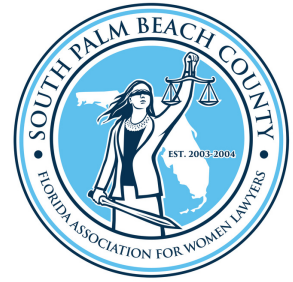


SPBC FAWL



Promoting Women's Leadership Roles within the Legal Profession Since 2003

Letter from the President



by Heather Boyer Samuels, Esq.

When I joined South Palm Beach County FAWL in 2013, I was a relatively new lawyer getting used to my new job and immediately attracted to the liveliness and camaraderie among this wonderful group of people. I truly enjoyed meeting everyone and looked forward to getting involved after my daughter was born. Even though everyone was warm and welcoming, I found myself looking forward to a time when I would come to FAWL and know everyone in the room. Over the years, as my involvement in this chapter grew, I served as Event Coordinator, Historian, Secretary, and President-elect, and enjoyed the tradition of our special events, membership luncheons, and happy hours. This has been a tough year for us as the pandemic continues to alter the way we live our lives—the way we work, socialize, network, and run our homes and businesses. We miss seeing our friends at special events and networking in person. We have “zoom fatigue” and so do our children. We have masks tucked everywhere—inside our homes, our offices, our cars, our bags, and some wonder if we will ever trust life without a mask again. Yet, we do all of these things to remain safe ourselves and to do our part to keep others safe also. For our small chapter of FAWL, the pandemic has certainly affected how we network and socialize as a group. Our fabulous signature event, Woman Lawyer of the Year event honoring Sharon Bock was postponed from April to November—and was mostly virtual. Our Past Presidents' Committee, led by Robin Bresky, worked very hard to imbue this small event with the pride and spirit that our larger annual events are known for. Through this event, we tested our ability to meet in person outdoors with masks and social distancing, and heard some wonderful and inspiring speeches from Retiring Clerk Sharon Bock as well as our Grand Benefactor, Gary S. Lesser. We have had educational events, happy hours, and Table for 8 events, all over Zoom. We look forward to a time when we can all meet in person and network together, like in the “Before Times.” But until then, we will continue developing programming over zoom so that as people get vaccinated, we can look forward to in person events once again, even with masks and social distancing. I remain enthusiastic about closing out this SPBC FAWL fiscal year strong. This wonderful Board that I am privileged to lead still has some new events and surprises to come. We look forward to debuting interesting joint networking events and holding out one of our biggest signature events—the Judicial Reception—for a May or June hybrid event. Please continue to attend our events, like and share our news on our Facebook page, and please feel welcome to contact me with your feedback and ideas.

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FALL IN REVIEW



South Palm Beach County FAWL just wrapped up 2020, and it was certainly one for the history books. Throughout these trying times, SPBC FAWL has and will continue to deliver for our members. To that end, the Board convened periodically throughout July and August and established special committees, all in an effort to prepare an action plan that would provide our members with connection, value, and fun, all in virtual settings.

We kicked off the Bar new year with our socially-distanced Membership Reception, which was a Zoom “cocktail party” on September 24, 2020, where we enjoyed networking and at-home cocktails with our fellow members. On September 28, 2020, we partnered with the Broward County Women Lawyers’ Association and Palm Beach, South Palm Beach, and Miami-Dade FAWL to host a webinar on “Evidence in the Zoom Era” presented by Tania Williams, Esq. with the Skilled Advocate Company, in order to provide our members with the opportunity to learn how to be an effective advocate given the “new normal”.

This year was also an election year, and SPBC FAWL, along with South Palm Beach County Bar Association, Palm Beach County FAWL, Palm Beach County Justice Association, Palm Beach County Hispanic Bar Association & Palm Beach County Bar Association presented a Judicial Candidates Forum with Judge Jaimie Goodman and Adam Myron, moderated by Ellen Leibovitch, Esq., Partner of Assouline & Berlowe.

As we all know, October is also breast cancer awareness month, and SPBC FAWL would not let COVID-19 distract from that cause. We held our Think Pink Scavenger Hunt – A Hunt for the Cure between October 21, 2020, through October 26, 2020. A Hunt for the Cure was a family-friendly virtual scavenger hunt where participants would use their phone or camera to capture and collect photos of items off a scavenger hunt list. Prizes were awarded for the teams with the quickest completion and the most creative. All proceeds went to the EBC Foundation, which endeavors to spread the message that early detection saves lives.





JENNIFER L. FULTON, ESQ.
THE LAW OFFICES OF ROBIN BRESKY

DURING OR AFTER YOUR DIVORCE, IT'S TIME TO UPDATE YOUR ESTATE PLAN

by Jennifer L. Fulton, Esq.

