



For Florida Lawyers – By Florida Lawyers

A JOURNAL OF THE SOLO AND SMALL FIRM SECTION

MESSAGE FROM THE CHAIR

by Timothy S. Shaw
2020-2021 Solo & Small Firm Section Chair

"It's déjà vu all over again;" "The long and winding road;" and "What a long, strange trip it's been" are iconic lines from Yogi Berra, Paul McCartney and Jerry Garcia that sum up my journey back to being elected Chair of the Solo & Small Firm Section. I joined the Section, known at that time as the General Practice, Solo & Small Firm Section, in the late 80s, and was honored to Chair the Section in 1996-97. Now I am humbled and honored to be elected again to Chair the Section for 2020-21.

I began practicing in 1981 when the newest advances in the legal profession were the fax machine and Fed Ex. I have been a member of large, small and medium-sized firms and watched the practice of law shift and adapt through the vast technological changes that have taken place, surviving through the recessions, the tragic event of 9/11 and now the COVID-19 pandemic.

It is with that background and hindsight that I approach this upcoming year. Many have said that change to our profession would come with technology, and predicted the end or downsizing of formal offices, etc., sometime in the future. But few predicted the acceleration that has now taken hold as we adapt to our new normal. While the changes



TIMOTHY S. SHAW

may be overwhelming, I think it is our opportunity to move the Section into the future and to lead attorneys, old and new. It is a chance for the mentoring of attorneys to be reversed, with the new helping the more senior (aka me) to navigate the future, expand and market our practices and increase our efficiency, while we impart the knowledge that younger attorneys have always asked of us. I believe that through patience, flexibility and humor we will all adapt.

As our Section grows, so does its diversity, and one of my goals this year is to add more diversity to the Executive Council of the Section to reflect The Florida Bar as a whole. We are embracing the new normal with our first

virtual annual meeting and hope to be offering additional technology benefits to our members this year. Through the hard work of our CLE, Publications, and Transition to Solo committees and Solo & Small Firm Conference, we have timely seminars, webcasts, podcasts, conferences and website materials to offer our members in this time of change.

The members of the Executive Council and members of the committees are here to assist the Section members. It is your Section and we encourage you to participate and provide your comments and suggestions on how we may meet your needs.

Perhaps I should have started with, "Fasten your seatbelts, it's going to be a bumpy...". I think of Bette Davis, but those who will lead next might picture Harry Potter. "The times, they are a changin'."



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CONSIDERING WORKING WITH A COACH? CONSIDER THIS.

by Nora Riva Bergman, J.D.

If you're considering working with a coach, you're on the right track. I say that, not because I am a coach, but because I work with a coach and have experienced the benefits first-hand. Working with a coach is like having a personal trainer who will support you, inspire you, and motivate you to reach your goals. But before you get started, here are some things you need to know.

What is Coaching?

The International Coach Federation (ICF) defines coaching as: "partnering with clients in a thought-provoking and creative process that inspires them to maximize their personal and professional potential." Coaching is typically done in one-on-one sessions. Coaching will help you define your current status (where you are now) and desired future status (where you want to be). Coaches focus on the structure of thinking to achieve sustainable results and work with clients through any "blocks" to their achieving success.

I tell my clients that I work with them as both coach *and* consultant. There is a critical difference between the two roles. A coach helps you uncover answers for yourself, primarily by asking questions and exploring ideas with you. Coaching is not about telling you what to do, but helping you figure out what you want to do. The role of a consultant is quite different. As a consultant, I will often tell you exactly what to do to solve a particular problem or implement a system in your office. But even when I am in my consultant role, I tell my clients, "I make suggestions, you make decisions." The ultimate path of action is up to the client.

How Can a Coach Help?

Speaking of action, getting you to



NORA RIVA BERGMAN

take action is one of the most important roles of a coach. With a coach by your side you can move from merely knowing what you want to do – to actually "doing it." Knowing what to do or talking about what you are going to do is not going to change anything. Action is what changes your life. If self-help books were the answer, we'd all be fantastically fit millionaires. There are enough books out there to give us the answers we're looking for. The thing is, having the answers isn't enough to change your life. Knowledge won't change your life. Knowledge doesn't change behavior. The only thing that will change your life is YOU taking action to change your life.

