CHAIR
Rohan Kelley
The Kelley Law Firm PL
5100 North Federal Highway, Suite 405
Fort Lauderdale, FL 33308-3842
(954) 563-1400
Fax: (954) 772-6138
rohan@estatelaw.com

CHAIR-ELECT
Melissa Jay Murphy
Salter, Feiber, Murphy, Hutson et al.
P.O. Box 357399
Gainesville, FL 32635-7399
(352) 376-8201
Fax: (352) 376-0648
melissam@salterlaw.net

DIRECTOR, PROBATE AND TRUST LAW DIVISION
Sandra F. Diamond
Williamson, Diamond & Caton, P.A.
9075 Seminole Bivd.
Seminole, FL 33772-3150
(727) 398-3600
Fax: (727) 393-5458
sdiamond@wdclaw.com

DIRECTOR, REAL PROPERTY
LAW DIVISION
John B. Neukamm
Mechanik Nuccio Hearne & Wester PA
305 South Boulevard
Tampa, FL 33606-2150
(813) 276-1920
Fax: (813) 276-1560
jbn@floridalandlaw.com

SECRETARY
George J. Meyer
Carlton Fields, P.A.
P.O. Box 3239
Tampa, FL 33601-3239
(813) 223-7000
Fax: (813) 229-4133
gmeyer@carltonfields.com

TREASURER
W. Fletcher Belcher
P.O. Drawer T
Saint Petersburg, FL 33731
(727) 821-1249
Fax: (727) 823-8043
wfbelcher@aol.com

LEGISLATION CHAIR
Brian J. Felcoski
Goldman, Felcoski & Stone, P.A.
95 Merrick Way, Suite 440
Coral Gables, FL 33134-5310
(305) 446-2800
Fax: (305) 446-2800
bfelcoski@gfsestatelaw.com

DIRECTOR, CIRCUIT REPRESENTATIVES Margaret A. Rolando Shutts & Bowen LLP 201 South Biscayne Blvd., Suite 1500 Miami, FL 33131-4328 (305) 379-9144 Fax: (305) 347-7744 Mrolando@shutts-law.com

IMMEDIATE PAST CHAIR
Julius J. Zschau
Pennington Moore Wilkinson, et al.
1247 South Myrtle Avenue
Clearwater, FL 33755-3469
(727) 449-9553
Fax: (727) 447-3158
jayz@penningtonlaw.com

SECTION ADMINISTRATOR
Terry L. Hill
The Florida Bar
651 E. Jefferson Street
Tallahassee, FL 32399-2300
(850) 561-5619
Fax: (850) 561-5825
thill@flabar.org

REAL PROPERTY, PROBATE & TRUST LAW SECTION



www.flabarRPPTL.org

August 30, 2006

Dear Council member:

As this is written, it is just another Florida hurricane day. Hello Ernesto.

I begin by thanking you for your cooperation at the Breaker's meeting with regard to a heightened awareness of the importance of our sponsors and also your attention (and silence) at those times when the sponsors speak to us at various functions. Many of our sponsors noticed and commented favorably to me on it. I hope this will continue to be a sponsor-sensitive group. We can't do too much for them. They're there to make personal contacts and make you aware of their services and wares and I solicit your cooperation in that effort. As I also explained, our sponsors are very valuable to us and each sponsor makes a business decision at each renewal that the dollar cost to it is less than the resulting benefit. Its up to you to make that formula continue to balance in favor of the sponsor's participation. Your interaction with and support of the sponsors after you go back to your office is the measure by which they make that decision.

As you see from the attached material, we meet next, September 28 – October 1, 2006 at the Gaylord Palms in Kissimmee. For those of you who haven't been to the Gaylord, you're in for an interesting experience. It is one of these glass dome hotels with a huge atrium, including an actual floating ship restaurant in a lagoon under the dome. The food is superb and the sleeping rooms and meeting facilities (and other amenities) are first class. Because of its size, you can expect to do quite a bit of walking.

For the ladies and gents who concern themselves with such things, the expected dress throughout the weekend is casual. For the sponsors, black tie is optional – or you can dress like the rest of us and blend in.

