

Back in growth mode

Area firms are rebounding, thanks to the improving economy, new tech tools

By **ELEANORE OSBORNE**
Special to the Business Report

During the Great Recession, area law firms went into survival mode, just like other businesses.

Many firms took the downturn as an opportunity to retool by making greater use of high-tech tools.

Now that the economy is slowly, but steadily improving, area law firms say their efforts to increase the efficiency of their operations is allowing them to serve clients more effectively and at less cost.

Several firms also say they are finally adding attorneys and support staffers again to keep up with their increasing workloads.

In the last three months, Cobb Cole in Daytona Beach, the area's largest law firm, has hired three attorneys who will work in the land-use and corporate law departments.

"These are two areas in which we

have seen an uptick in business this year," said John Ferguson, the firm's president.

The new hires have increased Cobb Cole's ranks to 23 attorneys.

"For clients who have survived the recession, things are looking up," Ferguson said.

The same could be said of area law firms.

Increased efficiencies have enabled law firms to get by with fewer support personnel than they did prior to the downturn, local attorneys say.

LaRue Williams, co-managing partner of Kinsey, Vincent, Pyle at 150 S. Palmetto Ave. in Daytona Beach, said his law firm is making greater use of technology than ever before. "Mobile devices have legal statutes on them, and you have legal apps with you at all times."

As with other attorneys, he can answer clients in minutes by mobile

phone or email, provide answers to some questions in hours instead of days. "Another effect is that legal costs are going down because of technology," he said.

Alex Ford, president of Landis Graham French at 145 E. Rich Ave. in DeLand, noted that over the past few years, many attorneys have had to adjust their practices in order to better fit the economic times.

"Our firm is part of the Florida Law Network, and many of our member firms had real estate attorneys who went from handling complicated real estate closings to handling foreclosure lawsuits," Ford said.

"These attorneys had not seen the inside of a courtroom for many years, but that was what they needed to do since the other business had dried up," he said.

Document organization systems allow attorneys and legal assistants

to pull up files easily and quickly on their computer.

In many cases, attorneys are doing more hands-on work in preparing documents, as opposed to delegating that task to support staffers.

Having switched to making greater use of available online resources, Cobb Cole is planning to donate most of the books in its law library to either a school or university.

The firm also recently announced plans to vacate its long-time offices at 150 N. Magnolia Ave., where it has been leasing 23,000 square feet of space, to move to a space nearly half that size.

On Dec. 16, Cobb Cole will reopen in its new home: a 13,000-square-foot space on the top two floors of the seven-story Global City Center at 149 S. Ridgewood Ave. The office tower will be renamed the Cobb Cole Center.

Area attorneys offer views on economy, emerging issues

By **ELEANORE OSBORNE**
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The Business Report recently surveyed several Volusia-Flagler area law firms to see how their business is faring and to see what trends and challenges they see emerging for their profession.

Here is what some of them had to say.

**JOHN FERGUSON, PRESIDENT
COBB COLE**

"Things on average are up," said John Ferguson, president of Cobb Cole in Daytona Beach, of his firm's business.

That said, client needs are different from what they were a few years ago, during the Great Recession, he said.

"Then (in 2008 and 2009), it was a question of scrambling and survival. Now businesses are ready to grow, and it's time to move forward," Ferguson said.

When asked for challenges he sees on the horizon for law firms and their clients, Ferguson said, "The Affordable Care Act. That is going to affect a lot of businesses. You have to be sure you are in compliance."

Another area to watch, he said, is taxes, where the situation might actually be improving.

"Right now, legislators are realizing they need to treat businesses fairly from a tax perspective, and they are taking steps to reduce taxes and fees, and

eliminating bureaucracy and what businesses must do to conduct their work," Ferguson said.

Cobb Cole has recently added a new area of law: patents.

"For many years, Cobb Cole did not offer patent work, because we didn't think there were enough patent opportunities (locally)," Ferguson said. "We were referring that work to (law firms in) other cities."