Seven Ways Coaching Can Change Your Life

- 1. Gain Focus and Clarify Your Goals.** Success isn't magical. Success is all about focus. Successful people learn to develop a laser-like focus.
- 2. Take Action.** As I said before, merely knowing what you want to do isn't enough. Merely

getting focused and clarifying your goals isn't enough. You must ACT!

- 3. Learn to Manage Yourself.** I've got a secret for you: There is no such thing as time management. We cannot manage time. We can only manage ourselves.
- 4. Help You Work Smarter – Not Harder.** Once you get control of yourself – both literally and figuratively – you'll begin to make better choices about how you spend your time and what you focus on. Your days will become more effortless as you focus on those things that really matter.
- 5. Balance and Blending.** A coach can help you work toward balance. Keep this in mind – balance is elusive. You must constantly work toward achieving it. You won't simply "find" balance in your life. You must act to create balance.
- 6. Earn More.** Most of us want to earn more. But for some, it's not about earning more money, although a coach can certainly make a difference there. For some, it's about earning more time with your family and loved ones, earning more travel time, or earning more self-confidence.
- 7. Have Fun.** Why do any of the above if you're not having fun in the process?

What is Your Role When Working With a Coach?

Coaching is a two-way street. A coach's role is to help you see what you are capable of and always keep you

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WORKING WITH A COACH

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moving toward your goals. Your coach will help you do the things you know you must do, but don't want to do. But remember, just like a personal trainer, your coach can't do your sit-ups for you!

To get the most out of any coaching experience, you must take responsibility to fully participate in the process and take a hard, introspective look at yourself. Every coach is different, but here are some of the things I ask of my clients:

- **Let Go of The Past.** We cannot change the past. We can only change the future.
- **Commit to Taking Action.** You may know that you want to make changes; however, knowing what you want to do is not the same as doing it. Demonstrate a commitment to the process in attitude and effort.
- **Don't Get Discouraged.** There will be times when you will feel as though you are easily moving toward your goals, and there will be times when you will be frustrated and feel as though you are not making any progress at all. Keep putting one foot in front of the other and you will reach your destination. Small, consistent steps forward will produce massive change over time.
- **Get Comfortable Being Uncomfortable.** As part of the process, I may ask you to change many of your current habits. This will be uncomfortable. Change is often uncomfortable.
- **Celebrate Your Success.** Sometimes we move so fast, we do not take time to acknowledge how far we have come. Take the time to acknowledge yourself and your team for every success you have along your journey.
- **Transfer Your Learning.** As you learn, share what you learn with others through your role as

a leader and coach within your firm.

- **Enjoy the Process.** This is your life. While even change for the better can be both scary and uncomfortable, ultimately the process should be fun.

How to Find the Right Coach for YOU.

There are a lot of wonderful coaches who work exclusively with lawyers. So, it's important for you to find a coach who is the right fit for you. There is no magic formula for this process, but there are a few things you can do.

First, know your objective. Why do you want to work with a coach? Do you want to improve your self-management skills? Find more balance in your life? Be a more effective leader of your team? Improve your marketing? Work with clients who are better fit for your practice. Develop your team? All of the above? Whatever it is for you, get clear about what you want from the coaching experience.

Next, ask the right questions of your potential coach. What's your coaching experience? Do you have coach specific training? Do you have areas of specialty? What skills do you bring to coaching? What is your coaching process? Can you share any success stories?

Finally, pay attention. The coaching relationship is just that – a relationship. Notice whether coaching is working for you. If it's not, let your coach

know. You may need to make adjustments, or you may decide your coach isn't the right fit for you. That's okay. This is your life. You get to design it however you choose.

Conclusion

Simply put, a coach can help you achieve your goals. All great athletes work with coaches. They wouldn't be great athletes without coaching. A coach can help you define the goals for your life and your practice, then help you set out a strategy to achieve those goals. Most importantly a coach will be there with you to support you, hold you accountable, and help to make your goals a reality.

Nora Riva Bergman is a law firm coach and author. She is the founder of *Real Life Practice* and a certified Atticus Practice Advisor. A licensed attorney since 1992, Nora brings a deep understanding of the practice and business of law to her work with lawyers and law firms across the country. She has practiced as an employment law attorney and certified mediator and has served as an adjunct professor at both Stetson University College of Law and the University of South Florida. Nora is a graduate of Villanova University's Lean Six Sigma Program. She is the author of **50 Lessons for Lawyers: Earn More – Stress Less – Be Awesome** and **50 Lessons for Women Lawyers – From Women Lawyers**.