When you are going through a divorce, consider your estate plan. Most people want someone other than the spouse they are divorcing to make their health care decisions for them. You may also want to change the fiduciaries named in your documents and change the beneficiaries. The rules are different if your divorce is still pending versus if you have a final judgment. Here's how your estate planning documents naming your spouse are treated in Florida during and after a divorce:

A Designation of Health Care Surrogate names another person (or persons) who can make health care decisions for you if you are not capable of doing so. These decisions include the end-of-life decisions you would state in your Living Will. In Florida, during the divorce, there is NO statutory provision to remove your spouse, but there is upon final judgment.

If you have a **HIPAA authorization and waiver** naming your spouse, you could create a new one that did not include your spouse. It allows the people named therein to ask questions of the medical staff at your hospital and receive answers.

A Durable General Power of Attorney will allow your named agent to act on your behalf to transact the business of your life. This document is valid immediately in Florida. Upon the filing of an action for dissolution in Florida, the spouse is statutorily removed as your agent.

A Declaration of Pre-Need Guardian allows you to pick, while you are competent, the person you would want the court to use as your guardian if a guardianship was ever needed. Preference is given to someone related by blood or marriage, and an ex-spouse could petition for the job. Filing a declaration of pre-need guardian when you separate lets the judge know your preference while you still have capacity.

Your Last Will and Testament may need some changes. Most people want to change their named personal representative when a divorce is filed. In addition, you can change your asset distribution. However, unless there is a valid nuptial agreement stating otherwise, a spouse is entitled to elect against the will, even after filing for



divorce, to take a total of 30% of the “augmented” estate, which is most of your assets. After the divorce is final, an ex-spouse does not benefit from the will.

If you are divorcing without a will, and die before the divorce is final, the spouse will receive 100% of your probate assets, unless you have a minor child, and then the spouse will receive half.

A **Revocable Living Trust** is treated much like a will. If you are the grantor, you will want to remove your spouse as successor trustee, and change the dispositive provisions that would typically give 100% to the spouse upon your death. As with the will, the spouse could still claim an elective share of 30% of the augmented estate.

If your divorce is pending, you should change the beneficiary designations and PODs on your accounts. Post-divorce, most beneficiary designations are covered by a Florida statute removing the ex-spouse. An exception is **ERISA-qualified employee benefit plans**, such as 401(k) plans. If your employer’s retirement plan is ERISA-qualified, and the spouse is the beneficiary, upon dissolution, you must sign a new beneficiary designation; the ex-spouse will NOT be automatically removed as a beneficiary.

After divorce, joint accounts with survivorship features that are awarded to a spouse in the divorce, but not retitled prior to the death of the account owner, maintain their survivorship features. Check with your family law attorney before retitling these if the divorce is not final, they are probably marital assets.

Irrevocable Trusts. As their name implies, an irrevocable trust cannot be changed after it is in place. The most common irrevocable trusts are Irrevocable Life Insurance Trusts, or ILITs. Sometimes this problem can be solved after divorce (provided it is not in opposition to the final judgment) by allowing the policy to lapse. However, this is not always a perfect solution, as it may no longer be possible for the insured to obtain a new policy under similar terms. Sometimes an irrevocable trust can be changed, if a material purpose of the trust no longer exists.

If you are getting or have just gotten a divorce, your estate plan is outdated and should be reviewed. The Law Offices of Robin Bresky remain open even during the coronavirus pandemic, to provide these essential services, and can help you with your estate planning needs while practicing safe social distancing. Consultations can be done remotely, and, as of this writing, appointments for signing and witnessing the documents can be done through the window of your car. Updating your estate plan during a divorce protects you and your family, and should not be overlooked.

Jennifer L. Fulton, Esq. is an attorney, of counsel, at The Law Offices of Robin Bresky (www.breskylegal.com) focusing on Estate Planning, Probate, and Estate and Trust Administration. A member of the Florida Bar since 1996 with a Juris Doctor degree from Nova Southeastern University, Fulton works with clients to plan for the milestones of life (college, “adulting”, marriage, children, grandchildren, aging parents, pre- and post-divorce, loss of a spouse, aging, diminished mental capacity) and administration upon death.

She can be reached at 561-994-6273 or EstatePlanning@BreskyLegal.com.

If you have an estate planning topic you would like to hear more about, please drop her a line, and perhaps it will spark a future article!

This information is provided for general educational purposes and may not apply to your specific situation. Please consult with an attorney before relying on this information.

