Gator Preserve

What UF Law alumni give to The Florida Bar, and their domination of its commanding heights

Alumna Carol Browner has priorities in order
Equipping students for roller-coaster legal industry
UF Law leads the way in e-Discovery education
Jennifer True (2L) of Ormond Beach is earning a first-class education despite some long odds against her. Her father died of bladder cancer when she was five, and her mother died from complications related to heart surgery during her freshman year at the University of Florida.

It was the Opportunity Scholarship that helped Jen earn bachelor’s degrees in sociology and psychology in just three years, and now she is pursuing a law degree with a specialization in family law thanks to help from the Chester Ferguson Scholarship. UF Law has disbursed approximately $961,000 in scholarships this school year.

It’s so unbelievably awesome — people I never met before are placing a lot of time, money and trust into my judgment. This giving needs to be recognized. We need to pay it back or pay it forward.
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COVER PHOTO: Four presidents plus The Florida Bar’s executive director stand atop the Hotel Duval with the Tallahassee skyline behind them. From left are Gwynne Young (JD 74), Scott Hawkins (JD 83), Eugene Pettis (JD 85), Executive Director John F. “Jack” Harkness (JD 69) and Mayanne Downs (JD 87). (Photo illustration by Marcela Suter 4JM and Nicole Safker 3L)
That the legal profession is undergoing significant and rapid change is obvious. Whether you are a UF Law alumnus in private practice, a judge, a prosecutor, public defender or some other kind of public servant, an in-house counsel, someone using your law degree in business or public interest work — or a law school dean or faculty member, trying to understand the nature of these changes and the forces driving them is daunting.

About a year ago, I attended a reception at the law school for the launch of a new Inn of Court in Gainesville named the Gerald T. Bennett Inn of Court after the highly respected and greatly missed UF Law professor who taught at the law school from the late 1960s until his passing in 1999. It is co-sponsored by the college and our nearly quarter-century-old “original Gainesville Inn,” the James C. Adkins, Jr. American Inn of Court. The Bennett Inn’s organizing theme is law and technology, which could not be a better choice. Certainly there are many forces that have produced the change we have witnessed in the profession and the practice, such as the economic slowdown of the last several years, changes in client expectations, commoditization in the delivery of some legal services, and so forth, but technological change is at the heart of many of the trends we are witnessing. Many things we have taken as givens about the ways lawyers work and how consumers of legal services receive advice are now changing because of changes in technology, which is revolutionizing how information is gathered and communicated and with whom it is, or can be, shared.

In my comments at the reception for the new inn, I said, in so many words, that the challenge to legal education presented by these changes is that we will find ourselves preparing our students for a world that doesn’t exist anymore. That is the essence of why those of us in legal education need to pay close attention to what is happening in legal markets, the legal practice, and the legal profession. Appreciating these changes and responding to them are necessary to preparing our students to confront and succeed in this rapidly changing legal world. In fact, this is one reason I gave the faculty a “summer reading assignment” last year — the legal futurist Richard Susskind’s book The End of Lawyers? Rethinking the Nature of Legal Services; the idea was to develop a common base of ideas to frame our conversations about developing a new curriculum and improved learning strategies for our students in the future. (If you have not read this book, do not fear; Susskind does not argue that the profession is about to end — but he does argue that it is changing in remarkable ways, and that those who do not adapt will be replaced by those who do.)

This fall, the most significant curricular change in over a decade will occur when the new course Introduction to Lawyering becomes a required course for every first-year
UF Law student. This new course will include instruction in professional responsibility (which sets the table for the three-credit required professional responsibility course that is now moved to the second year), an introduction to lawyering skills, and a major component that provides students with an understanding of the nature, culture, and values of, and the changes occurring in, the legal profession. The faculty is also embarking on a comprehensive review of the second and third year curriculum, with the overarching themes of this review being the implementation of the newly articulated “core competencies” that make up the new college mission statement approved after extensive review last year.

Speaking with the privilege and honor of serving as your college’s dean, I believe that our alumni should be pleased with and proud of the effort being made to ensure that graduates of UF Law are prepared for both the world that exists and the world that our best efforts can foresee. Predicting the future is a risky business, but I believe UF Law graduates will be the ones best prepared to cope with the future changes we can all be sure are coming, even if we are not certain exactly what they will be.

Thank you most profoundly for your support of our students and faculty. Without your investment in us, your college could not pursue its ambitious teaching and practice-preparation agenda. I hope you will be pleased with the results, and that we will continue to have your support as we pursue these goals.
UF Law dedicates advocacy center and education suite

When UF Law celebrated the dedication of the Martin H. Levin Advocacy Center and the naming of the Allen and Teri Levin Advocacy Education Suite on April 6, a theme was quickly apparent among the speakers: the value and importance of advocacy in our society cannot be understated.

The event marked the end of a decade-long transformation at UF Law, including the multi-million dollar advocacy center, which houses a fully functional modern courtroom, practice areas of trial and moot court teams, two multipurpose courtroom-classrooms as well as UF Law’s Trial Advocacy program and its Legal Writing and Appellate Advocacy program.

“In this nation we need advocacy because we need the rule of law and we need trials because we must have justice,” said UF President Bernie Machen, who accepted the advocacy center on behalf of the University of Florida. “The courtroom advocacy skills of the attorneys are thus at the very center of our civil society and the democratic system of government.” (For more on the dedication, see Page 8.)

Conflict resolution recognized at UF Law

Students, faculty and a graduate of UF Law earned national accolades Feb. 4 for their cutting-edge approach to handling disciplinary concerns within higher education and its local community.

UF Law’s Conflict Resolution Initiative earned the Innovation Award; UF Law alumnus Chris Loschiavo (JD 98) received the Donald D. Gehring Award for his exceptional contributions to student conduct administration; and the University of Florida’s Student Conduct and Conflict Resolution won the top honor of Award of Excellence for an Institution.

“The IDR is very honored to have the Levin College of Law recognized by the Association for Student Conduct Administration’s Innovation Award for its creative collaboration program with Student Conduct and Conflict Resolution,” said Robin Davis, director of the Institute for Dispute Resolution.

The IDR’s mission includes actively encouraging and enhancing knowledge and service in the field of alternative dispute resolution, Davis said, and the CRI program helps to fulfill this mission.
UF Law continues to lead The Florida Bar with alumnus Eugene Pettis

In January, University of Florida Levin College of Law alum Eugene Pettis (JD ’85) became The Florida Bar’s president-elect designate. When Pettis takes over the office in 2013 he will make history as the first African-American president of The Florida Bar.

Pettis, a member of the University of Florida Law Center Association Board of Trustees, will be sworn in as president-elect in June when fellow UF Law alum Gwynne Young (JD 74) becomes The Florida Bar president. (For more about The Florida Bar, see Page 48.)

Pettis specializes in medical malpractice, personal injury, commercial litigation and employment law. He is a founding partner at Haliczer, Pettis & Schwamm in Fort Lauderdale. During his tenure as president, Pettis said judicial funding will be high on his list of priorities. Pettis will be the fourth consecutive UF Law graduate to serve as president of The Florida Bar and the fifth of the past six presidents.

“I will continue the advancement of identifying a long-term, predictable source of court funding so that every Floridian will be assured access to our courts,” he said. “We must also appreciate that an effective judicial system also includes well-funded court clerks, state attorneys’ offices and public defenders, which all contribute to our quality of life and democracy.”

A strong showing for Tax Moot Court in national competitions

UF Law’s Tax Moot Court team recently placed fourth in the American Bar Association’s Tax Challenge and placed second in a national tax moot court competition.

The ABA Tax Challenge and the national tax moot court competition exercised the advocacy abilities and tax knowledge of the competitors through complicated tax questions designed to simulate real-world business problems.

Stephanie Malen (2L) and Caitlin Foster (2L) competed in the ABA Tax Challenge in San Diego on Feb. 17. Competitors submitted a memorandum and client letter, which was evaluated by a panel of judges. The top teams were flown to San Diego to defend their submissions in person. Malen and Foster made it to the semi-finals.

“We look forward to another strong showing next year,” said Professor Steven J. Willis, the faculty adviser for Tax Moot Court.

Meanwhile, Michael Bruno (3L), Zachary Ritz (2L) and Adam Smith (3L) teamed up for the national tax moot court competition in Clearwater on Feb. 2. The national tax moot court competition is sponsored by the Florida Bar Tax Section and featured 16 teams.

Bruno, Ritz and Smith placed second in the competition.

“We have fielded a team four times in this competition, placing second in 2009, second in 2010, first in 2011 and second in 2012,” Willis said.

Florida Law Review journal ranking improves

The Florida Law Review’s journal ranking improved this year from No. 39 to No. 37 among all student-run legal journals. The journal rankings, provided by Washington and Lee University School of Law, are calculated by evaluating the success of the journal’s publications for the previous eight years, so the Review attributes much of its recent improvement in the rankings to the hard work of its previous editorial boards. Because each editorial board has built on the success of the previous board, it is likely the journal’s ranking will continue to improve each year.

UF Law high in new U.S. graduate school rankings

The University of Florida Levin College of Law’s Graduate Tax Program continues to rank first among public law schools and second overall, its Environmental and Land Use Law Program rose four places to fifth among publics and ninth overall, and its Alternative Dispute Resolution Program rose three places to seventh among publics and 16th overall in U.S. News & World Report rankings. UF Law is in the top 20 (10 percent) in three of the nine specialty program rankings.