That is no longer the case for Cobb Cole, thanks to the addition to its staff of patent attorney Lori Sandman.

"There are a lot of entrepreneurs who have a lot of good ideas — ideas that need protection," Ferguson said.

**LARUE WILLIAMS, CO-MANAGER
KINSEY, VINCENT, PYLE**

LaRue Williams of Kinsey, Vincent, Pyle in Daytona Beach, said his firm has seen an increase in business, thanks in part to both the improving housing market as well as growing numbers of clients seeking legal help in launching new businesses.

"A few years ago, the real estate market crashed, but that business is starting to come back slowly," Williams said.

"The thing we are seeing today are more startups — people coming to us to form LLCs (limited liability corporations). Also, people seem to be more legally savvy, and are coming to us about



MICHAEL CHIUMENTO III



CHARLES D. HOOD



JOHN FERGUSON



LARUE WILLIAMS



JOHN UPCHURCH

contracts and consulting us about negotiations.”

Williams handled the contract for Daytona International Speedway’s recently begun \$400 million Daytona Rising renovation project as well as other high-profile work.

It’s all part of what he described as “a steady group of clients who come back to us, and refer others to us.”

Despite that, “In this new world, with some clients leaving or dying off, we are planning to do some marketing for the first time,” he said.

Even after the recession, Williams said his firm is the same size now as it was before the downturn, with many staff members having been with the

firm for 15 to 20 years. The firm currently has six attorneys.

“We don’t have to add staff, because of technology, but we have not had to let anybody go,” he said.

“We are seeing business communities starting to move forward again, and that will be more business for us. People outside the area are excited about coming here, they’re inquiring, announcing plans. We are counting on that,” Williams said.

**ALEX FORD, PRESIDENT,
LANDIS GRAHAM FRENCH**

Alex Ford, president of Landis Graham French in DeLand, said, of his

firm, “It seems like things are on an upswing with most area firms, and that has been our experience as well.”

The increase in business for the firm has been across the board, but especially so in real estate, he said.

In the past 18 months, Landis Graham French has added two attorneys, increasing its total to seven.

On the horizon, in terms of upcoming challenges and trends for the legal profession, Ford said there are some new laws that will affect many businesses.

“Erin O’Carroll Thompson, who does our entity formations, advises that calendar year 2014 will be a transition year for Florida limited liability companies.”

Any Florida limited liability corporations formed prior to Jan. 1, 2014 will continue to operate under the existing act, but only until Jan. 1, 2015. And, Ford added, everyone is already well aware of the Affordable Health Care Act.

Prior to the recession, said Ford, a great deal of his practice had been “focused on real estate, in areas that all declined during the downturn.”

Ford said his firm “continued to keep active in other practice areas and was able to fill the gaps pretty easily. Seeing these practice areas moving in a positive direction is very encouraging.”

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For additional information or questions regarding this message, please contact Kelly Parsons Kwiatek, Partner, Cobb Cole.

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JOHN UPCHURCH, PRESIDENT UPCHURCH WATSON WHITE & MAX

“Business is steady for us in dispute resolution” said John Upchurch, president of Upchurch, Watson White & Max Mediation Group in Daytona Beach.

“Our clients are other lawyers and law firms. If the lawyers are busy, we are busy,” he said.

As a mediation firm, Upchurch said the goal is to bring parties to an agreement.

“There is a lot of emotion,” he said, “even in very sophisticated commercial negotiations with senior lawyers and senior executives.”

On Nov. 1, the firm, which has six attorneys locally in Daytona Beach, expanded by adding a South Florida group, with eight mediators who moved over from another firm.

Now the firm has offices in Daytona Beach and six other cities. “It is under the radar as a local story; not many understand our reach,” Upchurch said of his firm’s growth.

Upchurch, a former chief judge of the 7th Circuit Court, which includes Volusia County, said, “I think the mediation system is the most important development in the administration of justice in my career. It is an exit off the litigation highway.”

DAVID HOOD, PRESIDENT SMITH HOOD BIGMAN

David Hood, president of Smith Hood Bigman in Daytona Beach, said business for his firm is “way up.”

