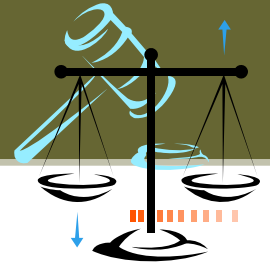




# CRIMINAL LAW SECTION MONTHLY UPDATE

April 2009  
Volume 2, Issue 2



THE FLORIDA BAR CRIMINAL LAW SECTION  
651 East Jefferson Street, Tallahassee, FL 32399  
www.flacsl.org E-mail: wgraham@flabar.org Phone: 850/561-5628

## Message from the Chair

By: Donnie Murrell

The Legislature is still in session, so none of us are safe. However, the Section's decision to hire Rod Smith to lobby on criminal justice funding issues appears to have been a wise one. Rod has had very substantive meetings with the Chairs of the Senate Appropriations Committee and Senate Criminal Justice Committee. According to Rod he is satisfied that progress is being made on the court funding issue. He also remains optimistic that funding for the State Attorneys and Public Defenders will be better than originally feared. Of course, it ain't over till its over.

We also teamed-up with the Florida Association of Criminal Defense Lawyers (FACDL) to express our Section's opposition to the bill that would eliminate depositions in third degree felonies. That bill is still alive, but at least our voice has been added to the debate.

### Amicus Update

Hagopian v. State of Florida/Terry Green is still pending in the Second DCA. Our Section appeared as amicus in a brief written by Sonya Rudenstine and Larry Turner. The Florida Association of Women Lawyers (FAWL) and ACLU also filed amicus briefs. The National Association of Criminal Defense Lawyers (NACDL) was denied permission to appear because the request was late. Oral argument is scheduled for

April 29<sup>th</sup> in Tampa on the Stetson campus. Sonya and Larry deserve our thanks for all the work they have put into this closely watched case. Whatever the outcome, it is important that our Section participated. This is an issue that affects all of us who practice criminal law.

### An overdue Thank You and Farewell

At our January meeting in Miami the Executive Council regrettably accepted the resignation of Circuit Court Judge Dedee Costello of Panama City. Judge Costello served on the Council for many years and in many capacities, including Chair of the Section. We benefited tremendously from her years of experience as a trial lawyer and criminal court judge. She brought an easy smile and common sense to our sometimes contentious debates. Her leadership was gracious but firm and her work ethic top-notch. If she said she would do it, it got done and done well. Besides her years of service to the Executive Council, she also served on the P/PD faculty for many years, chaired the Criminal Case Jury Instruction Committee and served on the Criminal Procedure Rules Committee. Judge Costello, you will be missed. Thank you for all the years of camaraderie and service you gave us. Please don't be a stranger at our meetings.

---

---

## Upcoming Seminars

### Criminal Law Update

April 17, 2009 • Tampa Airport Marriott

***It's not too late*** to attend our CLE program in Tampa on April 17<sup>th</sup>. Scott Fingerhut has put together a great line-up of speakers on topics of interest to all criminal practitioners. Come join us. If you can't get to Tampa, the seminar is being webcast simultaneously, so you can obtain CLE credit from the comfort of your office or couch. (Of course, you miss out on the chance to hob-nob (and maybe have a drink or two) with fellow lawyers from around the state.)

This seminar offers eight (8) hours of general credits, one (1) hour of ethics, six (6) hours of **criminal appellate and criminal trial**, and one (1) hour of **immigration & nationality certification credits**.

The brochure can be found on the Criminal Law website at [www.flacsl.org](http://www.flacsl.org) or on The Florida Bar website at [www.floridabar.org](http://www.floridabar.org).

**SHARING THE NEWS**

We want to hear from you! Please email your information to [wgraham@flabar.org](mailto:wgraham@flabar.org).



**THE FLORIDA BAR**  
CRIMINAL LAW SECTION  
651 East Jefferson Street  
Tallahassee, FL 32399

Phone: 850/561-5628  
Fax: 850/561-5825  
E-Mail: [wgraham@flabar.org](mailto:wgraham@flabar.org)

**CRIMINAL LAW SECTION EXECUTIVE COUNCIL**

Donnie Murrell, Chair, West Palm Beach  
Carolyn Snurkowski, Chair-elect, Tallahassee  
Sheryl Lowenthal, Secretary, Miami  
Lisa Porter, Treasurer, Fort Lauderdale  
Stanford Blake, Legislative Chair, Miami  
Dennis Kainen, Board Liaison, Miami  
Ann Finnell, Immediate Past Chair, Jacksonville  
Lewis Buzzell, III, Green Cove Springs  
Robert Dillinger, Clearwater  
Douglas Duncan, West Palm Beach  
Scott Fingerhut, Miami  
Jeffrey Harris, Fort Lauderdale  
Richard Hersch, Coconut Grove  
Les Hess, Orlando  
Susan Hugentugler, Fort Lauderdale  
Cynthia Imperato, Fort Lauderdale  
Abe Laeser, Miami  
Calianne Lantz, Miami  
Martin McDonnell, Tallahassee  
Richard Polin, Miami  
Harvey Sepler, Miami  
Joel Silvershein, Fort Lauderdale  
Kenneth Swartz, Miami  
Brian Tannebaum, Miami  
George Tragos, Clearwater  
Larry Turner, Gainesville  
Bill Vose, Orlando  
Lisa Walsh, Aventura  
Michael Weatherby, Jacksonville  
Paul Zacks, West Palm Beach  
Jennifer Zedalis, Gainesville