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FOR ATTORNEYS, WORRIES OF COVID-19 INFECTION AND CYBER INFECTION GO HAND IN HAND

FLMIC RESOURCE EXAMINES CYBERSECURITY DANGERS AND PREVENTION

by Margaret "Peggy" Hewitt, Esq.

With the nation still under strain from the novel coronavirus, the legal industry is enduring not only the onslaught of lost revenue and layoffs but also losses caused by security breaches and claims resulting from those breaches. The loss of jobs, increasing unemployment, and the prospect of a recession and possible depression, historically result in an increase in crime. Cybercrime is a real and expected risk in any business; and is the fastest growing crime against business. Cybercrime is projected to cost \$6 trillion annually by 2021, up from \$3 trillion in 2015 [according to Cybersecurity Ventures](#), a research organization compiling a list of the top 500 Cybersecurity firms, quoting the [2019 Official Annual Cybercrime Report](#) sponsored by the Herjavec Group. On April 30, 2020, BakerHostetler published its sixth annual [Data Security Incident Response Report](#) distilling over 950 incidents the firm had addressed on behalf of clients in 2019 for the purpose of helping organizations use “risk-prioritized decision-making to take practical steps to improve their cybersecurity posture and operational resiliency.”

THE NEW “DOOR”

Cybercriminals are using the coronavirus to enter organizations and deploy dangerous malware such as ransomware. During the pandemic you and your employees are working from home, some for the first time, on



MARGARET "PEGGY" HEWITT

personal devices and unsecure connections. Personal (and sometimes shared) laptops, surface tablets, and smartphones using email, video conferencing formats, and home based Wi-Fi connections are handing hackers the keys to your home-based kingdom. The mere fact that your employees are now no longer on site and protected by your embedded firewall creates an entirely new population of potential key masters. Sharing this information with your employees, establishing a written policy protocol, and providing educational social training will greatly reduce your firm's chances of becoming a victim. ***We strongly suggest that all law firms hire an outside cybersecurity specialist to audit your remote-work setup and practices.*** Remember: you probably aren't a cybersecurity guru, and if so, you don't know what you don't know.

Experts tell us that among the

bigest threats to computer security are phishing emails purporting to contain COVID-19 updates and information. They contain links that appear to be related to city, state, or federal sources imitating news. Clicking on the link opens the computer up to infection, creates a door into the computer itself, and may allow access to the company server. For example:

- Any coronavirus-related email with an attachment or link should be treated as highly suspicious and verified using known contact information before opening.
- Watch for coronavirus-related scams purporting to be from the Centers for Disease Control and Prevention (CDC) or experts promoting the latest information. The emails may look authentic and include logos or branding for the World Health Organization or other government or public health agencies. Common scams relate to potential vaccines, prophylaxis, testing sites, local infection maps, and other COVID-19 related subjects.
- Don't visit untrusted websites related to COVID-19. There has been a significant rise in website registrations related to the disease that are being used to either steal information from visitors or infect them with malware. Use

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only trusted sources for authoritative information such as www.cdc.gov and www.coronavirus.gov.

- Treat any email related to potential government aid (such as the initial stimulus relief check, the payroll protection program, or enhanced unemployment) as suspicious. Scams include those asking for your bank information for direct deposit and any request for prepayment or fees to collect a check.
- Scams may be transmitted by email, cell phone call, and text.

HOW TO DETECT A COVID-19 SCAM

Detection prior to infection is essential to your firm's cyber health.

- If a coronavirus-related email asks for personal information such as a Social Security number, insurance information, or login information, it's a phishing scam. Your health care insurer or provider will not solicit personal information or request a response within an email. When you click on an embedded link, you are opening the door to a predator.
- To avoid such an entry, hover your cursor over the link, revealing the full email address. If the imbedded link is in the form of a web address, delete the email and go to the known company website by typing the official web address into your browser search window.
- Read the sender's email address. In one instance, a phishing email purporting to come from Dr. Anthony Fauci had actually been sent by "Doctor Anthony Fauci <no-reply@collaborative-login.com>." The name and the source metadata don't match, and as such are suspicious. Bad actors are even capable of masking an

illegitimate email address containing the correct name of a real person and their legitimate email address, such as name@cdc.gov or name@whitehouse.gov. Merely checking the sender's address is not necessarily a fool-proof means of protecting yourself. The more successful scams are difficult to recognize.