The publication’s annual rankings of the nation’s graduate schools place UF’s law school 25th among public schools and 48th out of 200 accredited law schools nationwide.

“It is remarkable that despite continuing budget cuts, the Levin College of Law has not only managed to sustain its top tax ranking and remain a top tier law school, but is also attracting national attention for its strength in environmental and land use law and dispute resolution.”

—UF LAW DEAN ROBERT JERRY
A modern miracle for advocacy center caps transformative decade

By Debra Amirin and Matt Walker

Considering the obstacles, you might call it a modern miracle. In the face of dwindling state support and tough times for higher education, the Levin College of Law has rallied its alumni and friends during the past decade in a $30 million effort to completely transform, enlarge and upgrade its facilities and offer more scholarship and faculty support.

“We’ve had to manage our resources very carefully,” UF Law Dean Robert Jerry said. “But we’ve been able to continue to move forward, thanks to the generosity and foresight of our graduates and their families as well as others who believe in the value of what we do here. This facility wraps up a decade of transformation for our law school, particularly in its physical facilities.”

With its presentation to UF President Bernie Machen on March 30, the college of law formally dedicated its newest building, the Martin H. Levin Advocacy Center. It also named the Allen and Teri Levin Advocacy Education Suite, which represents the second floor of the building. The building was made possible by a $1 million donation from Teri Levin on behalf of her and her late husband and a $2 million donation from Fredric Levin. Fredric G. Levin (JD 61) donated $10 million to the law school in 1999. At the time it was the largest gift ever given to UF.

Trial Team President Tara Tedrow (3L) calls the advocacy center an early step into the profession. “It isn’t often during these three years that we can suspend reality, step out of the role of a student and into the role of an attorney, but facilities like this allow that,” Tedrow said during the dedication ceremony. “And not only have we sat in this building and learned from the best, but most importantly we have learned how to be the best at our craft.”

Monitors, data, phone and Internet connections, and especially the tiered seating give students a clear view of the proceedings.

The sleek 19,500 square-foot building with its dramatic, two-story curved glass foyer has earned the gold LEED rating for its energy efficient and environmentally friendly design, a tribute to its architects. The rating is based on features such as the use of low-flow faucets, waterless urinals, reflective building materials and designs to optimize energy performance.

According to the March 14, 2011, LEED report, 1.5 tons of construction waste water was diverted from landfills during the building’s construction and potable water use has been reduced by 55 percent from fittings and fixtures. Energy efficiency measures include high efficiency glazing, reduced interior lighting power density, occupancy sensors and a district chilled water system. The Leadership in Energy and Environmental Design Rating System was designed by the U.S. Green Building Council to encourage more environmentally sustainable buildings.
CONFERENCES & LECTURES

Spring is a great time for knowledge to bloom at UF Law with an abundance of renowned speakers discussing some of the hottest topics in law today. From addressing crucial water law issues to rethinking judicial review, this semester featured a veritable bouquet of conferences and lectures.

Examining ‘race talk’ in the age of Obama

When Barack Obama was elected the first African-American president of the United States in 2008, the question of whether America had finally moved into a post-racial society became a widely discussed topic.

“Race Talk in the Age of Obama” addressed some of these questions based on the December 2011 issue of the University of Florida Journal of Law and Public Policy. The Feb. 8 event was co-sponsored by the JLPP and the Center for the Study of Race and Race Relations.

“Talking about race is difficult and it is challenging,” said panelist and UF Law Professor Kenneth Nunn. “It takes courage, perseverance, leadership and a thick skin.”

A theme of the discussion was that race should be looked at as a structural institution rather than viewed in terms of personal relationships. The panel also examined how to address issues of race in educational institutions — and looked at examples of it being ignored and other situations where it is being addressed.

Is it time to rethink property laws?

While there are those who believe property law concepts like adverse possession and easements are “relics of the past,” the reality is that their impact is still very real on people and places today, said UF Law Professor Michael Allan Wolf, the Richard E. Nelson Chair in Local Government Law.

The 11th annual Richard E. Nelson Symposium covered this and other topics, including eminent domain and mortgages, Feb. 10 at UF Law. The symposium hosted 11 experts in the field of property law to present “Digging up some Dirt (Law): How Recent Developments in Real Property Law Affect Landowners and Local Governments.”

“It struck me that some recent real property developments were positive, others negative and others a mixed bag,” Wolf said.

Eminent domain was a hot topic as presentations discussed the impact of recent court cases and legislation.

“Florida has gone overboard” trying to limit eminent domain, said Florida A&M’s Ann Marie Cavazos. Although Florida is the originator of one-fifth of all eminent domain condemnation cases, the Florida Constitution was recently amended to require a three-fifths vote from each house of the Legislature to approve some eminent domain proceedings. Cavazos suggested Florida may be undermining local government in its task of bettering society through the acquisition and sale of private property.

Another discussion about property laws affecting Gainesville residents concerned perpetual conservation easements, which are legally enforceable land preservation agreements.

More than 200 students, lawyers and presenters gathered to hear presentations by law professors from around the country.

Land use decisions difficult to pin down in New York

Since New York City Mayor Michael Bloomberg took office in 2002, the city has engaged in the rezoning of about 11,000 lots within its limits, which equals about one-quarter of its total land area. Even for one of the world’s largest cities, this is an unusually high level of rezoning, according to Vicki L. Been of New York University School of Law.

As the guest lecturer for the fifth annual Wolf Family Lecture on American Law of Real Property, Been examined this peculiar situation in her Feb. 28 presentation, “Who Controls Land Use Regulation: The Urban Growth Machine versus Homeowners.”

“There’s a wide variety of views about what motivates the people who make land use decisions,” Been said at the lecture. “These are members of the Planning Commission, or the members of the City Council that have to vote on planning commission proposals, the mayor, or administrative agencies like the Zoning Board of Appeals.”

The results of Been’s empirical study to determine what motivates land use decisions did not reveal a clear-cut conclusion about which theory may be driving the rezoning decisions in New York City. She said the results reveal the difficulties articulating how theories involving land use politics will play out in practice and cautioned against broad presumptions about motivations behind land use decisions.

Antebellum South used Constitution for pro-slavery arguments

Though many Americans view the Constitution as a beacon of freedom, Southerners in the antebellum period used it to justify their actions as slaveholders. “Our nation’s journey toward freedom was shamefully long,” said Alfred Brophy, of the University of North Carolina. “Southerners believed slavery could not be undone without having to undo all of society.”

Brophy presented this idea during his lecture, “Slavery, Secession and the Constitution,” at the ninth annual UF Law Center for the Study of Race and Race Relations Spring Lecture.
Brophy, who was instrumental in getting the University of Alabama to apologize for its participation in slaveholding, tied together the views of prominent southerners with the pro-slavery actions of universities in the South to show how they used the Constitution to continue the forced labor system almost a century after the Declaration of Independence.

“They were no longer in the world of Jefferson’s ‘all people are created equal,’” Brophy said. “Southerners had this sense that slavery was a foundation not just of Southern economy but of freedom for white people.”

Water issues haven’t cooled off 40 years later

Forty years ago, drivers could buy a gallon of gasoline with just a few coins, the Cuyahoga River smoldered and the two most significant water laws in our state and nation — the Florida Water Resources Act and the Clean Water Act — took effect.

“No question. The waters are cleaner. We’re closer to the goals of the Clean Water Act,” said Jonathan Cannon, a Public Interest Environmental Conference panelist and former Environmental Protection Agency general counsel. “But we seem to have hit a plateau.”

More than 300 registrants attended panels and events at UF Law’s 18th annual Public Interest Environmental Conference, “Fishable, Swimmable? 40 Years of Water Law in Florida and the United States.” The conference brought together land use lawyers, journalists, legislators, authors, historians and water warriors from across the nation.

Speaker after speaker, including keynote addresses from Richard Ausness (JD 68) and longtime federal environmental policymaker Carol Browner (JD 79), came together for a weekend with one unified message: We’re not swimming; we’re sinking.

“The responsibility of environmental protection is one that will always be with us,” Browner said. “We must rededicate ourselves to solve these challenges. I’m not suggesting that this will be easy, but we have to get started.” (For more on Carol Browner, see Facing Page.)

‘Controlled activism’ theory proposed in judicial review

Northwestern University School of Law’s Martin Redish proposed a new way of looking at judicial review called “controlled activism” at the 31st annual Florida Law Review’s Dunwody Distinguished Lecture in Law.

“Judicial Review, Constitutional Interpretation and the Democratic Dilemma: Proposing a ‘Controlled Activism’ Alternative” focused on how the judicial branch is insulated from the rest of the government and how this allows the left and right wings to interpret the Constitution as they see fit.

“The goal of shaping a theory of judicial review has to be to balance the recognition of the role of the judiciary with its special need for humility, all growing out of the judiciary’s insulation from the political process,” Redish said.

He explained what he considered to be the two basic theories of constitutional interpretation based on this dilemma: originalism and non-textualism.

Redish’s theory of controlled activism is the recognition of the need for candor about the fact that judges make laws. He said that the textual meaning of the Constitution should guide judges, but historical evidence should be excluded because judges are not historians and the data can so easily be manipulated to fit preconceived notions.

Speaker defines collusion, cartels

Joseph Harrington, professor of economics at Johns Hopkins University, talked about what companies are doing when they engage in collusion during the third annual Bayard Wickliffe Heath Memorial Lecture.