The significant planned activity of interest for Saturday night is the Fantasy of Flight Museum, created and maintained by Kermit Weeks, former U.S. National Aerobatic champ. For those of you who have never been within arm's length of a piece of history, you (and your kids) will literally overdose on this event.

The collection includes one of the few remaining airworthy B-17 Flying Fortresses, the mainstay of the bomber fleet which bombed Germany into submission during WWII; one of the few remaining P-40 Warhawks, of the type flown by the famed Chennualt Flying Tigers against the Japanese <u>before</u> Pearl Harbor; a Corsair, the gull wing fighter flown by the Boyington's Black Sheep Squadron, a P-51C with its 1500 HP Packard engine capable of a top speed of 434 MPH, of the type flown by the Tuskeegee Airmen, the famous all black squadron during WWII that never lost a bomber they were escorting to enemy aircraft. As their reputation grew, bomber crews, putting aside racial prejudices of the time in favor of self protection, would request the "redtails" as escorts. Then throw in a Mitsubisi Zero, the famous Japanese fighter in the Pacific; a B26 of the type used by Doolittle's raiders on the first raid on mainland Japan in the spring of 1942 launched from the USS Hornet; a Supermarine Spitfire MK16 that

Executive Council members August 30, 2006
Page 2

fought off the German Messerchmitts and Focke-Wulfs during the Battle of Britian, and a Ford Trimotor, a 1926 airliner of the day. When I was there last, they were rebuilding a MIG 15 flown at the beginning of the Korean Conflict. You could walk up to the parts bin and look in. There are too many more to mention.

As if this wasn't enough, we will have use of the fighertown Corsair simulator, in case you've never before flown a Corsair. The instructor will caution you to keep the left wing up on landing to avoid contact with the ground and the nasty resulting ground-looping characteristics the Corsair was known for.

You can tell from my enthusiasm that I'm really looking forward to this outing and I'm sure you'll enjoy it too. I emphasize – bring the kids.

We'll have a catered dinner and private closed museum tour of this facility on Saturday evening. The cost of this \$230-per-head-event is absorbed substantially by our friendly sponsors so the cost to you is \$125, beginning with a reception and including a fillet of beef and grouper premium dinner in the officer's club. And about my suggestion to bring the kids – for kids 12 and under, the price is \$25 and with that they get a kid's meal, chicken fingers, fries, and the usual. We're also working on a kids pricing for Friday night which should be around the same price or a little more, with a similar menu, probably burgers and fries, etc.

In between all this opulence and excitement, we expect to have the usual full schedule of committee meetings, round table breakfasts and our executive council meeting. I expect to have a report from our special committee appointed to determine procedures for considering requests for new appointments to the executive council.

Of course, there are the golf facilities which abound and the various theme parks for the kids. Remember it is Yom Kippur on the following Monday and many courts and offices throughout Florida are closed, offering you the perfect opportunity to take an additional day as a well-deserved vacation.

After you're duly impressed by the Gaylord Palms, multiply that by a factor of 3 and you've got the Gaylord Grand Ole Opry Hotel in Nashville, the next stop on our tour. I won't tell you now all the events planned for that venue, but I can tell you that some of the premier events are an early show at the <u>original</u> Grand Ole Opry (the historic Ryman auditorium which dates from before the civil war), followed by a night of bar-hopping historic C&W bars with Fletcher as tour guide, a night at the current Grand Ole Opry House with the Rockettes performing their Christmas Spectular, and a dinner and a show on the world's largest paddle wheel showboat, the General Jackson. More information on this later.

We always say, make your reservations early. If you haven't done so, I suggest you consider doing so now for Nashville, Hutchinson Island and the Convention. In your agenda material is he complete list of the meetings for the balance of this year and also for next year. Of course, all the block rooms are sold out for Kissimmee, but I'll let you in on something I negotiated with the hotels this year. As long as the hotel has available rooms, even if they are sold out of the block rooms, we can reassign our cancellations to a waiting list which Terry maintains. So if you waited too long, and the hotel tells you the block is sold out, check with Terry and he gives preference to EC members to get them the block rate. Most everybody gets in.

Please be sure to read Tae's spouse's/companion's letter and the attached kids letter.

I'll see you there.