CHARITABLE GIVING DURING COVID-19 PANDEMIC

By Melissa Feingold, American Red Cross

As a Gift Planning Officer for a major nonprofit organization, I am often asked about the impact of the Covid-19 pandemic on charitable giving. This is a difficult question to answer as the impact depends on the type and size of the nonprofit, and what your definition of charitable giving includes. However, across the board, we have seen donors coming together during the crisis.

While we haven't yet seen complete data for year-end 2020, which is when a lot of nonprofits see the most significant giving, we have been able to analyze giving in the first two quarters of 2020, and have begun to see results from third and fourth quarter giving. Overall giving was down in the first quarter of 2020, but it rebounded in the second quarter, boosting total giving in the first six months of the year by nearly 7.5% on a year-over-year basis

People tend to open their hearts and checkbooks during a disaster. Most noticeably, we have seen general donors (those giving less than \$250) increase support by 17.1% in the first three quarters of 2020 as compared to the same time period in 2019. Mid-level donors (those giving \$250-\$999) have increased support by 6.0%, and Major donors (those giving \$1,000+) have increased support by 6.9%. On Giving Tuesday (the Tuesday after Thanksgiving), 34.8 million people in the U.S. donated nearly \$2.5 billion – up 29% from 2019.

While these numbers are positive, this increase in giving has not been positive for all nonprofits, as Covid-19 has shifted household giving. Support grew for causes linked to the crisis and for organizations focused on basic needs, social services, health, and religion. However, support for causes like animal shelters, education, arts, and the environment decreased. Charities that rely on events and in-person programming have been hardest hit. This includes theaters, museums, and after-school programs.

Donors have also prioritized giving locally to meet the needs of those in their immediate area impacted by Covid-19. We have seen the rise of “mutual aid networks”. These are not charities, rather they are alternative ways of giving that focus on organizing within a community to meet each other's needs.



We have also seen people giving indirectly to those in need. A recent report from Indiana University Lilly Family School of Philanthropy's Women's Philanthropy Institute showed that nearly half of US households have given indirectly in response to the pandemic. For example, they ordered takeout to support local restaurants and their employees, they continued to pay individuals and businesses for services they could not render, and they purchased goods from small businesses in their area. The number of households giving in this manner far surpassed the number giving directly to charitable organizations

Important to keep in mind as you think about your own charitable giving are the recent tax law changes. In more recent years, donors had to itemize in order to claim charitable deductions. But this year, as part of the CARES Act and now the Consolidated Appropriations Act of 2021, donors can deduct up to \$300 (\$600 for joint filers) in cash contributions even if they do not itemize. To learn more about this deduction and other changes, visit <https://www.redcrosslegacy.org/2021-Tax-Incentives> or <https://www.irs.gov>.

Melissa Feingold is the Sr. Gift Planning Officer for the South Florida Region of the American Red Cross and a Past President of SPBC FAWL.



Helping the Community Through Trying Times

For the 5th year in a row, SPBC FAWL has sponsored a Summer program in the South Palm Beach County Courthouse through Judge Lou Delgado for kids on probation. It usually spans 10 weeks during the summer and is held on a Friday at the Courthouse. Kids can earn community service points, have the opportunity to get their photo ID, learn valuable food serving skills and get help with interview skills. They get breakfast and lunch while they are attending, and each week they enjoy a guest speaker.

Tammy Saltzman was instrumental in creating this community service opportunity coordinating with Cristy Altaro, Juvenile Operation Manager, and Judge Delgado. To date, the program has been offered to approximately 50 kids, many of whom have completed their probation and have gone on to accomplish some of their goals which they have learned how to do in this program. These kids all receive a book bag for the upcoming school year filled with notebooks, pens, pencils, and folders. Everything they need to be successful in school.

This year, due to COVID-19 it was not safe to hold the summer program, but we were able to deliver book bags directly to the probation office in Delray Beach. The picture attached shows, Past SPBC FAWL President, Tammy Saltzman, delivering book bags to Paula Serrano, Juvenile Probation Officer Supervisor.



REAL ESTATE UPDATE FROM “YOUR CORONA CONCIERGE”

by Laurie Dubow

On March 11, 2020, our world changed forever, as the World Health Organization (WHO) classified the Corona Virus (Covid-19) as a world-wide pandemic. In an instant, the Real Estate industry was thrown into turmoil, along with the rest of our country. Every aspect of our day to day operations were impacted, from how listings are marketed, to obtaining financing, to our ability to close transactions. As REALTORS®, we had two choices: Close-up shop or adapt to these extraordinary circumstances. Conflicting guidelines from government officials, the National Association of REALTORS® (NAR), local MLS Boards, corporate policies, clients, family members, colleagues and friends made the task even more challenging. The collision of all these factors impacted the ability and ease of conducting business.