“Collusion is where competition is supplanted with coordination, the objective being to get prices up, to get the supply down and to raise firm profits,” Harrington said March 30.

“Basically, cartels are a dirty business and you ought to stay out of it,” he said.

Harrington broke down the challenges that firms face regarding collusion into two parts: coordination and implementation.

“You have to coordinate on some particular collusive outcome, maybe allocations or price, and then they have to actually implement that outcome,” he said. “So the coordination involves communication and a big part of antitrust law is deciding what forms of communication are lawful or unlawful.” (For more on antitrust law, see Page 60.)
Where environmentalism meets motherhood
Alumna Carol Browner has priorities in order

By Jared Misner (4JM)

Carol Browner (JD 79) is sitting at a window seat in the Gainesville Hilton’s lobby with a pair of oversized sunglasses and a constantly buzzing iPhone nestled on the table in front of her. She offers a brief grin as she watches the TV above her while a movie trailer for “The Lorax” dances across the screen.

“I think it’s great they’re making ‘The Lorax’ into a movie,” she said. “It’s the Dr. Seuss environmental story.”


Returning to Gainesville in February as a keynote speaker at UF Law’s 18th annual Public Interest Environmental Conference, Browner arrived at her alma mater unattached to lengthy government titles.

Since leaving the White House Office on Energy and Climate Change Policy, a job that left Browner widely known as the nation’s “energy czar,” she works as a senior counselor at the Albright Stonebridge Group, the global strategy firm founded by former Secretary of State Madeleine Albright. She also serves on the board of directors of both the League of Conservation Voters and the Center for American Progress.

And now with the free time she hasn’t had in quite a while, she knits.

With a bag of knitting gear by her feet, the woman who a former Florida Sugar Cane League vice president once called a “formidable opponent” and who TIME magazine dubbed “The Queen of Clean Air” smiles as she mixes talk of her history-book-worthy environmental accomplishments with her knack for knitting a mean pair of mittens.

And while her days sans EPA certainly aren’t a vacation — she still regularly takes calls from the White House — a few things are different in Browner’s life.

“I do yoga every day now. I didn’t get to work out first thing in the morning,” Browner said, laughing.

But Browner notes the one thing that will always remain the same — her die-hard passion to protect much more than just the Truffula trees.

“My commitment for advocacy, for public health, for the environment hasn’t changed,” she said. “All that’s changed is where I do it from. Instead of doing it from the White House, I do it from nonprofits.”

Having “the soul of an activist,” as the Washington Post painted Browner in 1992 before her unanimous Senate confirmation to lead the EPA, Browner’s advocacy literally let the world breathe easier.

In a drawn-out grapple with some in the Clinton Administration, Browner’s environmental activism led to the Clean Air Act’s first fine-soot-particles standard and a first-of-its-kind national fuel-efficiency standard holding SUVs and light trucks to the same emission standards as cars.

“That really turned the tide,” said John Hankinson (JD 79), executive director of the Gulf Coast Ecosystem Restoration Project and another speaker at the UF Law environmental conference. “Families started to think, ‘Maybe we shouldn’t roll back these environmental protections.’”

And much of what fuels Browner’s fight is what’s best for her son, the na-
tion’s children and the children who are yet to be born.

“Environmental protection isn’t just about a pretty place you want to visit on vacation,” Browner said. “It’s about clean air for you and your children.”

Browner says it’s not her history-making achievements that she’s most proud of in life, but her son, Zachary. Her status as the nation’s No. 1 maternal watchdog even earned her the 1997 National Mother’s Day Committee “Mother of the Year” award.

This Mother of the Year, who, on the side, ran the nation’s principal environmental enforcement agency with more than 17,000 employees, smiles as she tells one of her favorite stories.

Zachary was 6 and Browner was running the EPA. Zachary was waiting in a taxi for his mom when the driver asked where his mom was. She was working. Peppering small talk with a first-grade child, the driver asked what his mom did.

“She saves things,” he told the cab driver.

And it could almost be said that Browner saved the EPA. After the 1994 midterm elections, Republican legislators hailed their “Contract with America” and sought to scale back the EPA and other government agencies. Clinton vetoed the spending bill, and the nation screeched to a halt for days, severing America’s employees into “essentials” and “nonessentials.”

Browner and the EPA prevailed, although the organization is still frequently made the bull’s-eye in budget-slashing showdowns, something Browner can’t understand.

“We should not fall victim to the argument of choosing between a clean environment and a strong economy,” Browner said during her keynote speech at the Feb. 24 Public Interest Environmental Conference.

Browner ran the EPA during an administration that balanced the budget, reduced the deficit and devised some of the most stringent environmental policies in the nation’s history. And as the same fiery partisan battles continue, the Sunshine State, Browner said, is poised to go up in flames.

“While Washington bickers,” she said, “Florida burns.”

Browner’s keynote address fell amid a political whirlpool over what to do with the state’s water.

Forty years after former UF Law Dean Frank E. Maloney (JD 42) drafted the Florida Water Resources Act, environmentalists beat back a spring legislative proposal that would have marked the most significant change to the law since its adoption.

Under the original proposal, reclaimed water — wastewater that is treated for reuse — would no longer have been considered a “water of the state” and ownership of that water would have been given to the utility companies that control its distribution. The water management districts would have lost control over reclaimed water.

In most states, the issue of who owns cleaned sewage would be rather unimportant. But for Florida, the state leading the nation in reclaimed water use with 10 percent of the state’s daily water needs, a state often plagued by droughts and a state already drenched with watering restrictions, the issue is more difficult to throw down the drain.

Jacob Varn (JD 71), often called the “dean of Florida water,” thinks the real issue is the same as the Everglades. “Save” is a child’s word. But that’s an important word,” Browner said.

“She never said anything else to me in our conversation but her son, Zachary. Her status as the nation’s No. 1 maternal watchdog even earned her the 1997 National Mother’s Day Committee “Mother of the Year” award.

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Jacob Varn (JD 71), often called the “dean of Florida water,” thinks the real issue for years to come lies in ensuring there’s even water to provide to the fourth most-populous state in the union.

“You have to look at your water deposits like a bank account,” said Varn, who was Florida Department of Environmental Regulation secretary from 1979 to 1981 and contributor to the 1971 Florida Water Resources Act. “As soon as you take more out than you have, you’ve got a problem. And 75 percent of this state’s got a problem.

“We live in a complicated world. We can’t save the Everglades. We can manage the Everglades. ‘Save’ is a child’s word. But it’s an important word,” Browner said.

She paused. She flashed another grin.

“It’s the Lorax’s word.”

Environmental policy heavyweight warms up conference crowd

The dining room of the Sweetwater Branch Inn, a Southern Living-worthy Victorian-style bed and breakfast in downtown Gainesville, filled with uproar. Between the sweet Southern charm, the elegance and multiple forks and a room full of UF Law students and alumni, the audience groaned.

John Hankinson (JD 79), the introductory speaker at the 2012 Public Interest Environmental Conference banquet, forgot his harmonica, and the standing-room-only crowd just wasn’t having it.

Hankinson’s introduction could have sashayed between describing him as the EPA Southeastern regional administrator from 1994 to 2001 who directed a staff of almost 1,200 people and a budget in excess of $500 million and the executive director of the Gulf Coast Ecosystem Restoration Task Force. Instead, Hankinson was introduced as “a mean harmonica player.”

Bluegrass skills aside, Hankinson took charge of the interagency Gulf Coast Restoration Task Force, a federal advisory board designed to revitalize the Gulf Coast following the April 2010 Deepwater Horizon oil rig explosion and subsequent ecological and economic calamity.

As executive director, Hankinson sifted through more than 13,000 public comments on what that Task Force’s restoration strategy should be after discussing it in more than 40 public meetings. The Task Force issued a final strategy in December that called for reducing the flow of excess nutrients into the Gulf of Mexico, and $50 million in assistance from the U.S. Department of Agriculture’s Natural Resources Conservation Services to help agricultural producers improve water quality, increase water conservation and enhance wildlife habitats.

But even missing his trusty harmonica, Hankinson worked the crowd, sending it from sighs to laughter in seconds with stories about his former classmate and conference keynote speaker, Carol Browner (JD 79), including one detailing a popular Browner motto.

“She never said anything else to me in difficult decisions except for, ‘Do the right thing,’” Hankinson said.
New gifts fuel UF Law

Here are the new commitments to the Levin College of Law of $25,000 or more Sept. 15 through March 30. Thanks to:

- Lewis M. Schott (JD 46) for an additional $300,000 commitment to the Marshall M. Criser Distinguished Lecture Series. The Criser Lecture Series was originally funded with a $600,000 gift from Lewis in 2007 and matched by the State of Florida with an additional $420,000. The fund was created to honor former UF President and Board Chairman Marshall Criser by providing the College of Law with prestigious national and international speakers of significance on topics of particular interest to law students and the legal community. The lectures have hosted U.S. Supreme Court Justices John Paul Stevens and Clarence Thomas and former American Bar Association President Stephen N. Zack (JD 71). Lewis is founder of LMS Securities Corp. in Palm Beach. The Marcia Whitney Schott Courtyard is named after the late Mrs. Schott, who was a 1946 graduate of the law school.

- David (LLMT 81) and Mollie Bowers of Wellington for their dual commitment of $4,000 unrestricted annually until the realization of a $100,000 insurance policy bequest. David is a partner with the law firm Jones, Foster, Johnston & Stubbs in West Palm Beach.