Sincerely

Hello everyone!! My family and I are so excited about the events we have planned for the Kissimmee meeting! The Greater Orlando area has so much to offer it was difficult to choose what should be highlighted. Of course, for any one with children (and some without) the Disney, Seaworld and Universal/Islands of Adventure theme parks speak for themselves!!!!

All of the parks are currently offering special ticket prices for Florida residents that can be found on each of their websites. Disney will also be offering the very popular Mickey's Not So Scary Halloween Party from 7 to 11 pm on Friday, September 29th and Sunday, October 2nd. (Remember most kids are out of school on Monday, October 3rd for Yon Kippur!) Epcot will also be hosting its annual International Food and Wine Festival, including food and wine tastings at each country throughout the park, special dinners, numerous workshops through the Disney property, and special wine tastings. Some of the special events that may be of interest are the Wine and Food in Balance Workshop at Ariel's (located at the Yacht and Beach Club Resort) sponsored by Beringer Wines on Sunday, October 1st; Vertical Wine Tastings at California Grill (located in the Contemporary Resort) on Saturday, September 30th featuring 10 vintages from Silverado Limited Cabernet Sauvignon, Napa Valley; and Epcot Wine School on Saturday, September 30th. For those that prefer shopping to theme parks or wine tastings. Orlando is home to numerous outlet malls, huge upscale malls (including the Mall at Millennia with every shop you can think of) and the Winter Park shopping district. Winter Park is a half hour drive from the hotel and offers small gardens, unique stores, upscale restaurants and even a scenic boat tour through the local waterways. While we will not have an organized event with transportation to any of these locations, please let Terry know if you plan to attend any of them and are willing to carpool or are interested in going as a group.

As if all that wasn't enough, the Gaylord Palms Resort and Convention Center is a destination in and of itself. The hotel offers two pools, a world class spa, wonderful restaurants, a sports and recreation area, and nearby golf courses. You can browse the hotel's website at www.gaylordpalms.com . While the section members toil away at committee meetings on Friday, the spouses and guests are invited to attend a special cooking demonstration in the kitchen of the award winning Old Hickory Steakhouse in the hotel from 12 to 2 pm. During the demonstration, one of the premium chefs will prepare a three course meal while providing helpful tips and cooking techniques. After the demonstration, you will enjoy the delicious meal created by the chef during the demonstration. The cost for this event will be \$40 per person and will be limited to a maximum of 30 people. Also, if you plan to visit the spa during your stay it is highly recommended that you call ahead for reservations.

Finally, after the executive council meeting on Saturday, we have reserved the volley ball court in the recreation area of the hotel for the Dirt vs. Death volleyball challenge. Please plan to stay after the meeting to have some fun and then join us for the wonderful dinner at Fantasy of Flight that evening. Depending on the time of the Gator game, we are also trying to make arrangements to have a football party in the suite for those who are interested. (And NO we are not being biased to the Gators; FSU is not playing that weekend!!)

I hope you will all join us with your families for this wonderful event packed weekend!!

Hi kids:

My name is Marlies and I'm 8 years old. My sister Meghan is 5. I am one of the many Kelley Grandchildren. My "Opa" (grandpa) asked me to write a letter and bring back the "Kids Letter" started by the Liles. I hope that you all come along with your parents and grandparents so I have lots of friends to play with while my mom and Opa are at the meetings. My mom has planned a fun party for us at the La Petite Academy in the hotel while our parents and grandparents are at their dinner on Friday night from 6 to 10 pm. Anyone who is over age 3 and potty trained can join me and my sister for \$44 each. The price includes a movie party, dinner and access to all the great things at La Petite Academy including arts and crafts, video games and karaoke. You can also "drop in" the Academy at any time, day or evening, if you get bored and want somewhere to play while you mom or grandma goes to the spa!! Just get your mom or dad to fax the sign up sheet sent with this letter to La Petite Academy to reserve your spot!

During the day (if I am not at a theme park) I'll be at the marine activity pool on the giant whale water slide or in the game room. The hotel also has a really cool alligator pond, with real live alligators (no swimming allowed), an indoor fort and a restaurant on a 60 foot sailboat on a real lake inside the hotel dome!!! My favorite things are the AWESOME donuts on the breakfast buffet at the Villa de Flora restaurant and the Ben and Jerry's ice cream shop.

