



Featured in the May 2019 Issue

- Spring cleaning for your business
- Jimerson Birr welcomes former Assistant State Attorney Samuel B. Friedman to the firm
- Two upcoming special events from Jimerson Birr
- New Law Blogs
- Curiosities, Ruminations and Various Eccentricities of Firm Biz

Connect With Us!



Visit Our Website

Spring cleaning for your business

Like many of you, my family has an annual ritual during this time of year that we don't look forward to. It ranks right down there with tax preparation and pollen attacks, and falls squarely between more enjoyable pursuits like MLB spring training, The Players Championship, the NFL draft and the Kentucky Derby. Yes, you guessed it: I'm talking about annual spring cleaning.



Even at home, my clients are never far from my mind. This year during the yearly deep clean, something occurred to me: spring cleaning should not be limited to your residence. Some pressing needs came to mind for my small-business clients, which I think you will agree apply to your place of business.

I'm not talking about the obvious things, like cleaning the glass, vacuuming the floors and dusting nooks and crannies. Rather, I'm talking about an annual review, analysis and re-evaluation of the processes and procedures which underlie how you conduct business. Also, what about the documents, contracts, and financial statements that you rely on each day to ensure all is in tip-top

shape?

Many business owners are incredibly preoccupied with providing top notch goods and services to existing clients. There is also the never-ending efforts to grow your client base. It's easy to see why dedicated time to consider and assess the fundamental elements of the business often gets overlooked, or people say: "I'll do that next year." If that sounds like you, please consider this other quote, which I think that sums up the real danger when you fail to complete a rigorous and regular "business" spring cleaning:

“Procrastination is the thief of time.”

– Edward Young

You see it in the same way with home, that when you wait to take care of an issue, it builds up into something much worse. With your business, problems don't just go away... they also can grow and threaten your livelihood. Ask yourself these questions: What is the status of my business's accounts receivable, what is the average balance owed, and what is the average length of delinquency? Also ask: Do I have a collection strategy, do my contracts really protect me from liability, and do my contracts maximize my upside?

How about the most important question: When was the last time I did more than just thinking about these questions, and actually took the time to find the answer? That's where the spring cleaning of your business comes in. The annual effort may seem a bit overwhelming, so I recommend you start by limiting the scope to these two areas which can provide the largest impact:

1. accounts receivable review; and
2. contract and document analysis.

For accounts receivable review, take a hard look at the most recent financial statements and tax documents. Then identify all delinquent accounts and segregate them into categories such as 30 days', 60 days' and more than 90 days' past due. Determine when you last made contact with each delinquent customer. Lastly, create a collection policy to ensure your receivables don't get out of control. If you aren't sure how to do that, seek professional assistance so that you can start contacting your delinquent customers and requesting payment.

Also consider your process for placing credit holds on delinquent accounts. One helpful tip is to calendar follow ups for contacting delinquent customers, and make it into a formal process. Truly, a collection policy does not have to be complicated, because its purpose is simply to keep you on top of your receivables. For example: make a phone call once an account is 10 and 20 days' past-due. Then follow that up with a demand letter after the account is 30 and 60 days' past-due. If that doesn't do the trick, then turn the account over for formal legal proceedings once an account is over 90 days' past due.

For contract and documents analysis, remember the old adage that "an ounce of prevention is worth a pound of cure." Consider if your current contracts have an attorney's fees clause so that your debt collection fees are recoverable. Without the ability to recover collection costs and fees, some debts might not be worth collecting at all... which will hurt your bottom line over time. Also, take a look and see if your contracts have venue, jurisdiction and choice of law clauses. If you do business throughout the state or across state lines, you definitely want to litigate within your home county and not be subject to another state's laws. That can also save you some serious travel expense. Lastly, find out if your contracts require a personal guarantor. If no one is personally guaranteeing your customer's debt and that company goes out of business, then you have no other avenue for collection.

Bottom line is, do a business spring cleaning. Then promise yourself that going forward, you will calendar the time each spring for clearing out those "cobwebs." If it helps, make it during the same time period that you work on your home, so it's easy to remember. Don't fret if you've already finished the home cleaning for this year like I have, because you still have about a month until the summer solstice. Take this opportunity to make 2019 the start of your new spring ritual!

Warmest wishes,

Hans C. Wahl

Jimerson Birr welcomes former Assistant State Attorney Samuel B. Friedman

We are pleased to introduce Sam Friedman, who is the newest Associate to join Jimeron Birr. Hailing from his hometown of Baltimore, he moved down to Jacksonville from South Carolina after law school. Prior to college, Sam wanted to become a physician, shadowing

doctors during high school and working at a local hospital's sports medicine program to get some first-hand experience. He balanced the academics with a rigorous mix of athletics (football, basketball, baseball) and interestingly, the school's mock trial team. In fact, he remarked how sports always came first for him, but during his freshman year he was drafted to participate in a mock trial



at the last minute. Surprisingly (to him), he ended up winning, but afterwards never imagined he would actually become an attorney in the future.