- Andrew C. Hall (JD 68) and Gail Meyers for their bequest commitment of $100,000 to establish the Andrew C. Hall Dean’s Discretionary Endowment Fund. Andy is a founding partner with the law firm Hall, Lamb and Hall in Miami and emeritus member of the Law Center Association Board of Trustees.

- Steven E. Martin (JD 06) and Eviana J. Martin (JD 06) of Fort Myers for their $100,000 unrestricted bequest. Steven and Eviana are founding members of the Martin Law Firm, PL in Southwest Florida.

- Robert G. (JD 74) and Joelen K. Merkel of Boynton Beach for a $100,000 remainder trust to benefit the law school. Bob is a partner with Adams, Coogler, Watson, Merkel, Barry & Kellner, P.A. in West Palm Beach. Joelen is a former member of the University of Florida Board of Trustees.

- Louis A. (JD 82, LLMT 87) and Janet M. Nostro for their $100,000 bequest pledge to the Graduate Tax Program. Lou is a partner with Shutts and Bowen in Miami. He also serves on the law school’s Planned Giving Task Force.

- John J. “Jeff” (JD 77, LLMT 79) and Lynn G. Scroggin, of Roswell, Ga., for a $100,000 bequest to the unrestricted fund. Jeff’s firm is Scroggin & Company, P.C. and he is an active member of the Law Center Association Board of Trustees.

- W. Kelly Smith (JD 66) added $100,000 to the already established W. Kelly and Ruth Smith Law Endowment, an unrestricted endowment for law. Kelly is a partner with Smith MacKinnon in Orlando and an emeritus member of the Law Center Association Board of Trustees.

- Betsy E. Gallagher (JD 76) for replacing an insurance policy bequest pledge.

FROM THE DIRECTOR

The Florida Tomorrow Campaign will end on Sept. 30, 2012, so this is our last opportunity to communicate with you in our magazine about participating in the campaign. If you do not have an active pledge on record with us, we invite you to participate by pledging your annual gift for five years. This will allow us to count the full amount of your five-year pledge in our campaign. If you would like to make a pledge, simply go to www.law.ufl.edu/pledgeform and mail or fax it to the address indicated or call 352-273-0640 and ask a staff member to send you a form.

Take advantage of major naming opportunities available throughout the law school facilities starting at $60,000. Student scholarships remain our greatest need and you can help by establishing endowments for as little as $30,000. Room namings and endowments may be pledged over a five-year period. For more information, please contact me at 352-273-0640 or development@law.ufl.edu.

Every single gift counts, so to make a one-time gift or to learn more about how your dollars are used, visit www.law.ufl.edu/give. We are aiming to break the UF Law Annual Fund record once again this year. The fiscal year ends June 30, so please be sure to make your gift in time to count this year.

We are very grateful for your participation!

Kelley Frohlich
Senior Director of Development and Alumni Affairs
New Gifts continued …

with a larger amount totaling $75,000 to the unrestricted fund. Betsy is a member of the Law Center Association Board of Trustees and partner with Kubicki and Draper in Tampa.

• Richard A. (JD 81) and Irene Johnston for an approximately $73,000 insurance policy bequest. Richard is a founding partner with Johnston Champeau, LLC in Fort Myers, and he also serves as “Mr. Orange & Blue” at UF home football games.

• Richard P. Cole (JD 74) for a $60,000 cash pledge to the Robert B. Cole Health Law Endowment. Richard is a founding partner of Cole, Scott and Kissane in Miami.

• The intellectual property law firm of Feldman Gale, P.A. in Miami for a $45,000 pledge to establish the Feldman Gale Term Professorship in Intellectual Property Law. Jeffrey D. Feldman (JD 81) and James A. Gale (JD 83) are the founding partners and both are long-time members of the Law Alumni Council.

• Larry (JD 79) and Cathy Sellers of Tallahassee for their cash pledge of $44,000 to provide furnishings for the new Environmental and Land Use Program space in Bruton-Geer Hall. Larry is a partner with Holland & Knight and emeritus member of the Law Center Association Board of Trustees. Cathy is an administrative law judge and also serves as an adjunct professor at UF Law.

• Peter T. (JD 79, LLMT 80) and Karla D. Kirkwood for a $30,000 outright bequest. Peter is a partner with Barnett, Bolt, Kirkwood, Long & McBride in Tampa.

• Iain P. C. Moffat for a $27,200 pledge to the Professor Robert and Janette Moffat Memorial Scholarship in Law. Iain is the son of the late Professor Robert C.L. Moffat, who taught at the law school from 1966 through 2010.

Clinic that helps domestic violence victims faces own mortality

Part of Teresa Drake’s job as director of the UF Law Intimate Partner Violence Prevention Clinic is ensuring her clients’ survival. Another part is ensuring survival of the clinic itself.

A $1.2 million U.S. Department of Justice grant supporting the clinic expires in 2013, and to keep the program rolling, the money must keep flowing. Drake took a step in that direction during a March presentation to a group of University of Florida alumni looking for philanthropic investments at the university.

Drake explained to the alumni how the law school collaborates with the college of medicine, Shands Healthcare, and Peaceful Paths Domestic Abuse Network to provide low-income, intimate-partner violence victims with legal, medical, and social services focused on victim and family safety.

She said referrals to the clinic from area prosecutors have skewed toward higher risk cases.

A vivid example of this came in September when one of the clinic’s clients arrived at her Lake City home with her 5-year-old son to find her ex-husband holed up inside. The man set off tear gas bombs in her house, shot two police officers in the leg and one in the arm with a rifle, then killed himself rather than surrender.

But the woman and her son were well clear of the violence. Clinic personnel had obtained an order of protection from the court, and the client followed advice from counselors when she saw her ex-husband’s car in the driveway. She drove to the police station rather than confronting him.

“But for the specialized training our students receive, Tanya and her five-year-old son might not be alive today,” Drake said.

In November at the law school, Drake and her students raised donations of clothes, household items and retail gift cards to help the mother and son start over.

Drake is hoping alumni will do the same for the domestic violence clinic. “We’re hoping to find alumni so we can continue this program.”

For more information about the clinic go to www.law.ufl.edu/clinics/civil/ipvac/index.shtml.

—Richard Goldstein
Carrying on the legacy of ‘America’s lawyer’

$1 million bequest honors Chesterfield Smith

BY MATT WALKER

Although he passed away in 2003 at the age of 85, the great influence and legacy of Chesterfield Smith (JD 48) can be felt daily at the University of Florida Levin College of Law. From the Chesterfield Smith Ceremonial Classroom that hosts some of the most prestigious speakers visiting UF Law, to the legislative and legal monuments forged by Smith that are still being studied in its classrooms today, he is very much a part of the ongoing life of the law school.

And his legacy is still growing, thanks to a bequest from Smith’s wife, Jacqueline Allee Smith (JD 78), of Coral Gables, to establish the Chesterfield Smith Eminent Scholar Chair Fund. Upon Allee Smith’s passing, the $1 million bequest will transition the existing Chesterfield Smith Professorship into the Chesterfield Smith Eminent Scholar Chair.

The Eminent Scholar Chair is the most prestigious academic appointment available to University of Florida professors and UF Law.

The Chesterfield Smith Eminent Scholar Chair Fund will bolster resources available to faculty who hold this position and will enhance UF Law’s research and scholarship opportunities.

“Chesterfield Smith was truly a giant in the legal profession, and his legacy as one of UF’s most prominent and influential alumni is forever established,” UF Law Dean Robert Jerry said. “His ABA presidency was certainly one of the ABA’s finest hours, and his messages to law students, such as his famous statement ‘If you don’t intend to work to improve the quality of justice, then I hope you flunk your exams,’ will be repeated to all generations.”

Allee Smith — who has headed the bankruptcy offices in the Holland & Knight Tampa offices, served as dean of St. Thomas University School of Law and was the first female president of the American Bar Foundation — said she is pleased to help continue her husband’s legacy.

“He tirelessly and unceasingly exhorted lawyers to honor their duty ... to make improvements in laws for those who have little or no access to the system of justice.”

—JACQUELINE ALLEE SMITH (JD 78)

“Chesterfield loved the law and the legal profession. He spent his entire professional life trying to improve both,” she said. “He tirelessly and unceasingly exhorted lawyers to honor their duty, created by the privileges granted to them by the states, to provide services or efforts to make improvements in laws for those who have little or no access to the system of justice.”

She said her husband cared very much for UF Law and was always available for advice and assistance to the university and law school.

“He gave of himself unstintingly,” she said. “The foundation of his care was the recognition of all that both gave him through his education.”

Chesterfield Smith stood as an exemplary lawyer and advocate of the rule of law. Smith’s numerous influential positions included serving as president of The Florida Bar, chair of Florida’s Citizens for Judicial Reform and member of the Federal Commission on Executive, Legislative and Judicial Salaries. Smith was largely responsible for establishing uniform rules of procedure in Florida Courts and is the “father” of the modern Florida Constitution.

“Chesterfield also early championed the recruitment of minorities and women into the major law firms,” Allee Smith said. “His personal ethic was to do good, work hard, and have fun along the way.”

Smith is possibly best known for his performance during his American Bar Association presidency — Allee Smith said the ABA is often referred to as “before Chesterfield Smith” and “after Chesterfield Smith.” He was among the first public figures to call for President Richard Nixon’s impeachment and resignation and for the disbarment or other disciplinary actions against lawyers who violated legal codes of ethics in the Watergate scandal. Smith’s statement that “No man is above the law” drew national headlines.
Technology and globalization are reshaping the legal landscape in ways previously unimagined, the job market is bouncing back from the Great Recession, and expectations continue to evolve for the skills law graduates should possess before entering the working world.