1. CONFLICTING GUIDELINES: “essential service”?

In the beginning, the following challenges impacted the Real Estate Industry and continue to need to be monitored on a regular basis for changes, in order to ensure business continuity and delivery of first-class services, while demonstrating care for the welfare of ourselves and others, reducing the risk of exposure to and spread of COVID-19, and fulfilling our mission and vision:

- The United States government issued a series of travel bans
- Local and State Agencies issued “shelter in place” orders
- Other Executive Orders impacting the closure of businesses
- MLS changes in guidelines
- We needed to put into place a Contingency Plan so that our office managers, employees, and REALTORS® could work remotely until further notice, as we continued to monitor the situation.

Ultimately, real estate was deemed an essential service, meaning that real estate is included on a list of industries and workers that played a critical role in the community by ensuring continuity of functions critical to public health and safety, as well as economic and national security. ***But that did not mean that it was business as usual!***



No, it was and is anything but business as usual. Public health and safety is the number one priority. Since real estate was deemed an “essential service,” I was fortunate to have the opportunity to continue to serve clients, provided that I adhered to the parameters of the relevant orders and take all necessary health and safety precautions.

2. COMMUNICATION CONFUSION:

In an instant, I had to find new ways to manage and communicate with employees, clients, family members, friends and colleagues. After the shock, and the realization that I had to get comfortable doing things differently, I got creative! Getting out of my comfort zone, I learned how to effectively use tools like zoom, video apps, and virtual open houses.

3. TRANSACTIONS CHALLENGES:

Every aspect of the transaction from initial contact to beyond closing has been affected by the Covid-19 chaos:

- Inspections and Appraisals
- Staging and Photography
- Showings and Open Houses
- Cleaning and Sanitizing Properties
- Presenting offers and negotiating contracts
- Complex and evolving financing issues
- Packing and Moving
- Dealing with Property Managers, Boards, and Condominium Approvals
- Closings

4. LEGAL EAGLE:

Many new complex legal issues arose that needed to be addressed and interpreted with my Attorney colleagues, such as:

- Addendums – Covid-19 specific addendums that address potential delays and other related issues
- Addendums that cover the purchase of a property “sight unseen”
- The use of a “Kick-out Clause” Addendum to deal with concerned buyers and sellers. What additional terms should be added to a purchase agreement, listing agreement or a lease?
- The interpretation of the Force Majeure clause in the FARBAR As-Is contract, and differing opinions as to whether this applies in the case of Covid-19

- Closings- arranging for buyers and sellers to sign documents without having to risk exposure in person. New online notary options became available.
- Does the fact that someone had Covid-19 in a property create a stigmatized property requiring disclosure?
- Can a condominium or homeowners’ association block real estate agents from entering and showing properties?
- Can a condominium or homeowners’ association stop an owner from moving out or moving in due to Covid-19 precautions?
- Can a property management company/board of directors delay a closing due to refusing to issue an approval in a timely manner?
- Can a tenant refuse to allow showings to prospective tenants, can a landlord evict a tenant for non-payment of rent, and what can a landlord do if a tenant refuses to vacate at the end of a lease because of issues obtaining a new place to live or difficulty moving during this crisis?

5. FAIR HOUSING ISSUES CHALLENGED: National Origin Protections of the Federal Fair Housing Act:

- When an infectious disease, such as COVID-19, is associated with a specific population or nationality, fear and anxiety may lead to social stigma and discrimination. REALTORS® may not discriminate against individuals on the basis of their national origin, even if they are from other countries that have also been hit particularly hard by the COVID-19 pandemic. Federal and state fair housing laws remain intact during the COVID-19 pandemic. Those laws make it unlawful to discriminate on the basis of national origin.

The pandemic provides a unique set of circumstances for navigating federal antidiscrimination provisions.

Disability Protections of the Federal Fair Housing Act?

- This is a novel question that may ultimately be resolved by a court. Based on information currently available, COVID-19 can have severe symptoms for some people and therefore may ultimately be interpreted as a disability for purposes of fair housing law. Therefore, while it has not been conclusively determined whether COVID-19 constitutes a “disability” under the Fair Housing Act, it is advisable to treat individuals who have COVID-19 as being covered by federal disability protections.

Can a real estate professional ask someone if they have been diagnosed with COVID-19 or if they have had known or potential exposures to the virus before providing services to them?

