

# LIFOCUS

Law

## RESPECTING EXPECTANT MOMS

Employees often don't know or speak up for their pregnancy-related rights **35**

## ONES TO WATCH

in Law **38**

# FOLLOWING CLIENTS SOUTH

LI lawyers, accountants with offices in Florida can continue serving retiring clients while reaching new ones

By **BERNADETTE STARZEE**

As Long Islanders age, many migrate to Florida, lured by the warm weather and lower cost of living. They may buy second homes and spend large chunks of the year there before retiring to the Sunshine State entirely. Some bring their businesses with them.

As these transplanted New Yorkers need attorneys, accountants and other professional service providers when they get there, some Long Island firms have set up offices in Florida so they can continue to service existing clients as they move south. A Florida presence also provides some firm partners with a path to moving down there themselves.

Melville-based law firm Lazer Aptheker Rosella & Yedid first established a Florida office about a decade ago.

"We had clients who had homes or businesses down there, and we started getting some projects to work on in Florida," said Managing Partner Ralph Rosella. "We were traveling down there a lot and decided we had enough business there that it made sense to have a presence in Florida. At the same time, we realized a couple of our senior lawyers were buying homes in Florida and it was clear that they were eventually going to move there. We saw this as a good way to keep them active with the firm."

The firm now has six full-time attorneys in its West Palm Beach office, including co-founding partner Steve Aptheker.

Bond, Schoeneck & King, which originated in Syracuse in 1897, has offices throughout New York State, including Garden City. And since opening a Naples, Fla. office with one trusts and estates attorney in 1977, the firm has built a thriving, full-service practice there with more than 20 professionals.

"We first decided to go to Florida because we have a large trusts and estates department, and our clients that owned manufacturing, retail and other establishments in New York were retiring to Florida due to the state's favorable income and estate tax situation," said Louis DiLorenzo, managing member of BSK's Manhattan office and chair of the firm's labor and employment practice group. "We had invested considerable time advising those clients over the years, and they expressed their disappointment that they would have to get other lawyers in Florida to advise them on matters such as establishing residency so they would not be subject to New York State income tax. In addition, many had family businesses in New York, so we would still be advising the next generation in New York."

Early on, the firm thought the Florida office would be a magnet for its New York attorneys approaching retirement, but not one has moved down there.

"People think New York lawyers are waiting in line to go to Florida, but their contacts, friends and family are here," DiLorenzo said. "It hasn't worked trying to get people to go down there from our New York offices; we have had better luck hiring people who are already in Florida."

However, that's not the case with all firms and professionals. Lou Fuoco, managing partner of Fuoco Group, happily moved south after his accounting firm, which has offices in Hauppauge and Manhattan, expanded there. The firm set up a "small storefront type of operation" in North Palm Beach in 2009 to "test the waters," he said. After a couple of years, Fuoco Group reached a fork in the road.

"We decided to either go full-speed ahead or walk away from our investment," Fuoco said. The firm chose the former seeing an improving economy and a favorable environment for both companies and individuals.

"We didn't come down here just to service our retiring community of Long Island clients but to expand our business," Fuoco said. "We do have a lot of clients that are retiring, but

**FLORIDA, See Page 1**

## LIFOCUS

# Firms follow clients south, opening offices in Florida

FLORIDA, From Page 31

there are also clients coming down here in their 40s and early 50s looking to expand their business. There are grants, tax abatements and other incentives to attract businesses to the state, and a lot of companies have been relocating here."

Fuoco Group chose to grow by acquiring other public accounting practices.

"It was the easiest and least expensive way to grab market share," Fuoco said, noting aging baby boomers without successors within their firms were looking for an exit strategy.

The firm acquired a practice in an office building down the street from its North Palm Beach storefront and moved there. It later acquired practices in Boca Raton and Miami. Fuoco Group now has about 35 people in its three Florida offices offering accounting, tax and business advisory services.

"The practices we acquired had deep roots in the community," Fuoco said, noting this was key. "Floridians don't necessarily do business with New York companies, which they see as fleeting; they look to work with businesses that have been around for a while. The partners in the practices we acquired had been in business for 30 or 40 years and introduced us to their contacts, and we were accepted as a Florida firm that just happens to have a New York office."

John Caravella, who began his career as a Long Island architect before going to law school in Florida, had roots and contacts in both places when he established his bi-state construction law practice in 2008. He commutes between his offices in Uniondale, Melville and Fort Lauderdale, Fla., noting a competitive advantage to practicing in both states.

"So many people go back and forth that I used to joke South Florida is basically New York with palm trees," he said. "In the construction business, there is a lot of need for people to be able to have representation in both simultaneously."

Caravella, whose practice includes litigation, spends about 30 percent of his time in Florida, a schedule that requires meticulous planning. Travel expenses add up, as well.

"It's been an asset to me to have MacArthur Airport so readily convenient with nonstop service, but I used to be able to get a flight for \$79 to Florida," he said, noting one-way tickets now hover around \$200.

Advancements in technology help, he said, noting "taking depositions by video conference has become more commonplace in law," and he pulls in consulting attorneys as needed.

For expanding firms, determining an optimal location within Florida takes time

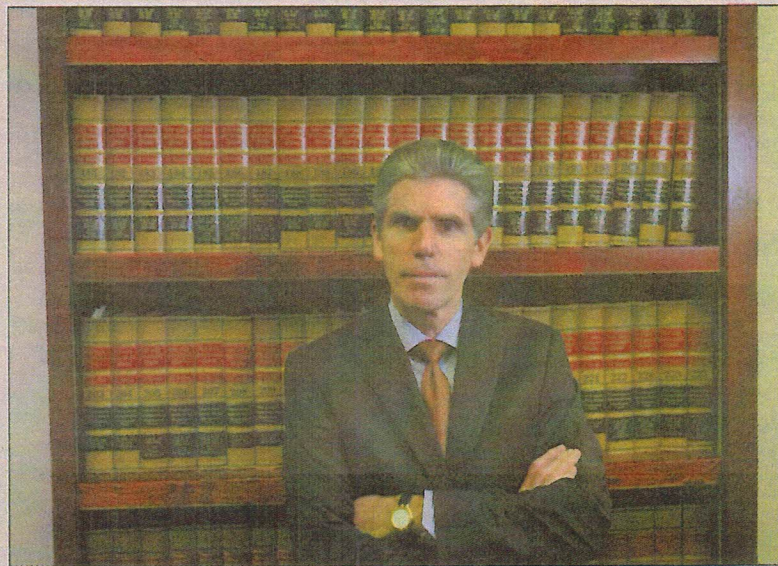


Photo by Bob Gigliori

**RALPH ROSELLA: From its Florida office, his firm continues to serve retiring LI clients as well as those with businesses in both places.**

and research. Often, it comes down to trial and error.

Lazer Aptheke first established its office in Boca Raton, a magnet for retiring Long Islanders. But the firm's attorneys came to realize West Palm Beach, about a half-hour away, made more sense as it was more of a commercial center.

As there is no reciprocity between New York and Florida with regard to bar admittance, New York attorneys must take the Florida bar exam to practice there. When Lazer Aptheke first set up its office there, it had several of its Long Island attorneys

take the Florida exam and commute back and forth until it was able to hire a stable of lawyers locally. It recruits new attorneys from the University of Florida's law school.

Lazer Aptheke, which opened an office in Manhattan a month ago, will carefully weigh other geographic expansion opportunities as they arise.

"We're doing some work in New Jersey and northern Virginia, and we will look at those markets to see if it would make sense for us to have a presence there," Rosella said.

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