“The environment is definitely more difficult today than I think I’ve ever seen it for young lawyers getting hired and then getting started,” said Florida Bar President and UF Law alumnus Scott Hawkins (JD 83).

UF Law is changing, too, as it strives to give graduates the skills, knowledge and savvy to thrive in the new normal for working lawyers. Here are the stories of how UF Law rolls with the changes.
How UF Law equips students for today’s roller-coaster legal industry
For law students who struggled for three years to master the substantive topics of law school, the first day of practice might come as a shock. Course work on appellate case law, civil procedure and torts may be replaced in the working world with a bewildering bustle of client interviews, dispute mediation and plea-deal negotiations.

So how to join the pedagogical imperatives of law school with the down-to-earth necessities of legal practice?

The Levin College of Law works to meet this challenge with its recently revamped mission statement and key curriculum changes in the fall semester.

“The critique is that students can leave law school without really having a deep understanding of what the practice of law is like,” UF Law Dean Robert Jerry said.

“In the past, many graduates of law schools nationally have acquired that understanding in their first practice years. Our aim is to accelerate the students’ acquisition of this knowledge of what it means to be a legal professional.”

Florida Bar President Scott Hawkins (JD 83) agrees that well-prepared Gator grads are a necessity in today’s fast-paced and frequently changing legal marketplace.

“You can help get new grads prepared where they can be more valuable more quickly than in the past, I think that will be valuable for UF Law and its reputation, and for the profession,” Hawkins said.

UF Law has long been ahead of the curve in areas like legal drafting, trial advocacy and alternative dispute resolution. Courses that will launch in the fall semester are set to further deepen students’ practical skills.

“Nothing can replace having judges and lawyers and other legal professionals who are out there in the world doing this to assist us with educating the students,” Mashburn said. “So a big part of the program is to ensure that our students get some exposure to those professionals in the first year.

“We want students to understand the power and potential of a law degree and to get real examples and role models to encourage and inspire them,” she said.

Senior Associate Dean for Academic Affairs Alyson Flournoy points out that

**CURRICULUM SHIFT**

UF Law’s curriculum will shift in three major ways this fall: the addition of Introduction to Lawyering: Serving Clients and Society; moving the current course, Professional Responsibility, from the first-year curriculum to the second year; and the creation of separate Legal Research and Legal Writing courses from what is currently a single course combining the topics.

Introduction to Lawyering will expose students to professionalism in the workplace, developing a professional identity and an introduction to lawyering skills and the role of problem solving in law practice.

The course will include guest speakers brought in for their familiarity with the hottest legal trends.

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Senior Associate Dean for Academic Affairs Alyson Flournoy points out that
the introductory course will also expose students to interviewing, counseling, negotiation and mediation skills. While trial skills are generally the skills new law students are most familiar with, the new course will “introduce them to the whole toolbox of skills and competencies that they may want to acquire or start to acquire through the curriculum here,” Flournoy said.

Mashburn notes that the UF Law curriculum will still contain plenty of its traditional law school fare — what professors call “substantive” law courses. The new curriculum introduces a measure of “balance.”

“We hope that the acquisition of those skills is central to their legal education,” Mashburn said. “This also introduces a bit of balance because if you look at the traditional lineup of substantive law courses in their first year, they are predominantly reading appellate cases and reading about law in a litigation model.”

For Paul Pakidis (3L), immediate-past editor-in-chief of the Florida Law Review, summer internships made him appreciate the connection between his legal education and the real-world application of skills.

“The experiences helped me draw a more definite connection between our work in the classroom and the actual practice of law,” Pakidis said. “Also, they helped me develop a sense of what type of law I want to practice.”

He said making that association even earlier could be beneficial for students.

Hawkins, The Florida Bar president, supports the idea of exposing students to a broad set of skills in their first year — he said some of the skills he learned at UF Law helped distinguish him among his peers early in his career.

“Being effective is not only being able to think well, but it’s being able to execute and perform,” Hawkins said. “And that’s not just a matter of trial skills, it’s learning how to think strategically. So, I think that focus is important — getting students to think early on about thinking strategically on handling a case, handling an interview, handling a presentation. It’s not just a matter of putting the words together, but having a sense of ‘where do I want to end up in this matter?’”

Hawkins stresses that young lawyers should approach their work with a “value-added” mindset — always thinking about how they can serve the law firm or client in the best possible way. He said this approach is crucial for young lawyers and can impact their identities early in their careers.

Hawkins quickly sorts out young lawyers who carry themselves with a sense of maturity and self-discipline from those who “seem not to get it all.”

“I guarantee you every partner is plugged into what’s going on in his or her law firm, paying attention to how their young lawyers behave,” Hawkins said. “It’s not just a matter of brain power, it’s a matter of knowing how to carry yourself like a future owner of the business because that’s what being a partner is all about. It’s not a popularity contest.”

“I think if we can help students become more attuned to that mindset, that will benefit the students, and thus the profession and the school,” Hawkins said.

—Matt Walker
Back in 2008, the legal job market was reaching all-time peaks, according to statistics compiled by James Leipold, executive director of the National Association for Law Placement. NALP figures indicate that by February of that year, the employment rate was 91.9 percent for 2007 law school graduates—a rate higher than any point in the previous 20 years. But like so many other fields, the legal world was dealt a serious blow by 2008’s financial meltdown.

The same report for 2009 shows the first decrease in employment rates for recent law school grads since 2003. Pascale Bishop, UF Law’s assistant dean for career development said employers today are looking for “students and graduates who have already received practical experience, who are prepared to take a file and run with it, and who know how to interact with clients, other attorneys, judges, support staff and the professional world at large.

“There is definitely more pressure to be ready to practice from day one with little training or hand-holding, in order to prove (new employees’) value to the law firms,” Bishop said.

Bob Maland (JD ’75), a civil, trial and personal injury lawyer in Miami understands.

“Now, more than ever, Gators need to help Gators get that critical first law job,” Maland said.

Maland isn’t just talk when it comes to helping Gators—he recently made a donation to UF Law that will bolster Symplicity, the CCD’s online jobs database. The database allows the CCD to connect UF Law students and recent graduates directly to UF Law alumni who are seeking young Gators for hire.

“If an alum or law firm can use some help, or hear of a job opening of any type, it will now be easy for UF Law alumni to immediately post that information on the CCD job board — before the job is taken by a non-Gator,” Maland said.

“I remember how important that first job was to me,” he said. “So I think it is important to help our law students and recent grads secure job opportunities on a priority basis.”

The CCD also maintains an extensive collection of career-related legal websites that provide career development aids, resources to assist in career transitions and even an alumni job “hotline,” which provides alumni with a direct link to job opportunities and networking events.

For those still in school, the goal of the Center for Career Development is to make it easy for employers to find and hire UF Law students. In addition to the Symplicity jobs board, the CCD maintains Resume Books that can be distributed to employers (the books are organized by class year and areas of interest), an on-campus interview program by legal employers, and plenty of networking and off-campus recruiting opportunities.

CCD Director Rob Birrenkott emphasized the value of the services provided to current and past students.

“Gator lawyers have a strong tradition of excellence and leadership within the legal profession, the CCD is a bridge that can help connect alumni and the next generation of legal leaders,” he said.

Bishop said in addition to increasing reactive job-seeking methods like Symplicity, the CCD employs a number of proactive approaches as well.

“We work one-on-one with each student to create a proactive job plan involving identifying contacts in the legal community and honing the students’ networking skills,” she said.

This multi-level approach works well for UF Law students, as they remain high in job-placement rankings in Florida.

“UF has consistently out-performed its peers in Florida in terms of overall placement numbers, and is well-known as the Florida school with the most graduates in the state and local government,” Bishop said.

—Matt Walker
After three years of intense learning, work and determination, law school graduates enjoy a wide array of career options — from the many specialties offered by law firms, to academia, public service, nonprofits or other alternative careers.

Well, that’s the idea anyway.

The reality is that many law students in the United States end their three-year journey saddled with a pile of debt they must carry into their careers, leaving them with significantly fewer practical options.

“High tuitions at many law schools have produced very high debt loads for many graduates and this has forced those graduates to look at particular post-graduation employment opportunities because of the difficulty — the impossibility in some instances — of paying back the debts with certain kinds of jobs,” UF Law Dean Robert Jerry said.

Law students who graduated in 2011 carried an average debt of $100,433, according to U.S. News & World Report. And the National Association for Law Placement pegs the employment rate for new law grads at 87.6 percent, the lowest since 1996. With high debt and reduced job prospects, recent graduates are feeling the pressure.

It’s an area where the University of Florida Levin College of Law offers a clear advantage.

According to American Bar Association data, in 2010, UF Law students borrowed far less than the national average reporting the sixth lowest debt load among the top 50 law schools. Considering in-state tuition and fees alone, the discrepancy is even greater. Private law school tuition and fees are often more than double that of UF Law and most public schools also are more costly.

Jerry put it this way: “Students can leave UF Law with much more freedom to pursue the careers they are passionate about instead of pursuing a career to pay off loans.”

Joe Joyce (JD 11) and Jackie Jo Brinson (JD 10) are flesh-and-blood beneficiaries of these statistics. Joyce’s first love at UF Law was Brinson. His second love was trial law, thanks to Legal Skills Professor Jennifer Zedalis.