“In the bad times, our moral goal was not to lay anyone off, so we did not lay anyone off,” he said, referring to the recession.

With the economy back in recovery mode, Hood said his firm has added three lawyers in the past year as well as more administrative staff. It now has a total of 11 attorneys.

Hood said his firm’s work is mainly centered on clients’ real estate and transactional needs, such as creating new corporations and handling other aspects relevant to new businesses.

“People are investing in Daytona Beach now,” he said of the increase in

new businesses locally.

As with other firms, “Everyone (at Smith Hood Bigman) is computer literate,” he said. “We are not having to hire as much administrative staff as we used to. In the old days, every attorney had a secretary, and now you may have one secretary for two lawyers, which is a material change.”

And some normal secretarial functions such as dictation, typing and filing are disappearing.

Among the firm’s other areas of interest are litigation and appeals, workers’ compensation defense, insurance defense, personal injury, and others, at all levels of state and federal courts.

“Businesses are making a rebound,” Hood said, “and we are one of those businesses.”

MICHAEL CHIUMENTO III, MANAGING PARTNER, CHIUMENTO SELIS DWYER

Chiumento Selis Dwyer in Palm Coast had three attorneys when the Great Recession ended, down from 2007, when it had seven attorneys.

“You can see what the recession had done,” said Michael Chiumento III, the firm’s managing partner.

“In 2010, I got tired of hearing everybody in every business being negative, and we went out, by merger, essentially, and added four new attorneys,” he said.

Joining the firm, thanks to the merger, were attorneys Scott Selis, Marc Dwyer, Ron Hertel, and Lewis Berns.

The firm now has eight attorneys, with its recent addition of Vincent Lyon, who joined in September.

“Revenues have gone up year after year since 2011, about 25 percent, and case-load has increased every year for the past two,” he said. “We are doing well, and are hyper-focused on the Volusia-Flagler communities.”

The firm now has two locations, having recently opened an office in Ormond Beach.

The goal, Chiumento said, is for Chiumento Selis Dwyer to become a client’s legal team for life, and to provide a variety of legal specialists under the umbrella of the firm.

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Largest Area Law Firms: [Ranked by number of attorneys]