On Saturday night, we get to come with our parents to the fantasy of flight museum for dinner with the adults. Hopefully, we will get our turn in the flight simulators (I love to fly in my Opa's plane!) And Sunday, you have to convince your parents or grandparents to stay and take you to the Disney Not So Scary Halloween Party. You get to you're your costume and all the cool rides are open with no lines. There are also trick or treat stations all over the park so you get great rides and great candy!

I'll see you all there!

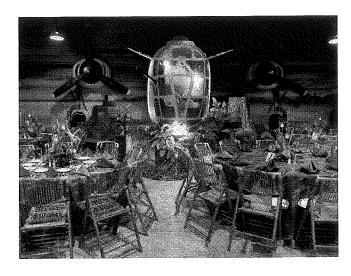
Marlies



RPPTL Fantasy of Flight Dinner Excursion Saturday, September 30, 2006

(in conjunction with the RPPTL Kissimmee Executive Council Meeting)

You will begin this journey at the Gaylord Palms Hotel where you will be shuttled away to Fantasy of Flight. During the 15-minute ride, you can view a video of the Fantasy of Flight facility and the special collection of aircraft - most of which are air-worthy. On arrival



at Fantasy of Flight, the motor coaches will drop you off at the red carpet, flanked by up-lit antique aircraft, in front of the North Hangar. Bars & Appetizers will be available on arrival in the North Hangar. You can stroll around and view the displays, experience the "Immersion" Attraction showcasing the history of aviation, go for a "dogfight" in Fighter Town with the Corsair Sims, or go along for a private tour of the aircraft displays. You will move to the Officers' Club after about an hour for a plated dinner. Afterwards, you will enjoy coffee & desserts in the Officers' Club or re-visit Fighter Town, etc.! Motor coaches will pick you up at the red carpet and return you to the Gaylord Palms Hotel.

Executive Council Member Cost is only \$125 per person (Event Actual Cost is \$230 per person)



FLORIDA BAR - RPPTL

DROP-IN CHILDCARE

9:00am – 10:00pm Monday – Thursday 9:00am – 11:00pm Friday – Sunday

La Petite Kids Station will be open for drop-in childcare for children ages 3 – 14 years of age. Kids Station is a 4000 square foot facility with all kinds of fun things for your kids to do. Everything from video games to arts and crafts, air hockey, basketball, karaoke and a soft play climbing unit. Snacks are provided throughout the day. All programs are developed and supervised by La Petite professionals who are certified in early childhood development and fully trained in first aid and CPR. Hourly rates apply with a 10% discount for Florida Bar attendees.

La Petite Kids Station can provide in-room care for infant though 3 years of ages as well. Please call Kris at 407-586-2505 for further information and to make reservations.

FRIDAY - 9/29 6:00 pm - 10:00 pm

Kids Station will be having a "Movie Night". We will host fun for kid's ages 3-14, (potty trained). We will do arts & crafts, play games, have contests and lots of fun. Don't forget movie time for those who want to chill out and have some popcorn while they watch a selected kids' movie!! Dinner will be served. Fee for this event is \$44 per child.

For drop-in and/or children's party reservations, please fill out and fax this form to, 407-586-2506 Reservation times (list all): AND/OR Check here for Movie Night **Child Information:** Age:_____ Sex: M F Name: _____Age:_____Sex: M F Any allergies or special needs? Parent Information: Parent/Guardian Name: Cellular or Pager #: Room #: Authorization for Emergency Medical and First Aid I hereby authorize the Director and Staff, representing La Petite Academy Kids Station, to give consent for any and all necessary emergency medical and First Aid care my above listed child(-ren): Signature of

Parent/Guardian:



FUN FACTS

Normal operating hours:

Monday through Thursday: 9:00am-10:00pm* Friday through Sunday: 9:00am-11:00pm*

(*when children are in attendance)

➤ 4,000 square-foot facility that sports a playful aquatic décor

- Arts and Crafts, Video and Recreational Games, SoftPlay climbing unit, Construction Activities, Videos, Music, Karaoke and Play-Acting on our Starfish Stage are only a few of the activities children can enjoy!
- ➤ Hotel and hospitality industry's most comprehensive menu of child care services for meeting and convention group attendees' children, as well as tourists' children.
- ➤ Activities that match the needs, ages and interests for children ages 3 to 14** on a drop-in, hourly basis!