- Does the title or body of the email relay a sense of urgency? Does it appear to create fear? If so, it's likely a scam.
- Contact your IT professional about the email. If you received it, it could have gone to other members of your staff. IT can confirm the origin of the email without infecting your system and can warn others in your company of the breach to prevent further infection.

TRAINING AND PROTECTING YOUR STAFF WORKING FROM HOME (OR ANY REMOTE LOCATION)

- Create, publish, and enforce a written policy regarding remote work practices.
- Encourage your remote workers to contact IT if a suspicious email arrives; make sure they have easy access to a professional who can mitigate the risk of breach. If you don't have an IT person in-house, utilize the services of a cybersecurity professional. Prominent providers working with solo and small firms in Florida include [GoldSky](#), [Cybersecurity Solutions](#), [INFIMA Cybersecurity](#), and [Infiltration Labs](#). Encourage staff members to consult with your cybersecurity vendor in the event of a phishing attempt or breach.
- Inform anyone using your server who to contact IMMEDIATELY if they believe they have made an error that could result in a breach. Remind your staff that we all are human and make mistakes, and urge them to inform the designated party without fear of

reprisal. Remember that under the circumstances of COVID-19, there is added stress and fatigue, and time is of the essence in damage control.

- Secure a Data Breach Incident Response Tool Kit, such as the one created by Thomas A. Widman of [IdentityFraud, Inc.](#) that includes formal policies and procedures, response checklists, and immediate contact lists.
- Discourage the use of public Wi-Fi to transact any sensitive business, unless the remote device is using a **Virtual Private Network (VPN)** or an Identity & Access Management (IAM) platform that implements **two-factor or multi-factor authentication**.
- Encourage the destruction/disposal of all sensitive information as soon as it is no longer needed.
- Encourage your staff to work offline as much as possible.

WHAT ELSE YOU CAN DO

- Given the perils of practicing law during COVID-19, it is critical that you and your law firm maintain high-quality legal malpractice insurance at all times. Because most lawyers' professional liability (LPL) insurance policies — including our policies here at FLMIC — are **claims made and reported policies**, it isn't too late to get coverage for the challenging times ahead.

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- Likewise, it's equally important that attorneys who are already covered by an LPL policy during the pandemic continue to exercise heightened diligence during this "new normal" and the various disruptions, challenges, and emerging threats that are likely to persist throughout.
- FLMIC is the only direct-write legal malpractice insurer in Florida and the only LPL provider recommended by The Florida Bar, the Florida Association for Women Lawyers (FAWL), Virgil Hawkins FCNBA, The Jacksonville Bar, the Broward County

Bar Association Lawyer Referral Service, and the Hillsborough County Bar Association Lawyer Referral Service. Our company was created for Florida lawyers, by Florida lawyers. We're proud to protect attorneys all across the Sunshine State.

Before coming to Florida Lawyers Mutual Insurance Company, Peggy was a 20-year partner of Jones, Hurley & Hand, P.A. Before joining a law firm, Peggy was in-house counsel for the Walt Disney Company; before Disney, she was Counsel to the Orange County Sheriff's Office and an Assistant State Attorney. Her practice experience included over 120 jury trials, and countless administrative hearings and appeals in the areas of Insurance Defense, Employment and Labor Law, and Workers' Compensation. She has been designated an "AV" Peer Review

Rated Lawyer by Martindale Hubbell.

Ms. Hewitt has an extensive library of articles and advisories for legal and risk management publications, including the National Retail and Restaurant Defense Association News and LinkedIn. Her Florida Bar CLE manuals and presentations include "Trying a Difficult Liability Case in Florida." She has been an accredited CEU presenter for the Florida Department of Finance since 2002, has created and presented dozens of Power Point assisted seminars both for the CEU Institute and for her self-insured and self-administering clients, and has presented at the ABA Annual Conference and the NRRDA National Conference.