But when Joyce graduated from law school it wasn’t clear if he would get to remain close to either love. But because his debts were manageable, Joyce found himself in court on his second day on the job as a defense attorney in the 3rd Circuit Public Defender’s Office. And his Live Oak, Fla., office is a stone’s throw from Brinson’s where she works as a trial court law clerk.

“In terms of value, I think (UF Law) should be among tops in the country,” Joyce said. “With the tuition rates being what they are — if you go to a private school you’re looking at paying $30,000 to $40,000 a year for a legal education. At UF, you get the best legal education in the state for about half the money of what you would at a private school.”

The 2011-2012 in-state tuition at UF Law is $18,709.80 for 30 credit hours. And while not insignificant, the $62,000 average borrowing by UF Law students is among the lowest for students at first-tier law schools.

Along with landing the job he wanted, Joyce was able to stay close to Brinson — choices the deeply indebted might not be able to make.

“What really won me over about this job is that they let you step in on day one and they say ‘Listen, you’re an attorney. Do what attorneys do; interview your client, listen to their concerns, investigate the situation, negotiate the best resolution. Look out for your client’s interest and if necessary, you go to bat for that client at trial,’” Joyce said. “My supervisors mentor me while still giving me a great deal of independence.”

Joyce has some student loans, but working at the Public Defender’s Office allowed him to approach Brinson’s parents for permission to marry their daughter without seeming like he would be a potential financial burden on her.

“Once I got this job I was able to propose,” he said. “For that, I feel so blessed.”

—Matt Walker
From trips to the Florida Supreme Court to providing legal counsel for a hypothetical start-up company, University of Florida Levin College of Law students are exposed to the current practice of the law and lawyers through its adjunct professors.

UF Law has roughly 40 adjunct professors practicing in fields ranging from tax law to family law, and each adjunct brings a new dimension and perspective of real-world experience to the realm of academia.

Former Florida Supreme Court Chief Justice Ben F. Overton (JD 52) teaches Florida Constitutional Law and the Florida Supreme Court. Students in Overton’s seminar have the opportunity to produce publishable work, sharpen their advocacy skills, and gain a broader perspective on the legal system.

“People are more interested in thinking about what the courts and legislature do,” said Sellers, an administrative law judge. “But, most laws, by far, are administrative agency rules interpreting the statutes. Administrative law is an area that many lawyers — much less citizens — simply aren’t familiar with.”

In Florida Administrative Law, Sellers seeks to educate students about the breadth and depth of Florida administrative law and how it affects every aspect of citizen life.

Corporate finance is another often overlooked subject area in law school. Glenn Sturm (JD 85), an adjunct professor teaching Corporate Finance and Finance Decision Making, said “a lot of law students come out with absolutely no understanding of finance. We thought it was important to give them an understanding of the financial aspects of transactions.”

Adjuncts can also provide students with instruction in courses that are not often on a student’s radar. Judge Cathy M. Sellers says administrative law, for example, often gets ignored.

Students analyze business case studies weekly in what Sturm calls a combination of legal, finance and accounting issues.

“I want them to be able to look at a business and understand how to finance it … and how different strategies impact shareholder returns,” Sturm said.

Adjunct professors also provide students with professional development opportunities.

Along with classroom simulation activities for her Adoption Law and Procedures course, Jeanne T. Tate (JD 81), who owns an adoption law firm and international adoption agency, provides mentoring for students. Students shadow her at her firm, and she assists students with finding jobs after graduation.

Saliwanchik, Lloyd & Eisenschenk Shareholders David Saliwanchik and Jeff Lloyd (JD 87) co-teach two seminars: Patent Drafting and Prosecution 1 and 2.

Saliwanchik used his connections in UF’s Warrington College of Business and the College of Engineering to involve UF

Providing legal counsel is what an attorney is supposed to do. But sometimes doing your job can get you in trouble. Maybe even land you in jail.

To illustrate just how important ethics and professional responsibility can be to a practicing attorney, A. Brian Phillips (LLMT 90), a prominent tax practitioner and adjunct professor in UF Law’s nationally renowned Graduate Tax Program, hosted a panel including two prominent attorneys who were prosecuted by the federal government. One faced charges for in-house representation of a company; the other for approving and receiving legal fees from clients in a criminal case.

The panel, featured during the fall semester in Phillips’ LL.M. in Taxation tax fraud course, included Benedict P. Kuehne, of The Law Office of Benedict P. Kuehne, P.A. in Miami; and Steven Gremminger, of The Gremminger Law Firm in Washington, D.C.

“Some of the tax presentations are very tax-centric and can be uninteresting to non-tax practitioners,” Phillips said, “but this panel had high-level practitioners in $3,000 suits who were arrested and processed like any other accused criminal.”

Gremminger was a principal and an associate general counsel of KPMG LLP, an international audit, tax and advisory services firm. Gremminger provided legal advice to KPMG and its partners. KPMG developed and marketed tax shelters to its clients. Although Gremminger

Injecting the profession into the classroom
Law students in the Integrated Technology Ventures program. In the program, a virtual company is created in which engineering students build a prototype, business students develop a business plan, and law students advise the company on intellectual property law.

“Our classes and the ITV program provide opportunities to expose students to things that are not easily addressed in a typical law school class — such as what it is like to work in a private firm and on actual IP matters,” Saliwanchik said.

Adjunct professors offer added value to a student’s law school education — from real-world insight to practical experience — but adjunct programming can be successful only if the faculty are on board as well.

“For the adjunct piece to work, it is all about the environment and engagement created by the faculty,” Business Law Adjunct Daniel H. Aronson said. “The law school goes out of its way to provide a welcoming home for adjunct faculty, and clearly Dean (Robert) Jerry and other faculty members are very committed to this.”

Alyson Flournoy, senior associate dean for academic affairs, said adjunct faculty add value to the curriculum.

“We feel very fortunate to have a large number of talented adjuncts whose courses enrich the curriculum,” she said.

The current focus is not on hiring additional adjuncts, she said, but on calibrating the selection of offerings each semester to the school’s smaller entering class size. “It’s really an embarrassment of riches.”

And, as the law school’s curriculum improves, so does the caliber of students, Sellers said.

“Every time I teach the course I am very optimistic about the future of The Florida Bar,” Sellers said. “I am very confident that many of them are going to do the profession proud.”

A CROSS SECTION OF ADJUNCTS

UF Law has roughly 40 adjunct professors with deep and broad legal practice experience. Here is a cross section of the teachers who bring the profession into the classroom.

Daniel H. Aronson
Partner and group leader in Berger Singerman LLP’s Corporate and Securities Group in Miami.

Courses: Business Transactions and Document Drafting

Justice Ben F. Overton (JD 52)
Overton served as a Florida Supreme Court Justice from 1974 to 1999. From 1976 to 1978, he served as chief justice.

Courses: Florida Constitutional Law and the Florida Supreme Court

Cathy M. Sellers
Sellers became an administrative judge in 2011. She was previously partner in the Tallahassee office of Broad and Cassel and a member of the firm’s Land Use and Environmental Practice Group.

Course: Florida Administrative Law

Glenn Sturm (JD 85)
A partner of Nelson Mullins Riley & Scarborough LLP in the Atlanta office, where he practices corporate law and technology law.

Courses: Corporate Finance and Finance Decision Making

Jeanne T. Tate (JD 81)
A board-certified adoption attorney and the managing partner of Jeanne T. Tate, P.A., with offices in Tampa, Naples, and Orlando; she also founded Heart of Adoptions, Inc., a licensed child-placement agency.

Course: Adoption Law

David Saliwanchik
A shareholder in Saliwanchik, Lloyd & Eisen-schenk, a Gainesville-based international intellectual property firm.

Courses: Patent Drafting and Prosecution 1 and 2

—Roberta O. Roberts (4JM)

did not design, develop or market the shelters, he, along with 18 others, was indicted by the Justice Department in 2005 on 42 counts of conspiracy to defraud the Internal Revenue Service, tax evasion and other charges. U.S. District Judge Lewis Kaplan found that the federal prosecutors violated his constitutional rights, and dismissed all charges. The decision was affirmed on appeal.

The Justice Department in 2008 charged Kuehne with money laundering. Kuehne was hired to investigate legal fees due to attorney Roy Black from the family of Fabio Ochoa, whom the U.S. Enforcement Agency considered a Columbian drug lord. Ochoa was charged (later convicted and sentenced to 30 years) in the United States with drug trafficking.

After conducting extensive legal and factual research, Kuehne reported to Black that the money was not tainted by drug trafficking proceeds. Based on disputed evidence, the government claimed the money was tainted because of its use in a carefully concealed government sting operation. In defending against the money laundering charges, Kuehne argued, and a federal district judge and the 11th Circuit Court of Appeals agreed, that he did not know, nor could have known, that the money was tainted. All conspiracy and money-laundering charges were dropped by the Justice Department.

Kuehne and Gremminger’s experiences show that “nobody’s untouchable — it is your own ethics and professionalism that carry you through adversity, even matters as serious and life-changing as these,” Phillips said.

Kuehne stressed to students how fragile a lawyer’s reputation can be and the diligence lawyers need to utilize when doing something that might harm someone’s reputation. Kuehne said it is about “being confident of every decision you make and being proud to proclaim your decision or apologize promptly for a decision that falls below your own personal or professional standards.”