- While anti-discrimination laws would generally prohibit certain questions about a person’s disability, in light of the fact that COVID-19 is widespread, highly contagious and potentially very dangerous, some federal agencies have issued guidance relaxing this prohibition. For example, the EEOC and CDC, have each issued guidance to employers and homeless shelters, respectively, permitting symptom-related questions to be asked upon entry to a facility. This guidance suggests that it is permissible for real estate professionals to ask someone to self-disclose any symptoms or potential exposures to the virus. The answer to such questions will allow REALTORS® to take necessary safety precautions to protect themselves and the public. Although it is permissible to request that an individual self-disclose their exposure to or symptoms related to COVID-19, there is no basis to ask someone non-COVID-19-related health or medical questions.

6. FINANCING FINES:

As one might imagine, the Covid-19 pandemic has wreaked havoc on the financing industry. The following issues need to be taken into account when involved with any real estate transaction that involves a mortgage during this chaotic time:

- Changes in financing guidelines are happening on an almost daily basis. Fannie Mae, Freddie Mac, FHA, VA, and even big banks and smaller lenders base their lending guidelines on perceived risk. As the economic toll of this pandemic evolves, so does the risk associated with lending funds to purchase a property
- Losing a job, being laid off, or even being in an industry perceived to be at risk will certainly affect one’s ability to qualify for a loan
- The timing of obtaining loan approval may be impacted due to underwriting offices that might be short staffed, and loan processors, underwriters, and loan officers working from home or working more limited hours
- Delays due to appraisers and insurance inspectors challenged from gaining access to properties
- Coordination between the lender, title company and property manager to complete documents necessary to process the loan
- Delays in obtaining estoppels, lien search and permit search results, or other issues involving city or municipal offices



7. MARKETING MADNESS:

In an instant, many of the ways that we marketed, showed, and staged properties became untenable. Many sellers and tenants refused to allow buyers, inspectors and appraisers into their homes, while many buyers and tenants became uncomfortable entering other people's space. MLS guidelines came out, dictating new rules: individuals needed to view properties one at a time; individuals were required to maintain six feet from others and not to touch surfaces; each individual must wear a mask; surfaces needed to be thoroughly cleaned on a regular basis; and in person open houses temporarily became prohibited.

- As REALTORS®, we had to develop alternative ways to list, market, and sell properties, finding answers that ensure first-class service to clients, while also demonstrating care for the health and well-being of clients, agents, and the greater public welfare in reducing the spread of COVID-19.
- At a time when in-person showings became inadvisable, and even prohibited, we had to find alternative marketing opportunities that allowed us to continue to serve our clients to market and find a home.
- I had to become an expert in creating walk-through videos, three-dimensional interactive property scans, virtual tours, aerial photography, live tours/open houses using Skype, Facetime, and Virtual Staging to showcase properties. Platforms like Facebook, LinkedIn, Instagram, U-Tube, Twitter, and others, have become much more essential to success. These are just some of the great alternative marketing opportunities that we were able to offer to clients.

8. BREAKING NEWS:

In general, I was pleasantly surprised that the real estate market was booming! Buyers were willing to take a chance, deal with the challenges, and continue with their plans to move. Sellers were, for the most part, ready to move on, and were open to working with us to make things work. Real estate activity continued to remain steady and solid, and even busier than before. Transactions continued to happen, in the residential market, the commercial market, and even in the world of business brokering.

9. EMERGING REAL ESTATE TRENDS:

Because of Covid-19, some housing trends became accelerated, some came to a sudden halt, and some initiated new areas of growth. Some examples include the migration from cities to suburbs, housing trends reflecting health and wellness movements, shifting demographics, changes to living and working patterns, and more specific trends, such as:

Office Space Shuffle:

- Within the Commercial Sector there were varied responses. Some of my clients wanted to leave their large work spaces and obtain individual office spaces. Some companies decided to downsize due to their employees successfully working from home, and some companies wanted to expand to give their employees more space to spread out. Others decided to close their offices and transition to working completely from home.

Commercial Comeback:

- The commercial marketplace has had so many shifts. Initially, retail, hospitality, and restaurants had taken a tremendous blow, while the office marketplace, industrial, and flex space were thriving. I have observed recently that even retail, hospitality and restaurants are making a strong comeback, but the long-term effects are still unknown.

Migration South:

- I was initially shocked to find the number of people who wanted to flee their northern homes and move to sunny Florida, many of which purchased properties to live and work sight unseen! It makes sense to me now. Spending a potential "quarantined winter" is much more appealing in a warm environment than the freezing cold of a northern winter.



Seller’s Story:

- As the Covid-19 situation evolved, there was a transition into a strong sellers’ market. The flurry of activity of families moving to our area, coupled with so many people spending so much more time in their homes and deciding that they wanted to create a different lifestyle for themselves, has caused inventory to become very low. I do not have a crystal ball, but my expectation is that there will be an increase in homeowners falling short of their ability to pay their mortgages and rents, and that inventory will increase, therefore causing an evolution into a buyers’ market. Either way, as real estate professionals, we need to adjust our approach and help our clients navigate through changing markets so that they can make the best decisions possible.