(**Children who are not potty-trained or are under the age of 3 years old can be accommodated through in-room care. No diapers, no pull-ups. Call for more info)

> Our drop in fee structure:

\$10.00 / hour for one child \$18.00 / hour for two children \$25.00 / hour for three children

Snacks are included in the above fees. If you wish, we can arrange for meals through In-Room Dining.

We are located next to the Marine Pool (Take the Emerald Bay "B" Elevators down from the Atrium.)

Telephone: (407) 586-2505

Fax: (407) 586-2506

lpaflo@lpacorp.com

(Gaylord Palms Resort Internal Hotel Ext. #62505)

SEPTEMBER COMMITTEE MEETING SCHEDULE

(actual meeting times may shift prior to the meeting)

Thursday, September 28, 2006 Committee Meetings

10:00 a.m. - 12:00 noon

Probate Law & Procedure

12:00 noon – 2:00 p.m.

Powers of Attorney

12:00 noon – 2:00 p.m.

Probate Ethics & Professionalism

2:00 p.m. – 4:00 p.m.

IRAs & Employee Benefits

2:00 p.m. – 4:00 p.m.

Advanced Directives & HIPAA

Friday, September 29, 2006 Committee Meetings

8:00	a.m.	- 1	0:00	a.m.
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Guardianship Law & Procedure

8:00 a.m. - 10:00 a.m.

Trust Law

8:00 a.m. – 10:00 a.m.

Asset Preservation

8:00 a.m. – 10:00 a.m.

Real Property Landlord/Tenant

10:00 a.m. – 12:00 noon

Probate Litigation

10:00 a.m. – 12:00 noon

Charitable Organizations

10:00 a.m. - 12:00 noon

Mortgage Law

10:00 a.m. – 4:00 p.m.

FAR/BAR Committee Meeting

12:00 noon – 2:00 p.m.

Circuit Representatives Meeting

12:00 noon – 2:00 p.m. 12:00 noon – 2:00 p.m. Estate & Trust Tax Planning

12:00 noon – 2:00 p.m.

Dev & Govt Regulation of Real Estate Real Property Legal Opinions

12:00 noon – 2:00 p.m.

Ad Hoc Committee - Creditors Claims

in Non-Probate Assets

1:00 p.m. – 3:00 p.m.

Bankruptcy Law Committee Meeting

& CLE Presentation (1.0 Hour of CLE Credit)

2:00 p.m. – 3:00 p.m.

Construction Law Planning Meeting

2:00 p.m. – 4:00 p.m.

Insurance Committee

2:00 p.m. – 4:00 p.m.

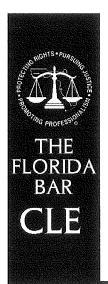
Title Insurance

2:00 p.m. – 4:00 p.m. 2:00 p.m. – 4:00 p.m. Real Property Forms

2:00 p.m. – 4:00 p.m. 2:00 p.m. – 5:00 p.m. Affordable Housing Condo & Planned Development

5:00 p.m. – 6:00 p.m.

RPPTL-PAC Meeting



The Florida Bar Continuing Legal Education Committee and the Real Property, Probate and Trust Law Section present

Florida's New Trust Code

COURSE CLASSIFICATION: INTERMEDIATE LEVEL

Live Presentations: September 14, 2006 • Tampa • Hyatt Regency Downtown

September 15, 2006 • Miami • Hyatt Regency Downtown

September 21, 2006 • Fort Myers • Clarion Hotel September 27, 2006 • Kissimmee • Gaylord Palms

Video Replays (3 locations): September 28, 2006 – November 9, 2006

Course No. 0488R

8:15 a.m. – 9:00 a.m. Late Registration & Check-in

9:00 a.m. - 9:30 a.m.

Introduction and Summary

Discussion of the scope of the new Florida Trust Code; an overview of the differences and similarities to current law; review of Trust Code structure and relationship to the Uniform Trust Code.