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SECTION CLE NEWS

We are pleased to announce that two of our most popular webinars have been renewed and are available 24/7 for purchase online as downloadable seminars and podcasts:

Tips & Tricks to Make Microsoft Word Work for You. Learn pro tips that let you skip trial-and-error tutorials and find out how to fully integrate Microsoft Word into your law practice. This one-hour CLE will teach you exactly what you need to make your practice more efficient and will walk you through, step-by-step, how to set up and use Microsoft Word effectively. Practice with your PC or laptop while you listen. Learn Word features that can make formatting nightmares go away—and master shortcuts that will take your Word efficiency to new levels. Presented by General Magistrate Jennifer Kuyrkendall Griffin, past Chair of the Solo & Small Firm Section. Course number 2874. 1.0 General; 1.0 Technology CLE credit.

This Really Happened: Taking the High Road of Civility and Professionalism.

This one-hour webcast discusses actual examples of unprofessional and uncivil conduct that have occurred in the everyday practice of law while identifying potential rule violations and suggesting possible ways to handle or remedy the situations. Presented by Solo & Small Firm Section Chair-elect Jacina Haston, former Director of The Florida Bar Henry Latimer Center for Professionalism, and General Magistrate Jennifer Kuyrkendall Griffin. Course number 2877. 1.0 General; 1.0 Professionalism CLE credit.

LOOKING FOR OUR GREAT CLE?

The section offers four ways to access CLE. Click the images below to browse.



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UPCOMING FALL CLE

Live InReach webinars and Wednesday Wisdom CLEs are 12 – 1 PM unless otherwise indicated. InReach webinars are \$50 for Solo & Small Firm Section members and \$95 for non-section members. Wednesday Wisdom Zoom webinars are free for section members.

September

- 15 Chelsie Lamie, The Personal Injury Law Office of Chelsie M. Lamie, PA, "[**Law Firm Automation: Processes & Procedures**](#)." Live InReach webinar. Course number 4061. 1.0 General CLE.
- 23 Mike Stewart, Wells Fargo, "[**Retirement Plans for Law Firms: What's the Best Option?**](#)" Free Wednesday Wisdom webinar.

October

- 16 **Annual Ethics Update: "Legal Ethics in a Changed World."** Live InReach webcast, 8 AM–1 PM. Registration opens soon.
- 20 Danielle Babcock, Thomson Reuters, "[**Tools to Increase Your Bottom Line**](#)." Live InReach webinar. Course number 4062. 1.0 General CLE.
- 28 Margaret "Peggy" Hewitt, FLMIC; Bryan Barnhart, Infiltration Labs; and General Magistrate Jennifer Kuyrkendall Griffin, "[**Why Would Anyone Hack ME? Cyber Security in the Time of Covid-19 for the Solo and Small Firm Practitioner**](#)." Free Wednesday Wisdom webinar. Registration opens soon.

November

- 17 Tim Chinaris, Belmont University College of Law, "[**How the Ethical Lawyer Can Avoid Technology Traps**](#)." Live InReach webinar. Registration opens soon.
- 18 Lee E. "Pete" Muschott, Law Office of Lee E. Muschott, P.A., "[**Essentials of Sovereign Immunity Litigation under §768.28**](#)." Free Wednesday Wisdom webinar. Registration opens soon.

December

- 2 Josh Hertz, Law Office of Joshua J. Hertz, P.A., and Paula Black, business and professional development coach, "[**Make Money While You Sleep: Get Your Side Hustle On**](#)." Free Wednesday Wisdom webinar. Registration opens soon.
- 8 Bill Curphey, "[**Professionalism for Florida Attorneys**](#)." Live InReach webinar. Registration opens soon.

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PARALEGAL CORNER

A NEW PERSONAL INJURY CASE JUST ARRIVED IN THE OFFICE – NOW WHAT?

by Priscilla Horn Warren, CP, FRP

Your attorney has received a phone call from a former client whose friend was injured in an automobile accident. The former client suggested that the friend contact you immediately to process the claim.