Staying Safe:

- Health and well-being became a critical factor across all real estate sectors, particularly hotels, restaurants, office buildings, retail and restaurants. Businesses found themselves scrambling to find ways to protect their employees and customers so that they could find ways to remain open and stay in compliance with state and local guidelines.

10. Forward Thinking:

As we navigate through these changing, and sometimes challenging times, it is important to continue to access and acknowledge the factors that will continue to impact our economy and the real estate industry. Whether factoring in trends and changes to valuations in our personal and commercial properties as well as our businesses, or considering our evolving needs to rethink our personal

spaces and work environments, real estate related issues affect all aspects of our lives.

As we all “move” through Covid and into the next phase, we need to continue to pay attention to market conditions, and balance that with the personal and financial needs of our clients. It takes a village to successfully complete a real estate transaction, and that is true now more than ever. It seems that one of the biggest trends emerging from this pandemic, as our home and our work environments have merged, is that there is truly “no place like home!”

On a personal note, I am beyond grateful that I was able to continue to keep working, that I had the opportunity to use this time to grow and become a better REALTOR®, and to find new ways to connect with myself, my colleagues, and our community. As always, I am here to support you, and to help see you and your clients through. We need each other now more than ever, and we are stronger together! Thank-you for allowing me to be Your Sponsor & “Your Real Estate Concierge”. I hope that we all continue to find ways to thrive, to stay safe, to stay well, and I hope to “see” you soon!



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CONGRATULATIONS GARY LESSER!

FLORIDA BAR PRESIDENT-ELECT

SPBC FAWL congratulates long time member and platinum sponsor, Gary Lesser of Lesser Lesser Landy & Smith PLLC on his recent election as Florida Bar President-Elect!



ABOUT GARY LESSER

Gary Lesser is a Managing Partner of Lesser, Lesser, Landy & Smith, PLLC. The firm, started by his grandfather Joseph H. Lesser in 1927, has met the legal needs of Floridians statewide for nearly a century. Since joining The Florida Bar more than 28 years ago, Gary specializes in personal injury law and has handled numerous high-profile cases. He has long represented the best interests of his clients, colleagues, community and the legal profession. Gary lives in Palm Beach Gardens with Jennifer, his lovely bride of over 26 years. They have three daughters Lillian, Josie and Rebecca.



Putting Client Needs First With Comprehensive Financial Planning

Camelot Wealth Management Partners

Camelot Wealth Management Partners, a private wealth advisory practice of Ameriprise Financial Services, LLC, in Boca Raton, specializes in comprehensive financial planning. Led by childhood friends Scott Miller, Private Wealth Advisor and Senior Vice President, CFP®, CLU®, and Richard Bernstein, Private Wealth Advisor and Senior Vice President, CRPC®, CLTC®, the practice combines the best of two worlds: a local practice with tailored, concierge service backed by the strength and resources of Ameriprise, a Fortune 500 company.

Miller and Bernstein are nationally recognized wealth advisors, among the top 3 percent of private wealth advisors with Ameriprise.

Miller was recently named to the prestigious Forbes Best-in-State Wealth Advisors for 2020.

Camelot Wealth Management Partners takes a holistic, hands-on approach, listening to clients' financial goals and building a plan tailored for each client.

"Everything is built to order, and that's been a secret of our success," says Miller. "We work hands-on with clients so they know where they want to be and how they can get there." At Camelot Wealth Management Partners, the start of the financial planning process begins with a comprehensive approach in identifying, prioritizing and documenting financial goals. Its clients have invested nearly \$1 billion in assets with the team, and the team works with clients in more than 40 states.

"I came to Ameriprise because it allowed me to go in-depth on clients' goals and see what they want to accomplish," says Bernstein. "Not just, 'Let's beat the market,' but, 'How can I retire at 62?'"

"We take complex strategies and break them down into simple terms that they are able to understand and track their goals," Miller says. The team is made up of professionals who specialize in different areas.

Advisors at the practice have an average of 20 years working in finance. “We have young talented advisors that are in our five year mentoring program that will be ready to assist with our current and future generations of clients. Once someone becomes a client, they become part of our family,” Bernstein says.

Richard Bernstein and Scott Miller

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"ROUND 2" OF THE PAYCHECK PROTECTION PROGRAM (PPP)

By Claudia Rodney, First Citizens Bank

When it comes to "Round 2" the Paycheck Protection Program (PPP) re-opened the week of January 11 for new borrowers and certain existing PPP borrowers. To promote access to capital, initially only community financial institutions will be able to make First Draw PPP Loans on Monday, January 11, and Second Draw PPP Loans on Wednesday, January 13. **The PPP will open to all participating lenders shortly thereafter (there is no specific date as of yet).**

First Round Changes. Provides \$284.6 billion to the Small Business Administration (SBA) to reopen the PPP for first time and second time borrowers.