Fast-forward to his time at the University of Maryland, enrolled in the pre-med program. On a whim, he took some law classes and they ended up really striking a chord in him. Sam felt enthralled by how the law structures and provides the foundation for the building blocks of our society. He made a course correction into pre-law, after which the professor of his legal writing course encouraged Sam to apply to law school. Sam took the advice and he's never looked back since.

Sam's legal practice began as an Assistant State Attorney, learning trial advocacy skills, investigation technique, how to build a case, how to deal with uncooperative victims and witnesses alike; and most importantly, how to research, draft, and argue his own motions in circuit court. While in the DA's office, he learned about Jimerson Birr and shared his impression of the firm's position as a pillar of the Duval County legal community. Sam strongly felt the skills he developed in prosecution would translate well to the business litigation arena, and that the firm was the right cultural fit for his personality. Indeed, we think you will agree he's in good company, considering that his personal mantra is: Be the most prepared person in the room.

Sam's practice of vigorous preparation extends beyond his work, joking that his fitness junkie habits help him keep the 3-sport athlete physique despite a love of great food. Sam is also an "elected dog father" to his girlfriend's golden retriever Bella, and loves to spend time with friends at the beach when he's not killing sets in the gym, or dominating in court. Above all, he brings a good attitude each day to energize others and is thrilled to be part of the Jimerson Birr team.

- [Click here](#) to view Sam's online attorney bio.
- [Click here](#) to download Sam's vCard

**Two upcoming special events
from Jimerson Birr**



Jimerson Birr attorneys give back to our community in a variety of ways, including participation in professional, philanthropic and trade organization activities. One avenue of service is providing continuing education opportunities, such as lunch-and-learns and other trainings. Partner Hans C. Wahl will present during two such learning events in June.

Community Association Seminar

The first is a continuing education seminar from 11:30 a.m. - 1:30 p.m. on **Thursday, June 27** for condominium and homeowners' association Board Members charged with preparing their communities for the 2019 Florida hurricane season. There is no cost to attend, but registration is required. The seminar will be held at **Aloft Jacksonville Tapestry Park**, and topics that will be covered by Hans include:

- The Community Association's emergency powers
- What to do before a hurricane hits your association
- What to do after a hurricane hits your association

In addition to members of association boards, the seminar is also open to Community Association Managers, who will receive 2 CE credits after attending the event.

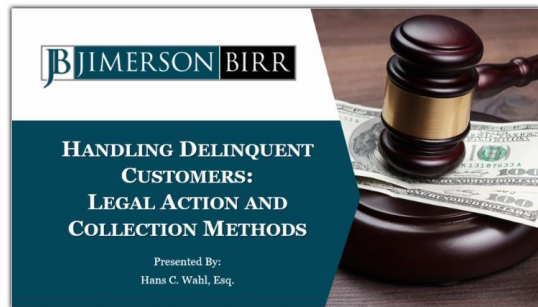
[Click here
to
register
now](#)

Handling Delinquent Customers Webinar

The second event will be an online training from 1:00 p.m. - 2:00 p.m. on **Tuesday, June 25** that covers techniques for handling delinquent customers. This training will be hosted by Lorman Educational Services and will include information on:

- the formal collection process
- best practices for contracts and credit agreements
- how to avoid debt collection and bankruptcy law violations
- debt collection litigation
- post-judgment collections

Following his scheduled remarks and presentation, Hans will participate in a Q&A to help attendees apply the lessons learned to their particular situation.



[Click here to register now](#)

Jimerson Birr Legal Blogs

Are you keeping up with the latest information in business and law? Jimerson Birr publishes weekly blog posts covering topics from construction law, business litigation, eminent domain law, community associations law and everything in between. [Click here to subscribe](#) today and stay up-to-date on the latest legal news from these areas:

- [Construction Industry Law Blog](#)
- [Community Association Law Blog](#)
- [Business Litigation Blog](#)
- [Eminent Domain Law Blog](#)
- [Commercial Real Estate And Land Use Law Blog](#)

Business Litigation Blog

Wage Garnishment: Does Florida's Head-Of-Household Exemption Apply To Independent Contractor Income?

By: **Charles B. Jimerson, Esq.**

Often, an entire household is dependent upon the wages earned by a single head-of-household. To protect the financial well-being of these dependents, the Florida legislature has exempted some of these wages from wage garnishment. However, Florida courts have struggled to consistently apply the...

[Click here](#) to read the full blog post.



The Fair Credit Reporting Act

By: **William L. Anderson, Esq.**

[Click here](#) to read the full blog post.

Florida's Banking Statutes of Frauds § 687.0304 Weeds Out Borrower Claims Based On Oral Agreements

By: **Charles B. Jimerson, Esq.**

[Click here](#) to read the full blog post.