Your attorney has a general practice, and he/she may not be familiar with the procedure of “what happens next.” Following the initial client consultation and their signing of a Contingency Fee Agreement for your attorney to handle the PI claim, here is a proposed guideline and checklist for processing a personal injury claim:

1. Get a copy of the accident/incident report. This report contains information as to insurance carriers, witnesses, photographs, and other comments pertaining to the accident or incident.
2. Request all insurance information (health AND auto or premises liability).
3. Have the client give you their written statement, including names and addresses of witnesses. (The statement should contain the answers to who/what/when/where/how/why the accident/incident occurred, and the injuries sustained.)
4. Get any and all photographs of property damage, accident scene, injuries.
5. Obtain the client’s employment history. If there are any educational certificates, include those.
6. Obtain the Client’s personal information including the date/place of their marriage, the names and ages of their children, their dates of birth and social security numbers.
7. Place a copy of your client’s current driver’s license or other photographic ID in your file.
8. Are any hobbies or daily activities affected? Make a list, and have the client keep updating it. (For example, any difficulty in getting dressed, or raising an arm to comb their hair; have the client note the date and time, and describe the difficulty or painful occurrence.)

The client needs to give the attorney a **BLANK signed medical authorization** to obtain records. (Some hospitals have their own forms that they wish you to use.) Make copies of the original signed authorization and send a filled-in copy with a cover letter requesting the records AND bills pertaining to the accident/incident, to each health care provider.



PRISCILLA HORN WARREN

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SAMPLE BLANK MEDICAL AUTHORIZATION:**AUTHORIZATION TO DISCLOSE PROTECTED HEALTH INFORMATION**

(Complies with HIPAA, 45 CFR § 164.508 & 164.524)

Patient Name: _____ Social Security Number: _____

Date of Birth: _____

1. I hereby authorize the use or disclosure of my health information as described below:

Entire medical or dental record, including patient history and background information, complaints, reports of examination or treatment, diagnosis, laboratory reports or results, consultation reports, medication list, x-ray and imaging reports, and any other document relating to my medical care or treatment at any time.

Entire inpatient or outpatient hospital chart or treatment records.

ONLY the following limited records or information: _____
_____.

2. The following individual or organization is authorized to make the disclosure:

Name: _____

Address: _____

3. I understand that the information in my health record may include information relating to sexually transmitted disease, acquired immunodeficiency syndrome (AIDS), or human immunodeficiency virus (HIV). It may also include information about behavioral or mental health services, and treatment for alcohol and drug abuse.

4. This information may be disclosed to and used by the following individual or organization:

Name: _____

Address: _____

For the purpose of: Investigating and pursuing legal claims.

5. I understand I have the right to revoke this authorization at any time. I understand if I revoke this authorization I must do so in writing and present my written revocation to the health information management department. I understand the revocation will not apply to information that has already been released in response to this authorization. I understand the revocation will not apply to my insurance company when the law provides my insurer with the right to contest a claim under my policy. Unless otherwise revoked, this authorization will expire on the following date, event or condition: _____. *If I fail to specify an expiration date, event or condition, this authorization will expire in six months from the date signed, as indicated below.*

6. I understand that authorizing the disclosure of this health information is voluntary. I can refuse to sign this authorization. I need not sign this form in order to assure treatment. I understand I may inspect or copy the information to be used or disclosed, as provided in 45 CFR 164.524. I understand any disclosure of information carries with it the potential for an unauthorized re-disclosure and the information may not be protected by federal confidentiality rules.

7. *In accordance with the provisions of 45 CFR 164.524(c)(3)(ii), I specifically request that copies of my medical records be transmitted to my attorney identified in paragraph 4 above, as my designee, and mailed to the address shown in that paragraph, and that the records be provided in electronic format (PDF format on CD media), as required by 45 CFR 164.524(c)(2)(ii).*

Signature of Patient or Legal Representative

Date _____

If signed by Legal Representative, relationship to patient:

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Also, one of the first things to do is send out the **Letters of Representation** to each of the insurance companies. In auto accident cases, the Florida Statutes require a defendant's insurance carrier to give you the amounts of coverage and policy information within 30 days.

SAMPLE LETTER TO DEFENDANT'S AUTO INSURANCE COMPANY:

RE: My Client: _____
D/Accident: _____

Dear Sir/Madam:

Please be advised that I represent (CLIENT) with regard to injuries s/he sustained as a result of an automobile accident on _____.