- Re-opens the PPP for first time recipients, with an expansion of eligible entities including 501(c)(6)s, destination marketing organizations (DMOs), housing cooperatives, newspapers, broadcasters, and radio stations. Prohibits publicly traded companies from receiving PPP funds as well as those entities receiving a Shuttered Venue Operator Grants. Clarifies that a business must have been in operation on February 15, 2020.
- Expands list of eligible expenses to include covered operations (software, cloud computing, and other human resources and accounting needs); property damage costs due to public disturbances that occurred during 2020 that are not covered by insurance; covered supplier costs; and covered worker protection expenditures (PPE).
- The covered period for all first draw loans is extended to March 31, 2021 and is retroactive to the start of CARES. Borrowers may choose the end of their forgiveness covered period between 8 and 24 weeks after the loan origination.

Creation of a Second Round. Includes a Second Round of funding for small businesses with 300 or fewer employees that have sustained a 25 percent drop in revenue in any quarter of 2020 when compared to the same quarter in 2019. A business must use or have used the full amount of their first PPP loan. The maximum loan amount is \$2 million.



- Maximum loan amount is 2.5 times the average monthly payroll based on the 2019 calendar year or a one year look back, capped at \$2 million. NAICS 72 Businesses (Accommodations and Food Services) can receive 3.5 times average monthly payroll, capped at \$2 million.
- Eligible entities must be businesses, certain non-profit organizations, housing cooperatives, veterans' organizations, tribal businesses, self-employed individuals, sole proprietors, independent contractors, and small agricultural co-operatives.
- Repeals section 1110(e)(6) of the CARES Act, which requires PPP borrowers to deduct the amount of their EIDL advance from their PPP forgiveness amount. Clarifies this change is retroactive to the start of CARES. Requires SBA to make borrowers whole if they have already received forgiveness and the EIDL Advance was deducted from that amount.
 - This is very important as it will eliminate the “remainder balance” on the PPP Loan due to EIDL Advances. We currently have about 900 such “remainder balance” loans on our books that the SBA will be working on rules to ensure that borrowers are made whole. Approximately 28% of our borrowers received EIDL Advances.



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‘IT’S MAGIC WHEN POP CULTURE AND LAW INTERSECT’

A DISCUSSION WITH ODELIA GOLDBERG

A Fort Lauderdale probate, real estate and estate planning attorney, Odelia Goldberg, writes a “non-inspirational” blog about timely pop culture events and then attempts to teach us something about law. We caught up with her between clients and talked about law, blogging and everything pop culture.

HOW DID YOU GET THE IDEA TO WRITE ABOUT LAW AND POP CULTURE?

Oh, it’s a sick game I play with myself every Monday. I give myself 30 minutes to come up with an interesting article and write it. If it doesn’t happen, it doesn’t happen, I move on with the practice of law.

It’s an inspirational blog – not in the way that it’ll inspire you, more in the way that I need to be inspired to write it LOL.

THAT’S FUNNY - WHAT DO YOU LOVE MORE POP CULTURE OR LAW?

I love them both, that’s like picking my favorite client (you know who you are LOL). I think that the world that these reality stars and celebrities come from is messy and unstructured, but the law is clear and definitive, and we can predict the outcome.... I love that juxtaposition.

I CAN IMAGINE THAT THERE ARE A LOT OF AREAS WHERE THESE TWO WORLDS COLLIDE. WHAT ARE THE LEGAL SUBJECT MATTERS YOU WRITE ABOUT?

I write a lot about probate matters, estate planning, contract breaches, and disputes in general. A lot of times I’m defining legal terms - the difference between arbitration and mediation in the case of a Bachelorette contestant contract dispute or when is a realtor’s commission earned as in Taylor Swift’s dispute.

WHY DO YOU THINK YOUR BLOG IS SUCH A HIT?

When I think of pop-culture, I think of these characters that we all know, the Kardashians, Madonna, Rickey Martin, etc. They are of course people, but we know them as characters, almost friends or fenemies in our heads. We have a shared idea of who they are and when they get into a situation or something happens, it’s interesting because we can all relate not only to them, but to each other as the audience. I see the humor in the ability to relate to them and their predicaments. I really enjoy taking the celebrities and bringing them down to our level. What would happen if this rock star’s probate took place in a Florida court? How would the different Florida Judges (probate, civil, criminal) rule in the Carol Baskin case? Making the low-brow more high-brow and vice versa is a thrill for me.