—Roberta O. Roberts (4JM)
Jennifer Wondracek, head of research and faculty services for the UF Law library, took a picture of a conference handout with her tablet’s scanning application, saved it to Dropbox, an online file-sharing application, and tweeted the link on the trending topic for the 2011 Federal Depository Library Conference.

Meanwhile, UF Law’s Legal Information Center has a mobile catalog and online video tutorials that can be accessed with a smartphone by scanning a Quick Response — or QR — code. Librarians also train students on programs such as LexisNexis for Microsoft Office, which scans a brief and automatically Shepardizes cases mentioned in the document.

Thus do modern librarians deliver the digital library quickly and efficiently to their patrons. On the other hand, librarians acknowledge a downside to this legal research revolution.

“While Google can be a great place to start ... ‘Googlizing’ everything takes sources out of context. Looking at a book helps you understand the structure of the law and gives you the whole picture.”

Claire M. Germain, who heads the Lawton Chiles Legal Information Center, was more direct.

“Law firm partners tell us that young law graduates don’t know how to research anymore,” she declared. “They think they can just Google everything.”

Germain said technology makes things look easier than they actually are. “The Google Generation and Digital Natives need to learn how to make sure they find the official primary source when it comes to legal research,” Germain said. “Google is a wonderful first step, as long as you know how to filter sources and find legal authorities.”

It’s not as if Germain, associate dean for the Legal Information and Clarence J. TeSelle professor of law, is a digital Luddite. She has spent much of her career helping to shepherd the law librarian profession into the digital age. Germain, who came to UF Law in 2011 after 18 years leading the Cornell law library, served in 2006 as president of the American Association of Law Libraries, the organization that published a report and spearheaded legislation to address the problem of authenticating official legal sources now proliferating on the Internet.

The increase of technology use in the legal field leads to greater risk of using unverifiable online sources or accidentally breaching attorney-client privilege by sharing private information on online cloud computing programs.

In February, the American Bar Association House of Delegates approved a resolution supporting the Uniform Electronic Legal Material Act, which would require state governments to “manage electronic legal information in a manner that guarantees the trustworthiness of and continuing access to important state legal material.”

These developments ensure that “good Internet searching skills do not replace a student’s analytical skills,” Wondracek said. UF Law is making curricular changes to reflect this fact.

Starting this fall, 1L students will be required to take one credit of Legal Research and two credits of Legal Writing. Previously, 1L students only took one two-credit Legal Research and Writing class, and a two-credit Appellate Advocacy course in the spring. Librarians will teach the newly created Legal Research course, and previous Legal Research and Writing faculty will teach the stand-alone Legal Writing course.

Mary E. Adkins (JD 91), director of the Legal Writing and Appellate Advocacy program, has taught Legal Research and Writing for the last eight years, and said she has never been able to fit as much research as she would have liked.
“Westlaw and LexisNexis representatives would take over a class and show students how to use their systems, but it was hard to find space in the curriculum to teach more than those two,” said Adkins, director of the Legal Writing and Appellate Advocacy Program.

The new Legal Research course will change that.

“Librarians are current with new technology for legal knowledge,” Adkins said. “They are already very familiar with the Legal Information Center, so teaching research blends really well with what they already do.”

The shift allows writing professors like Adkins to deepen students’ grasp of legal writing.

“I am considering adding an assignment in which students would write a persuasive trial-level document,” she said. “They usually write internal memos and an appellate brief in the second semester, but this is just an idea I have to give students even more writing experience.”

Students are encouraged to learn how to perform electronic research, but are advised that they may be held even more accountable for their legal research — electronic or not — in the future.

“The National Conference of State Bar Examiners is studying the addition of legal research on the bar exam,” Germain said. “And it’s not a matter of ‘if’ they will add it — it’s a matter of ‘when.’”

—Roberta O. Roberts (4JM)
n case you can’t tell, the 0’s and 1’s mean “Spanish, Italian, French” in binary code. Many lawyers are multilingual, but can they speak the language of computers, email and the Internet? UF Law has become a leader in the field of electronic discovery education and it’s a good thing because experts say graduates’ careers will increasingly depend on their knowledge, if not in reading the binary code itself, then in extracting the litigation-worthy nuggets from a profusion of electronic information and communication.
“The amount of papers a business generates is less than 1 percent of the total information that a business has,” said Ralph Losey (JD 79), partner and national e-discovery counsel for Jackson Lewis, LLP’s Orlando office. “All practitioners who are going to continue to litigate in the 21st century are going to have to know electronic discovery because without electronic discovery, you cannot get at the truth because that’s where the truth lies. It now lies in computers—not in paper filing cabinets.”

The Florida Bar and the Florida Supreme Court are catching on. An oral argument March 7 before the Supreme Court considered The Florida Bar’s proposal to amend e-discovery rules in Florida civil procedures. The result of these proposed rule changes will usher in a new—experts hope more orderly—age of electronic evidence in Florida. (See story on Page 30)

A NEW ERA OF EVIDENCE

Advances in electronic discovery can now be utilized by attorneys to search the contents of a person’s computer and information in this format continue to hang around—even after the delete key has been pressed.

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“A spouse chats with a lover on Google Talk about a rendezvous, not knowing that every single Google Chat is archived and can be accessed through the spouse’s Gmail account—such as during discovery in a divorce case,” Hamilton says. “Or perhaps the spouse has a Match.com page that says ‘single and looking for love.’”

These are among the scenarios that Hamilton lays down for students in his classes, which are among several e-discovery offerings at UF Law. The college started e-discovery classes in fall 2007 and now offers seven credits of instruction each year. They include Introduction to Electronic Discovery, Advanced e-Discovery Seminar and Online e-Discovery. This year, Hamilton taught two, two-credit courses in the spring and fall (Electronic Discovery and Digital Evidence), and Adjunct Professor Ralph Losey (JD 79) taught a three-credit online course in the summer. Losey said the classes routinely run out of spaces for students.
Bill Hamilton (JD 83) is a UF Law adjunct professor, a Quarles & Brady, LLP Tampa office partner and dean of the E-Discovery Project Management Department at Bryan University. Hamilton said the quality and quantity of information available in electronic discovery were nonexistent in a paper environment.

“What you see on the screen is the tip of the iceberg of the evidence that is on the computer,” Hamilton said. “The information is stored in many different locations.”

Electronically stored information is fragile and can be wiped and deleted from some locations. “In other respects, it is a little bit like superglue,” Hamilton said. “You can’t get rid of it that easily because there’s always some location where it pops up that hasn’t been completely eradicated.” Moreover, the very act of wiping information is discoverable.

And according to Artigliere, “People are writing things now on their computer that they would have never written down or typed or dictated to their secretary.” With e-discovery there are more places and more ways to find evidence, so “the world has now fundamentally changed for the better as far as getting to the truth,” Artigliere said.

Experts in the field, meanwhile, say UF Law is leading the way in training students how to get at that truth.

EDUCATION REFORM AND REVITALIZATION

When it comes to teaching e-discovery in law schools, “the University of Florida is a clear leader,” said Losey, e-DiscoveryTeam blog founder and University of Florida Law adjunct professor. “There’s nobody even close to us.”

Less than 5 percent of law schools in the country offer an e-discovery course and the few that do usually include one or two credits per year, Losey said.

Charles A. Intriago (JD 66) confirmed Losey’s assessment.

Hamilton’s classes are structured in three phases that focus on each of the components of the e-discovery process to help build students’ management and competency skills. The first phase focuses on the characteristics of electronically stored information, case law and other secondary resources and how it has created problems in practice and in the courts. The second phase focuses on how to conduct e-discovery — what types of notices to send, when to talk to the IT department and how to negotiate with the opposing side. The last phase involves solving hypotheticals, primarily from Hamilton’s own experience as a practicing attorney. Then students get to try to solve an e-discovery problem on their own.

Jonathan L. Mann (3L) praised Hamilton’s class for giving him a new way to look at litigation.

“I learned that the landscape of litigation has changed and continues to change as a result of the digital revolution,” Mann said. “Professor Hamilton’s class allows UF Law students to stay ahead of the curve.”

Hamilton and Ralph Artigliere’s (JD 77) recently released book, LexisNexis Practice Guide Florida E-Discovery and Evidence, serves as a practice manual for litigators and judges and as a textbook for students.

But Hamilton said staying ahead of the curve really means moving as fast as the Internet.

“Staying current is the key to making this work,” he said. “The course changes to some degree every year so it is not a static course. Case law is coming out on a monthly basis that is altering the way we do things so we’re very attentive to trends. New tools and technologies are quickly emerging. This is an area of law and practice that is on the move.”

—Roberta O. Roberts (AJM)

Student wins e-discovery contest

UF Law student Margaret Rowell Good (3L) took home first place from the 2012 Florida Law Student Essay Contest for her writings on digital discovery. The contest is sponsored by Florida Lawyers Mutual Insurance Company and the Young Lawyers Division of The Florida Bar. For her essay, “Loyalty to the Process: Advocacy and Ethics in the Age of E-Discovery,” Good receives $500 and recognition by the Florida Mutual Insurance Company and the Young Lawyers Division in June at The Florida Bar’s annual convention in Orlando. Good’s essay will be published in the Florida Bar Journal’s June issue. She plans to join the firm Matthews Eastmoore in Sarasota.

Good serves the Florida Bar Young Lawyers Division as one of six representatives from the UF Law and previously was an editor of the Florida Law Review.
“Most law schools don’t touch e-discovery,” said Intriago, a former editor-in-chief of the Florida Law Review who is president of the Miami-based Association of Certified E-Discovery Specialists (ACEDS.org). “Law schools are short-changing this subject and it is a mistake.”