In accordance with Florida Statutes, you are hereby requested to provide this office with written confirmation of your bodily injury liability automobile insurance coverage in effect on the date of the accident, within thirty (30) days hereof. Kindly provide the following information:

1. Name of the insurer.
2. Name of each insured person.
3. Limits of the liability coverage.
4. Statement of any policy or coverage defense which may be available.
5. Copy of the policy.

Thank you for your prompt response.

#

SAMPLE LETTER TO CLIENT'S AUTO INSURANCE COMPANY:

RE: Our Client: _____
Your Insured: _____
D/Accident: _____
Your Claim No. _____

Dear Sir/Madam:

Please be advised that I represent (CLIENT) with regard to injuries s/he sustained as a result of an automobile accident on _____.

In accordance with Florida Statutes, please provide me within thirty (30) days hereof, a copy of the declarations page of insurance coverage, reflecting all applicable UM and PIP coverage available to my client, including any stacking coverage.

(NOTE: The client's auto insurance carrier may also have PIP coverage. That is a separate level of medical payment coverage under their policy, and may have a deductible amount; the attorney needs to request a copy of the PIP ledger from them for claims paid on your client's behalf.)

Thank you for your prompt response and anticipated cooperation in this matter.

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PARALEGAL CORNER

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When most of the medical records and bills have been received, then you can prepare the demand package to the defendant's insurance company, requesting tender of the policy limits within 30 days of receipt of the demand letter. You should include with the demand letter the records and bills, listing total amounts expended for the injuries sustained as a result of the accident (these are considered DAMAGES).

NOTE: most primary care doctors will determine their patients to be at Maximum Medical Improvement (MMI), within approximately 90 days of the initial treatment, and you may be able to get a final narrative report from them indicating a percentage of impairment.

After submitting the demand letter to the defendant's insurance company requesting that policy limits be tendered, the insurance company may respond with a request that your attorney submit additional materials for the claim to be resolved. Be aware that every case is different, and it is to your client's advantage to provide as much information initially as possible. (In this regard, make sure your client has informed you of any pre-existing medical conditions, and you should obtain those records as well.)

Finally, it is always helpful to have a client information page in your file that lists the accident or incident information, and contact information for all parties involved. This would include each of the insurance carrier's representatives and phone number, claim number, address, etc.

Respectfully submitted,

Priscilla Horn Warren, CP, FRP

Email: pris2323@yahoo.com



NEW TO SECTION? WELCOME!

We're so glad you joined our section and are eager to share ways for you to get involved and network with other members. Our website www.flsolosmallfirm.org has a wealth of information including a [calendar](#) of upcoming events and the Committee Preference Form. [Committees](#) this year include:

- Continuing Legal Education, Linda Calvert Hanson, Chair
- Outreach & Expansion, Jacina Haston, Chair
- Publications, Jennifer Dietz and Liz McCausland, Co-chairs
- Sponsorship, Cristina Alonso, Chair
- Transition to Solo, Chris Johnson, Chair

Other ways to participate could include:

- contribute an article for the LINK newsletter
- volunteer for the Section Member Spotlight in QuickLINK e-news and section social media
- attend an Executive Council Reception in your area
- exchange ideas and share events on social media
- reach out to us, we would love to hear your ideas...

Annual Ethics Update 2020 LEGAL ETHICS IN A CHANGED WORLD October 16, 2020 Live InReach Webinar

8:00 a.m. – 8:10 a.m.

Welcome

Peggy Hoyt, Program Chair

8:10 a.m. – 9:00 a.m.

Ethical Leadership, Innovation and the 'New Normal'

Teresa Schmid, Chicago, IL

9:00 a.m. – 9:50 a.m.

Video Conferencing Risk Management Considerations

Joanna Storey, San Francisco, CA

9:50 a.m. – 10:05 a.m.

Break

10:05 a.m. – 10:55 a.m.

Ethics and Risk Management: What Will the 'New Normal' Look Like?

Karen Rubin, Cleveland, OH

10:55 a.m. – 11:45 a.m.

Maintaining Professional Decorum in the 'New Normal'

Eugene Pettis, Ft. Lauderdale

11:45 a.m. – 12:35 p.m.

How Covid-19 Pandemic has Impacted the Physical and Mental Health of Florida's Legal Community

Dr. Scott Weinstein, Pompano Beach