IT'S DEFINITELY FUN, BUT I CAN'T HELP BUT NOTICE THAT YOU ALWAYS PROVIDE A LESSON IN YOUR BLOGS.

Yes, in fact most of the articles start with 'what can we learn from so and so.' Aside from pop culture as entertaining and the ability to relate as my favorite type of humor, if we can learn something from the mess these celebrities get into, that's just icing on the cake as far as I'm concerned.

WHAT'S YOUR FAVORITE BLOG ARTICLE?

I don't really have a favorite.... I think there are redeeming qualities to all of the articles. They're all my babies. Funnily enough, the article about Justin Bieber getting married without a prenuptial agreement a few years ago was really a hit and had the most action in terms of forwards and likes. That one surprised me. There you go....



SO WHAT'S NEXT?

Well as long as celebrities act a fool, I'll have plenty to write about and make the law more accessible to real people. I don't worry about content LOL

YES, THERE'S PLENTY OF FOOLISHNESS IN THE WORLD. WHERE CAN WE FIND YOU?

Nowhere lol I've learned that I never want to be in the public eye. I'm happy that I can entertain and maybe teach something to someone here and there via my blog on my website, www.OGoldbergLaw.com

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Becoming a sponsor of SPBC FAWL is a wonderful way to meet our members and educate them about your business while at the same time supporting the advancement of women in the legal profession and enabling this organization to thrive. SPBC FAWL welcomes annual sponsors at all levels as well as sponsors for specific events. For more information about sponsorship opportunities and the many benefits of being a sponsor of SPBC FAWL, please contact Development Director Laurie Thompson at LThompson@fowler-white.com.

Member Benefits

Being a member of SPBC FAWL has so many wonderful benefits! Networking, friendship, mentoring, invitations to a variety of events, access to the newsletter, and automatic membership in State FAWL. The benefits of being a member of State FAWL are numerous—including a vast library of free CLEs!

For any questions regarding membership, please contact Membership Director Heather Beale at hfb@amslegalteam.com. For a list of membership benefits, please visit <https://www.spbcfawl.org/membership/>.

Newsletter Submissions

Articles: Would you like to contribute an article to the newsletter? We welcome both members and sponsors to contribute articles on a variety of topics--anything from the legal, to the educational, to the fun, to the causes that are near to your heart. Please submit a headshot along with your article. All article submissions should be in Microsoft Word format.

Member News: Our newsletter is your platform for sharing your successes, good news, future plans, or anything else! Let our members know what's going on with your business or your life. Please submit a headshot along with your member news. All member news submissions should be in Microsoft Word format.

Educate members on your area of expertise. Did you receive an award? Did you give a lecture or presentation? What is your specialty? Let's support one another. Let us in on your news!

Annual Sponsor Advertisements: Thank you to our annual sponsors for enabling SPBC FAWL to thrive and to support the advancement of women in the legal profession. As an annual sponsor, you are entitled to place an advertisement in the newsletter. The advertisement may be up to one full page. All advertisements should be in PDF format.

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Please submit all articles, member news, sponsor and member advertisements, and FAWL Grams to Newsletter Editor Nicole Loughlin at nicole@loughlinlawpa.com.



Join or Renew Membership

Please join or renew your membership with SPBC FAWL! You can join or renew your membership at any of our events or online at www.spbcfawl.org. Membership is available to female and male lawyers, the judiciary, and law students. In order to help and encourage law students to become involved in the legal community, SPBC FAWL has a scholarship fund to help law students pay for membership in SPBC FAWL.

For any questions regarding membership, please contact Membership Director Heather Beale at hfb@amslegalteam.com.

SPBC FAWL is Online!

Visit SPBC FAWL online at www.spbcfawl.org and www.facebook.com/SPBCFAWL for photos of past events and information on upcoming events.

RSVP to events directly on SPBC FAWL's website, www.spbcfawl.org.

Please note that the dates, times, and locations of events are subject to change, and happy hours will be scheduled periodically, so please check the website and any emails you receive for the most current information.

Unless otherwise indicated, Board of Directors Meetings are open to Members of SPBC FAWL.



SPBCFAWL is a volunteer bar association dedicated to actively promoting the advancement of women in the legal profession, expanding the leadership role of its members in the community at large, and promoting women's rights.

UPCOMING EVENTS

May 2021

- May 5th: Board Meeting
- May 7th: Small Group Networking
- May 12th: Table for 8 - Lunch
Ellen Leibovitch

June 2021

- June 2nd: Board Meeting
- June 3rd: Judicial Reception
- June 10th: Table for 8
- June 23rd: Installation Lunch