9:30 a.m. - 10:00 a.m.

Representation Under the Code

Analysis of the Code's representation provisions allowing one person to bind another person's trust interest in both judicial and nonjudicial matters; statutory authorization for the use of designated representatives.

10:00 a.m. – 10:15 a.m.

Break

10:15 a.m. - 10:55 a.m.

Trust Creation, Modification and Termination

Formalities of execution of irrevocable and revocable trusts including the relaxed rules for trust executions; review of judiical and nonjudicial modification provisions and court authority to reform trusts and correct mistakes.

10:55 a.m. - 11:35 a.m.

Trustee's Rights and Duties and Rights of Beneficiaries

Areas covered include: creditors claims; spendthrift and discretionary trusts. Examination of the formalities of the office of trustee, including accepting or declining the office; resignations and removals, rules relating to co-trustees, Review of codification of funadamental common law duties of the trustee and the trustee's powers.

11:35 a.m. - 12:15 p.m.

Trustee Liability and Statutes of Limitations

Liability of trustees for a breach of trust; validity and enforceability of exculpatory clauses; remedies and damages for breach of trust; liability of trustees to nonbeneficiaries; limitations against a trustee.

12:15 p.m. - 1:45 p.m.

Lunch (Included in registration for Tampa, Miami, Fort Myers and Orlando)

1:45 p.m. – 2:15 p.m.

Revocable Trusts

Most of the statutory provisions relating to revocable trusts have been palced in one section of the Code. This section addresses the consequences of revocability; the methods to amend or revoke a revocable trust and the liability of the trustee for unknown trust modifications. A new limitation period for claims against revocable trusts has been established.

2:15 p.m. - 2:45 p.m.

Rules of Construction and Practical Application of the Code

Application of the Code; default rules of construction. Review of new, coordinated and more comprehensive default regime covering antilapse and descendibility issues in both testamentary and nontestamentary context. Miscellaneous and conforming changes with the probate code and other portions of the Florida Statutes.

2:45 p.m. - 3:30 p.m.

Panel Discussion

Opportunity for attendees to discuss the new Code with the panel and seek clarification on specific questions.

CD-ROM & PRINTED MATERIALS

This seminar will provide a detailed examination of new Florida Chapter 736. Seminar materials will include the entire new statute, the comprehensive Scrivener's Summary with notes of the Ad Hoc drafting committee and the course outline. This material will be provided both in printed form and on CD-Rom to all attendees. The faculty are all members of the Ad Hoc Trust Committee who participated in the multi year review of the Florida common and statutory trust law (Laird Lile, Sandra Diamond, Brian Felcoski and Professor David Powell).

CLE CREDITS

CLER PROGRAM

(Max. Credit: 5.5 hours)

General: 5.5 hours Ethics: 0.0 hours CERTIFICATION PROGRAM

(Max. Credit: 4.0 hours)

Elder Law: 4.0 hours Tax Law: 4.0 hours Wills, Trusts & Estates: 4.0 hours

Seminar credit may be applied to satisfy both CLER and Board Certification requirements in the amounts specified above, not to exceed the maximum credit. Refer to Chapter 6, Rules Regulating The Florida Bar, for more information about the CLER and Certification Requirements.

Prior to your CLER reporting date (located on the mailing label of your Florida Bar News) you will be sent a Reporting Affidavit or a Notice of Compliance. The Reporting Affidavit must be returned by your CLER reporting date. The Notice of Compliance confirms your completion of the requirement according to Bar records and therefore does not need to be returned. You are encouraged to maintain records of your CLE hours.

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			TLH: Course No. 0488R			
LOCATIONS (CHECK ONE): Tampa** - September 14, 2006 (048) Hyatt Regency Downtown Miami*** - September 15, 2006 (024) Hyatt Regency Downtown Fort Myers*** - September 21, 2006 (295) Clarion Hotel Kissimmee*** - September 27, 2006		□ Jacksonville* - September 28, 2006 (154) Omni Hotel □ Pensacola* - October 25, 2006 (040) Escambia/Santa Rosa Bar Assn. □ Tallahassee* - November 8, 2006 (054) The Florida Bar Annex *** Live ** Videotaping *Video Replay				
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