



Spencer M. Sax

EDITORS' NOTE *Spencer M. Sax is a Founding Partner of Sachs Sax Caplan P.L. and Chairman of the Commercial Litigation & Appeals Practice Group. He is Board Certified in Condominium and Planned Development Law by the Florida Bar and has practiced law since 1980 with an emphasis on commercial, construction, real estate, and community association litigation. He was a Commissioner appointed by Governor Jeb Bush to the Judicial Nominating Commission for the 15th Judicial Circuit. He also served as Chairman of the Florida Bar Unauthorized Practice of Law Committee for the 15th Judicial Circuit. Sax is a former Chairman of the Florida Bar Grievance Committee 15D and a former President of the South Palm Beach County Bar Association. He is a certified arbitrator and AV® Rated attorney, and his diverse litigation practice includes significant trial experience in both state and federal court, AAA and NASD arbitrations.*

FIRM BRIEF *Sachs Sax Caplan, P.L. (ssclawfirm.com) offers effective legal and business solutions to individuals, businesses, not-for-profit organizations, government agencies, country clubs and community associations in Florida. Sachs Sax Caplan, P.L. is rated AV® by Martindale-Hubbell®, the highest peer review rating attainable, awarded to only one percent of law firms reviewed.*

Will you discuss the vision for creating Sachs Sax Caplan and what has made the partnership work so well?

I have to give a lot of credit to my partner, Peter Sachs – he started the firm in the 1970s when condominium and homeowner's statutes were passed by the legislature. He recognized there was an opportunity for expertise in this brand new market.

When Peter and I became partners in 1985, the market had already started to mature. We began to represent more associations and developers and also started representing corporate and commercial clients. This allowed the firm to branch out into areas beyond what we had originally planned. Over time, we added attorneys who had a passion and interest in representing associations.

Real Estate and Homeowners' Representation

An Interview with Spencer M. Sax,
Founding Partner, Sachs Sax Caplan P.L.

We then brought in attorneys who represented developers. Ultimately, we added more attorneys including attorneys from smaller firms who wanted to join a bigger firm. We have been able to integrate their practices into ours, all with the same goal, which is to provide quality legal work for associations and corporate and developer clients.

Are associations still the sweet spot for the firm?

Associations are still the sweet spot. They represent a growing business as developers continue to develop more projects and, therefore, it remains the core of the practice.

That said, we have extended our practice to handle commercial, other real estate related litigation, as well as land use and governmental work. Because of our representation of communities of hundreds of thousands of people, this permitted us to add attorneys in family law, probate and other ancillary areas of practice to put ourselves in a position to be a full-service firm.

How challenging is it to differentiate in this space?

What makes a firm special for a client starts with the quality of the work performed, but there is also a personal relationship that develops. It is understandable that clients want to work with attorneys who they feel are on the same page as they are and whose company they enjoy. Ours is not a cold practice where we just provide a standard service for a large corporate client. The interaction of the attorney with the client here is professional but warm and those personal contacts are important.

Has technology enhanced the time you have with clients or do you worry that the personal relationships are being lost?

Clients still want personal contact. We continually modernize the firm to make our operation more efficient and some clients appreciate that there are types of communication that didn't exist previously, but it still comes down to the personal contact. Our practice often requires attending meetings in the evening with clients and with boards of directors. This differentiates our main area of practice from other areas of practice in other types of firms; we have to be hands on.

What is your approach to attracting talent to the firm?

We do not recruit attorneys just coming out of school. Generally, our attorneys have either been at a larger firm and are looking to go to a midsize firm to have a better opportunity to have more client contact or are from a small firm who are looking to join us for our reputation or client base. In

addition, over the years we have had politicians including state senators, state representatives and school board officials who both practice law and fulfill their public duties. One of our former partners left to become a U.S. congressman.

How important is it that your partners are engaged in the community?

It's imperative to have well-rounded attorneys in our firm. We strive not to have partners who are just a cog in a wheel producing profit for the firm. Our model is to have well-rounded attorneys who are active in the community, who originate and build business, and who are going to be long-term partners of ours.

Where do you see the greatest opportunities for growth for the firm?

Because of our location, we can service a large area from the Florida Keys to Orlando. It is difficult to represent clients beyond that geographic area because we have to travel to get there and it won't necessarily be cost effective for the client.

We focus on gaining a larger market share and expanding our representation of new communities that are coming online as well as adding additional developers and governmental entities.

With the strong growth of real estate development that has taken place in South and Central Florida, what is your outlook for the future of the market?

Back in the 1980s we saw that South and Central Florida were large growth areas with a significant amount of land to be developed, so we knew we were in a good market for the services we were providing.

There is still room for additional growth in this area. We have seen various economic bubbles where development stopped but, even then, work didn't slow down at our firm because existing associations still needed service and litigation usually increases in tough economic times. Also, construction lawsuits can take years to be resolved.

There are also new projects that are coming online so even during the recession, our business was unaffected because of all of the projects in the pipeline.

This is how we have maintained a steady workflow regardless of economic ups and downs. Some other firms have boom and bust practices – foreclosure practices that do well in tough economic times and real estate practices that do well in strong economic times. We have always prided ourselves on the consistency of our business model. ●