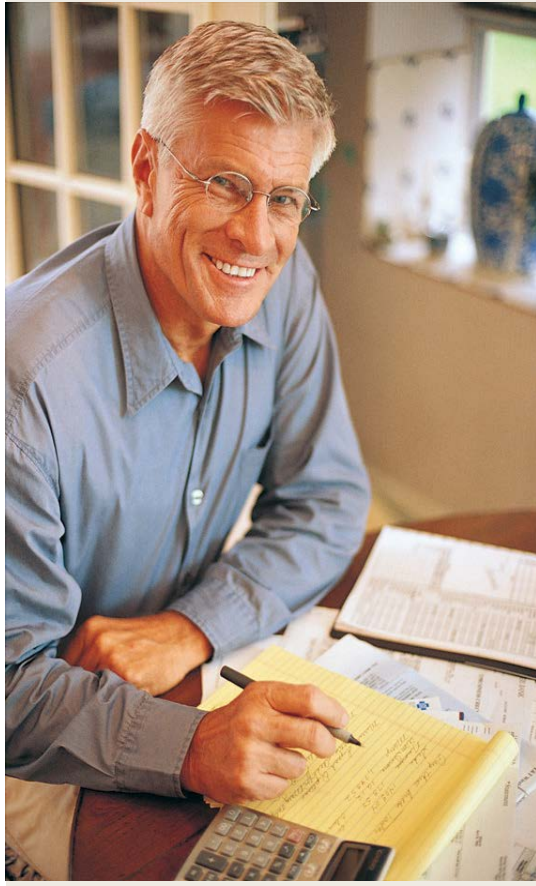
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The attorneys at Smith & Jones were admitted to The Florida Bar in 1991 and have over 35 years combined experience. John Smith graduated from the University of Miami Law School in 1991 and was a former Public Defender. Jane Jones graduated from Florida State University School of Law in 1991. We have handled thousands of criminal and civil traffic cases. Our goal is to make sure that your rights are protected. Call us for a free consultation and let us defend you!



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Jane Jones, Attorney at Law
Stetson Law School, 1991
Admitted to The Florida Bar, 1991

The Federal Trade Commission adopted a rule on Mortgage Assistance Relief Services (MARS). The rule bans providers of mortgage foreclosure rescue and loan modification services from collecting fees *until* homeowners accept a written offer from their lender or servicer. There is an exception for lawyers who meet specific requirements **and** who place their fees into a trust account. All fee deposits will be placed into a trust account and not withdrawn until earned.

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Don't wait to call an attorney. Call NOW to schedule a free consultation.

(850) 555-5555

Public court records indicate that a foreclosure has been filed against you. Our knowledge of your case is limited to the information in the public record. You may be able to save your home!

DO NOT DELAY! In Florida, you have only 20 days to answer a foreclosure complaint. If you do not answer the complaint in time, you may lose your right to assert the defenses which may give you more time in your home.

You may be able to negotiate a resolution of your case before a Judgment of Foreclosure is entered. Call us so we can discuss the following:

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- **Alternatives to foreclosures.**
- **The foreclosure process**
- **Legal defenses that may be available to you.**



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○ ISSUE 1 | ○ VOLUME 1 | ○ YEAR 2013



The Advocate

A BULLETIN ON PROTECTING THE RIGHTS OF PEOPLE IN NEED

Lawyers in Bankruptcy

The economic downturn has yielded far-reaching effects, and many lawyers have not been able to escape its grasp. The Ethics Hotline has received many calls recently from lawyers who are faced with bankruptcy but fear that it would negatively affect their ability to continue practicing law. Fortunately, The Florida Bar ordinarily does not investigate a lawyer involved personally in a bankruptcy if the lawyer has not violated any other rules of ethical conduct.

Rule 5-1.2(e)(3) is the only provision in the Rules Regulating the Florida Bar that directly addresses bankruptcy. It states only that an attorney's bankruptcy filing would give cause for The Florida Bar to order an audit of the lawyer's trust account. Lawyers are not required to inform the Bar of their bankruptcy filing nor is the Bar required to actually audit the lawyer's trust account. The rule merely gives the Bar grounds to do so. In practice, The Florida Bar usually will not use this provision to audit a trust account unless there are other grounds to do so.

Under normal circumstances, a lawyer's filing of bankruptcy should not affect his or her clients' funds. The prohibition against the commingling of lawyer and client funds

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is designed to protect clients' money from just these types of situations. The rule ensures that should a lawyer's business and personal creditors go after a lawyer's assets, as they might during bankruptcy proceedings, the clients' funds would be safely held in separate trust or escrow accounts.

Of course, the Bar (and possibly law enforcement authorities) will take action against a lawyer if he or she engages in dishonesty, fraud, deceit, or misrepresentation through the bankruptcy proceedings. The lawyer is also reminded that his or her duties to clients, including the duty of confidentiality, remain intact throughout the bankruptcy proceedings.

In short, bankruptcy is a largely personal matter that The Florida Bar will most likely not get involved in unless the lawyer has violated other Rules of Professional Conduct. Hopefully, that thought will provide at least some comfort to lawyers who are facing a difficult prospect.

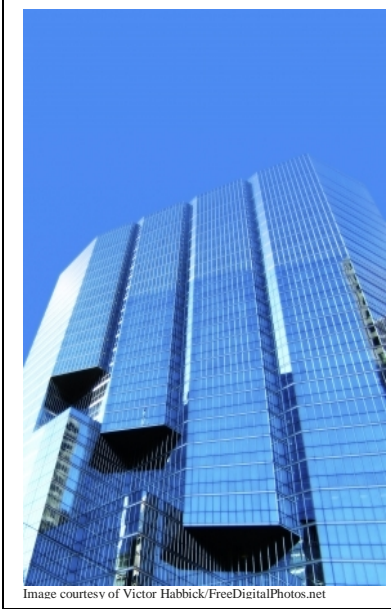


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Yes, all advertisements must be filed for review at least 20 days before the advertisements are used. Rule 4-7.19(a). The only exemption is if your advertisement falls within one of the filing exemptions found in Rule 4-7.20.

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Clients will now be able to access us at both locations from 9:00-5:00 Monday through Friday. Of course, we are still always available 24 hours a day, every day by telephone.

Please join us for a reception on May 31 at 5:30 P.M. as we celebrate the opening of our new location.

Smith & Jones, P.A. was founded in 1984 by Martin Smith and Jill Jones with the goal of helping tort victims and their loved ones in their time of need. Since then, we have grown into a team of 12 lawyers and 23 staff members and represent victims in a range of areas including wrongful death, personal injury, products liability, and automobile and motorcycle accidents. We've been listed as one of U.S. News' "Best Law Firms" every year since 2000.



We welcome our newest partner, Mary Johnson. Mary has been representing clients in personal injury cases for 18 years. She is Board Certified by The Florida Bar in Civil Trial. Mary is the President of the Townsville Bar Association and is AV Preeminent® rated by Martindale Hubbell, the highest rating bestowed by that organization.



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