Commercial Real Estate and Land Use Law Blog



Challenging Quasi-Judicial Decisions Of A Local Government

By: **Patrick W. Krechowski, Esq.**

If you own operate a business, rent to commercial tenants, develop real estate or even just own a parcel containing a single-family home, chances are, you are going to have to seek some sort of regulatory approval from a local government. A zoning exception to sell beer and wine, a variance to increase the size of your driveway or deck, a special exception to include an alternative use in a certain zoning category, a certificate of necessity to...

[Click here](#) to read the full blog post.

How Do Construction Liens Impact A Commercial Landlord In Florida?

By: **Adam B. Edgecombe, Esq.**

[Click here](#) to read the full blog post.

The Permitting And Pitfalls Of Coastal Armoring In Florida

By: **Patrick W. Krechowski, Esq.**

[Click here](#) to read the full blog post.

Community Association Law Blog

Lease Agreements: Beware Of The Lease Renewal Language

By: **James O. Birr, III, Esq.**

Many leases contain renewal language, allowing the lessee to renew the lease term after the original lease term expires. These provisions sometimes contain notice requirements and

fulfillment of certain conditions precedent. In some instances, the leases may automatically renew. In any case, the terms of the lease renewal require certainty and specificity. As with any contract, the lease terms must be definite and there must be a meeting...

Click here to read the full blog post.



Florida Condominium Associations: What Is A Nuisance?

By: **Hans C. Wahl, Esq.**

Click here to read the full blog post.

Firm News

Curiosities, Ruminations and Various Eccentricities of Firm Biz

Week Of Celebration For Some Of Our Favorite People At Jimerson Birr

You've seen how much we rave about the amazing people who work at Jimerson Birr. A key reason we do that is to foster high morale and enthusiasm throughout our organization. Happy staff, happy clients! Truly, one of the most important groups that helps to deliver outstanding legal results each day for our clients is our administrative professionals. They are top-notch across the board.

Whether it is greeting clients when they have a meeting at our office, processing accounts receivable payments, filing urgent documentation for a case, leveraging our legal practice work into useful online content or any number of other numerous must-haves, it's clear we have a lot of superstars. Therefore, it's only fitting that we celebrate their vital contributions. As a result, the firm recognized our receptionist, legal assistants and others during the recent administrative professionals week.

In addition to the regular pats on the back, verbal at-a-



boys, and world-famous hit to the firm Gong, these teammates received special thank you gifts to help show our gratitude for their diligent, critical contributions:

- Stress relief spa package of champagne and body pampering products
- Super-soft embroidered blanket and gift card
- Catered luncheon in the conference room
- Personalized note, desk succulent and fun t-shirt

Thank you again to everyone who works behind the scenes to make the magic happen!



Take Me Out To The Ball Game

Whether it is the smell of the fresh popcorn and hot dogs, the sound of the bat cracking across the plate, or the excitement of a player sending one over the fence... spring time in Jacksonville means Jumbo Shrimp baseball. The firm recently held our monthly social at the

ballpark, cheering on the home team as they battled the Montgomery Biscuits during the first of a 5-game series. Despite the Jacksonville Jumbo Shrimp loss that evening, we enjoyed watching each inning and sharing such good fun together. Team mascot Scampi even stopped by - go Jax Shrimp!

UF Law Alumni Partner Brandon Meadows Sits On A Recent Panel

Each year the University of Florida Levin College Of Law hosts an Admitted Students Day in Gainesville. The event provides incoming law school students with access to and networking opportunities with current and former Florida Gators. Jimerson Birr attorney Brandon C. Meadows was one of a select group of law school alumni invited to join faculty during a Q&A panel discussion with the incoming students. He answered their questions, talked about his path to partnership and imparted valuable wisdom to help students take the right first step on the path to their career as a lawyer. Hats off to you, Brandon!



Partner Hans C. Wahl Recognized As A NAVF Champion For Veterans

The National Association of Veterans & Families recently honored members of



our community who have a passion for veterans during their Annual Champion For Veterans Gala.

Those individuals selected to receive the award had been nominated due to their demonstrated loyalty, selflessness, leadership, sacrifice, and sense of honor and duty in both their career and personal life.

Hans Wahl was nominated because he exemplified the warrior spirit, values and sacrifice that veterans and their families pledge on behalf of a grateful nation. During the past 9 years with Jimerson Birr, he had shown selflessness to his wife and three adopted children under the age 7, had pursued professional excellence with Board Certification in Condominium and Planned Development Law, and had practiced servant leadership to the Town of Orange Park. These were all reflections of his passion, and we are all extremely proud that Hans was recognized with this award from the NAVF during the Gala.



Wells Fargo Center
One Independent Drive, Suite 1400
Jacksonville, FL 32202

Telephone (904) 389-0050
Facsimile (904) 212-1269
Email marketing@jimersonfirm.com

Quick Links

**About Us | What We Do: Practice Areas | Who We Serve: Client Industries
Attorneys | Blog and Resources | News & Press | Contact Us**

Copyright © 2019 Jimerson Birr, All rights reserved.

Visit Our Website