	Firm	Top Local Executives	Address	Phone	Website	No. of Attorneys	Year Established
1	Cobb Cole PA	John P. Ferguson managing partner/president	149 S. Ridgewood Ave. Daytona Beach 32114	386-255-8171	www.cobbcole.com	23	1925
2	Smith, Hood, Bigman	David Hood	444 Seabreeze Blvd., Suite 900 Daytona Beach 32118	386-254-6875	www.daytonalaw.com	11	1988
3	Rue, Ziffra & Caldwell	John D. Rue, Allen Ziffra, Thomas Caldwell	632 Dunlawton Ave. Port Orange 32127	386-788-7700	www.rueziffra.com	9	1976
4	Chiumento, Selis, Dwyer PL	Michael D. Chiumento III managing partner	145 City Place, Suite 301 Palm Coast 32164	386-445-8900	www.palmcoastlaw.com	8	1973
4	Korey, Sweet, McKinnon & Simpson	Robert K. Korey	595 W. Granada Blvd., Suite A Ormond Beach 32174	386-677-3431	www.ormondlegal.com	8	1996
4	Doran, Sims Wolfe & Kundid	Theodore R. Doran managing partner	1020 W. International Speedway Blvd. Daytona Beach 32114	386-253-1111	www.doranlaw.com	8	1993
7	Hill & Ponton PA	Brian D. Hill Carol J. Ponton	444 Seabreeze Blvd., Suite 235 Daytona Beach 32118	386-257-2100	www.hillandponton.com	7	1981
7	Landis, Graham, French PA	F.A. (Alex) Ford Jr., president	145 E. Rich Ave. DeLand 32724	386-734-3451	www.landispa.com	7	1902
9	Upchurch, Watson, White & Max Mediation Group Inc.	John J. Upchurch, president/CEO	125 S. Palmetto Ave. Daytona Beach 32114	386-253-1560	www.uww-adr.com	6	1996
9	Kinsey, Vincent, Pyle PL	LaRue Williams Doyle Tumbleson, managers	150 S. Palmetto Ave. Daytona Beach 32114	386-252-1561	www.kvplaw.com	6	1946
11	Hassell-Legal, P.A.	F. Bradley Hassell, president	1616 Concierge Blvd., Suite 100 Daytona Beach 32117	386-238-1357	www.hassell-legal.com	5	1995
11	Rice & Rose Law Firm	Paul E. Rice, Jr., James L. Rose managing partners	222 Seabreeze Blvd. Daytona Beach 32118	386-257-1222	www.riceroselaw.com	5	1986
11	Paul, Elkind & Branz, PA	Harlan L. Paul, president	142 E. New York Ave. DeLand 32724	386-734-3020	www.paulandelkind.com	5	2002
11	Damore, Delgado, Romanik & Rawlins	David R. Damore, Aaron D. Delgado managing partners	227 Seabreeze Blvd. Daytona Beach 32118	386-255-1400	www.communitylawfirm.com	5	2008
15	Politis & Matovina PA	Michael Politis, senior partner	730 Dunlawton Ave. Port Orange 32127	386-767-0911	www.thejusticeattorneys.com	4	1993
15	Wright, Casey & Stowers PL	Tom Wright	340 N. Causeway New Smyrna Beach 32169	386-428-3311	www.surfcoastlaw.com	4	1978
15	James & Zimmerman PL	Mark A. Zimmerman	431 E. New York Ave. DeLand 32724	386-734-1200	www.jz-law.com	4	1980
18	Livingston, Wolverton & Sword PA	Jay Livingston, Jim Wolverton Raven Sword	2561 Moody, Suite B Flagler Beach 32136	386-439-2945	www.lwlandlaw.com	3	2009
18	Pappas, Russell & Rawnsley	George Pappas managing partner	213 Silver Beach Ave. Daytona Beach 32118	386-254-2941	www.pappasrussell.com	3	1993
18	Heebner, Baggett, Upchurch & Garthe PL	Peter B. Heebner, Sr., partner	523 N. Halifax Ave. Daytona Beach 32118	386-255-1428	www.lawdaytona.com	3	1975
18	Whited Law Firm	Fleming K. Whited III, owner	630 N. Wild Olive Ave. Daytona Beach 32118	386-253-7865	www.whitedlawfirm.com	3	1983
18	David F. Vedder, PA	David F. Vedder	1651 N. Clyde Morris Blvd., Suite 2 Daytona Beach 32117	386-274-0044	www.TheImmigrationFirm.us	3	1998
18	Kistemaker Business Law Group	Erum S. Kistemaker, managing partner	1651 N. Clyde Morris Blvd., Suite 2 Daytona Beach 32117	386-310-7997	www.daytonabusinesslawyers.com	3	2010
18	Nowell, Bayer and Maguire	Sidney Nowell, Dennis Bayer Matthew Maguire	109 South 6th St. Flagler Beach 32136	386-437-1668	www.flaglerlaw.com	3	2011
25	Snell Legal	Gregory D. Snell managing attorney	160 E. Granada Blvd. Ormond Beach 32176	386-677-3232	www.snelllegal.com	2	2004
25	Crotty & Bartlett PA	Laurence H. Bartlett, Kathleen L. Crotty Michael D. Crotty, partners	1540 Cornerstone Blvd., Suite 230 Daytona Beach 32117	386-274-6395	www.cbklegal.com	2	1999
25	Seitz & Tresher	William H. Seitz Frederick Tresher	647 S. Ridgewood Ave. Daytona Beach 32114	386-253-9790	www.seitz-tresher.com	2	1991

Information compiled by telephone and email survey. Firms who did not respond to the survey are not included.
To be added to a future list or for more information, contact Clayton Park at clayton.park@news-jrnl.com.

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