

THE BANKER



ALCIDES I. AVILA GUIDES
FINANCIAL INSTITUTIONS THROUGH
CHANGING ENVIRONMENTS

FOR MORE THAN 30 YEARS, ALCIDES I. AVILA has been helping domestic and foreign banks take advantage of opportunities in South Florida and meet the challenges of regulatory and economic climates. “Miami is a very attractive market for private banking, wealth management and trade finance,” says Avila, a founding partner of Avila Rodriguez Hernandez Mena & Ferri LLP (ARHMF) in Coral Gables.

“Our firm is currently working with two foreign banks that are interested in this market as well as another group that is considering a potential bank acquisition here.”

Avila represents domestic and foreign clients in all aspects of bank transactional matters, including regulatory issues, lending, and mergers and acquisitions. He regularly represents clients before the Federal Reserve, the Federal Deposit Insurance Corporation, the Office of the Comptroller of the Currency, the Florida Office of Financial Regulation and other state and federal agencies. In addition to his banking practice, Avila handles domestic and international business transactions, including cross-border mergers and acquisitions and financings.

“Al’s knowledge of banking, both domestic and international, has made him one of the most sought-after attorneys in this field and in the arcane world of bank regulators where he has built a reputation of fairness and integrity,” says Fernando A. Capablanca, a long time Miami banker and past president of the Florida International Bankers Association (FIBA) who is currently managing director of Whitecap Consulting Group LLC. “There are many good lawyers in South Florida but few that

have Al’s ability to sort through a seemingly complex and obscure matter and come up with an answer.”

A LIFELONG INTEREST IN BANKING

Avila was born in Cuba and came to Florida in 1957 before Castro came to power. He grew up in Hialeah and was president of the debate club at Hialeah High School. “I always knew I wanted to get into law,” he says. “Even in high school, I knew I wanted to get into banking.”

After high school, Avila married his wife Caridad “Cary” and began working for First State Bank of Hialeah-Miami Springs, a community bank later acquired by Barnett Banks. He went to Miami Dade Community College for one year and then transferred to the University of Miami, earning a degree in business administration with a concentration in finance and banking.

Next, he and his wife moved to South Bend, Indiana, so Avila could obtain his law degree at Notre Dame. “I still remember the blizzard of 1978, and the biting cold,” says Avila, who retains strong ties to his alma mater and is an active volunteer in the Notre Dame Club of Miami. The Avilas’ son Christopher, now an associate in his father’s firm, is also a Notre Dame graduate, while their daughter Alyssa recently graduated from the University of Colorado with a degree in English literature.

With law degree in hand, Avila looked for a warmer climate to start his practice. In law school, he had spent half of one summer clerking for a Dallas law firm with nearly 100 attorneys and other half with Mahoney Hadlow & Adams, a Miami firm whose members included John Kozyak, Rod Petrey



and Tom Cobb. “My family and my wife’s family were here, so I joined their firm and started my career in Miami.”

Soon afterwards, Mahoney Hadlow merged with a small international law firm headed by Raul Valdes-Fauli. “As a young associate I raised my hand and said I wanted to practice international banking law,” Avila says. “I was in the right place at the right time.”

INTO INTERNATIONAL BANKING

After Florida passed a key international banking act in 1978, financial institutions from Europe, Latin America and Israel became interested in opening agency offices and Edge Act facilities to serve the South Florida market. “Because this was brand new law, there was a level playing field for a newcomer like me,” he says. “I was bilingual and had worked in a bank, so I knew the issues facing international financial institutions.”

Avila assisted with the licensing of many of the foreign banks that opened offices on Brickell Avenue, creating what has been called the “banking capital of Latin America.” His clients included

the first Edge Act corporation conversion to a national bank, which became Pacific National Bank, and Banco Latino International, the first such financial institution to file for bankruptcy protection.

Avila also joined FIBA in its early days, and later served as chairman of its legal and regulatory affairs committee for more than ten years. “In the 1980s, the Congressional banking committees saw FIBA as a local organization promoting South Florida’s interests,” Avila says. “Little by little, FIBA was able to educate Congress and federal regulators that the benefits of a strong international banking community extend throughout Florida and the entire country. When someone in Latin America is buying a product made in Ohio, New York or California, it is an international bank that provides the financing for that transaction. Today, FIBA is viewed as an global leader in terms of banking associations.”

Avila has also been active in other organizations, including the South Florida Banking Institute, the Greater Miami Chamber of Commerce and the Conference of State Bank Supervisors in Washington, DC. “Al has spoken to state and federal bank regulators and has helped draft legislation in Tallahassee and Washington,” says Capablanca, who has known Avila for more than 25 years. “We have traveled together overseas where he has lectured and trained foreign bankers and regulators, always without losing sight of the business interests of the clients.”

ADVANCING HIS CAREER

After more than a decade with the Valdes-Fauli law firm, Avila and several other attorneys joined Holland & Knight in 1993. Avila became global head of the firm’s banking and finance practice, before leaving in 2007 to open his own firm. “I had always wanted to practice in my own firm, with more independence, flexibility and balance,” he says.

After opening with seven attorneys and four staffers, ARHMF was able to grow through the financial recession and recovery, and now has 23 attorneys. “We were able to attract many experienced lawyers from firms that were downsizing,” he says. “As a result, we were able to represent large clients in highly sophisticated transactions right from the start. In fact, one of our first projects was a \$1 billion bank acquisition for a client in Spain.”

Looking ahead, Avila says both U.S. and foreign banks face increasing pressures to comply with rules and regulations in areas ranging from anti-money laundering to consumer compliance. While lending activity is picking up across the board, some banks are still facing financial challenges. In addition, a wave of mergers and acquisitions among European and Latin American banks has reduced the number of international banks in Miami.

“But we see many opportunities for U.S. and foreign banks in our market, and our firm is in a growth mode,” Avila says. “I’m enjoying my career and take a great deal of satisfaction in helping our clients and our community.”