But not at Florida, noted Hamilton. “(UF has) hands-on, get in the trenches, do e-discovery classes. We’re not just theoretical. (Our classes) are a combination of practicum and quasi-clinic — we’ve kind of wrapped it up all in one,” he said.

Losey said specialized knowledge in the new field is in such high demand that “some big law firms say, ‘we want you to take electronic discovery.’” Losey said big firms make this request because “the truth is most law firms don’t know anything about electronic discovery or they know very little and they are more inclined to hire a student if they have this knowledge.”

Hamilton, who runs an e-discovery practice group for Quarles & Brady, said he thinks of the UF e-discovery course as “a law student’s survival course.” Hamilton said students need to know how e-discovery “affects their practices to make sure that they can handle the responsibilities and, frankly, be zealous advocates for their clients when they get out in the field.” According to Hamilton, e-discovery management “is really a question of professional competency.”

“Florida is doing a service to their students (by providing e-discovery courses) and I think students should take advantage of that,” Artigliere said. “There is no turning back. That’s where most of our information is and will be.”

As e-discovery becomes ever more important to litigation, the sense of urgency also rises to prepare a new generation of lawyers steeped in its methods.

THE MORE THINGS CHANGE

The types of skills required by employers may have changed, but the...
demand for relevant skills has always been present in the workforce. Although Artigliere was an entry-level associate straight out of law school, he was given more responsibility in some areas than veteran partners of the Holland & Knight law firm where he began.

“Having that knowledge of Lexis research at University of Florida put me way ahead of my contemporaries and even the partners and associates in the firm who had more experience than I did,” Artigliere said.

Now fast-forward to today.

Just as Artigliere was able to gain cutting-edge skills in the 1970s, graduates of UF Law in the 21st century have the opportunity to be surge ahead of other attorneys when it comes to e-discovery.

“E-discovery is probably the only field I can think of where young people have a distinct advantage,” Losey said.

Students have this advantage because they can learn from experts in the field. At the same time, students tend to be more computer savvy than senior partners.

E-discovery not only provides an opportunity for students to contribute to their employers, it gives them an opportunity to serve as the gatekeepers to truth.

“If we’re going to maintain the system of justice that we know and enjoy, a system based upon the facts, a system based upon gathering the truth and finding out what the truth is, then we have to up our game on electronic discovery,” Losey said.

“I’m 60 years old and not every 60-year-old attorney is going to like computers like I do,” Losey said. “They (older attorneys) may not make this change. But the future generation has no choice. Computers are a part of their lives. They must go with this — and they will — and they are. And the good news is they’re getting it and there’s hope for the future in the next generation.”

preserve the information begins when litigation actually starts. “It is a very confusing standard for Florida lawyers to deal with,” Johnson said.

However, the Civil Procedures Rules Committee was unable to address pre-litigation preservation because it is arguably outside the scope of the rules, Johnson said.

The proposed rule changes are designed to:

• Make sure parties understand that electronically stored information is covered by the rules.
• Give parties a fair and reasonable method to resolve disputes over whether and how electronically stored information should be produced.
• Give judges baseline standards to use in resolving arguments over the discoverability of electronically stored information
• Provide clarity to litigants about whether they could expect Florida to apply rules similar to those used in federal courts.

The courts need the rules for better guidance and litigators need them to better advise clients, Johnson said.

The need was considered so great that the proposed e-discovery amendments were submitted to the Supreme Court on an expedited basis.

“We needed to have a consistent set of rules that would give people a framework so that they could start to, No. 1, set up discovery properly; No. 2, end any disputes over form of production and, No. 3, protect the people who have to respond to third-party subpoenas and make sure that if they are asked to produce a large body of electronic information that there is a process where the court has authority to shift burden and costs appropriately,” Johnson said.

—Roberta O. Roberts (4JM)
Joe Fluet (JD 99) maneuver through stories of legal work in the United Arab Emirates, Colombia and the Caribbean, backtracking and sidestepping lingual landmines, offering cryptic stories and a few teases.

When the United States Department of Defense is a major client, secrecy is the name of the game. So it’s the stuff that Fluet, a combat veteran who holds a top-secret government clearance, won’t say that really piques the interest.

“There are so many more stories I wish I could tell you about that are a lot more fun than that,” the Washington, D.C., lawyer said with a laugh. “But that’s all I can tell you.”

Fluet is founding partner of Fluet Huber + Hoang, a small, full-service firm that specializes in high-risk and high-threat areas like Iraq and Afghanistan and non-permissive environments where U.S. presence is minimal.

“(Non-permissive environments) is a fancy way of saying ‘We will go where others won’t,’” Fluet said.

And he certainly does.

“My assistant had to go to the State Department last week to go get me more (passport) pages,” Fluet said. “I still have years left in my passport, but I ran out of pages.”

More than a few of Fluet’s passport stamps come from Afghanistan where
Fluet “basically built a special operations unit from scratch.”

Fluet, who retired in November 2009 as a lieutenant colonel in the special forces after 21 years of active and reserve service, spent a year in the war-ravaged nation in 2004 to build a counter-narcotics unit. Afghanistan produces about 90 percent of the world’s non-pharmaceutical opiates, and Fluet isn’t bashful to say his unit is still flying strong today.

“I don’t know if I would have retired if I wasn’t doing the work I’m doing,” Fluet said of his legal work in hostile environments like Afghanistan and elsewhere. “I feel like I’m still in the game.”

The truth is, Fluet never really retired. He’s an attorney now, but he’s much the same military man he always has been.

“I always wanted to be a soldier, but I always had law in the back of my mind,” he said.

His firm’s website reads almost like a Middle East brochure, with pictures of the so-called non-permissive environments, photos of Fluet in combat uniform inside a helicopter and written promises like “We can deploy a select team of attorneys … virtually anywhere around the world on short notice.”

And the firm’s military psyche (three of the firm’s lawyers are Afghan-istan veterans) might spill over a little bit in the interview process for young lawyers.

“We have a joke around here that says we’ll hire an attorney who can win a bar fight,” Fluet said.

While he often peppers his speech with laughs, the jokes stop when he talks about his time in Afghanistan.

“The poverty, the crime, the weather that the Afghan people have to experience every day would be almost incomprehensible to a lot of us,” Fluet said. “Afghanistan is unlike anywhere else I’ve ever been.”

After spending eight years in active duty, Fluet entered the Army Reserves while he attended UF Law in the late 1990s. He clerked for the 11th U.S. Circuit Court of Appeals after graduation, and then took a job with the firm Williams & Connolly, a firm with strong military ties. Eighteen months after taking that job, Fluet was on his way to Afghanistan to create the special forces unit where he lived alongside Afghan pilots, training them, living with them and experiencing life, as he calls it, “outside the wire.”

“When they leave their base, (troops) go ‘outside the wire,’” Fluet explained. “Many troops never go outside the wire. It’s dangerous. But by virtue of what I did, I had to make arrangements to go inside the wire.”

When he returned from the Middle East people told Fluet that his overseas experience in high-risk areas should persuade him to start a boutique law firm and capitalize on that experience.

But Fluet’s not a huge fan of limits. “I get just as excited to help the dry cleaner down the street renegotiate her lease as I do helping an international client close a billion-dollar deal,” he said.

Whether he’s playing the role of Afghan combat veteran, experienced attorney or bar fight enthusiast, France Hoang, one of Fluet’s law partners, has learned a few things about Fluet during the past decade.

“Thank goodness the only fights we’ll have will be in the courtroom,” Hoang said.

“(Non-permissive environments) is a fancy way of saying ‘We will go where others won’t.’”
— JOE FLUET (JD 99)

Power players reprise

The fall issue of UF Law featured Gator lawyers who launched Washington, D.C., careers that transformed them into federal power players. A reader has written in to suggest more UF Law alumni who fit that description, so in this issue we profile Joe Fluet (JD 99), who exchanged a swashbuckling military career for a swashbuckling legal one. Other Washington, D.C., power players include:

Bradley J. Bondi (JD 98), a partner in the Business Fraud and Complex Litigation Practice in the Washington, D.C., and New York offices of Cadwalader, Wickersham & Taft LLP, he served as a member of the Securities and Exchange Commission executive staff as counsel to SEC commissioners for enforcement actions and regulatory rulemaking. Bondi advised on SEC enforcement matters and interacted with SEC enforcement staff. Bondi led one of three investigative teams as deputy general counsel and assistant director of the Financial Crisis Inquiry Commission, which was established by Congress to investigate the causes of the 2008 financial meltdown. Bondi is a member of the University of Florida Law Alumni Council.

Richard Craig Smith (JD 87), a partner with Fulbright & Jaworski L.L.P. in Washington, D.C., previously served as acting chief and principal deputy chief for litigation of the Fraud Section of the U.S. Department of Justice, Criminal Division, where he supervised all trial attorneys in the investigation, indictment and trial of criminal matters involving violations of conspiracy, wire and mail fraud, bank fraud, securities fraud, false books and records, obstruction of justice, money laundering, FCPA, and RICO statutes among others. Smith tried the first cases prosecuted under the Sarbanes-Oxley statute and was instrumental in executing a strategy to quickly investigate and prosecute corporate fraud. Smith also was counsel to the director of the Executive Office for the U.S. attorneys. Smith received the Special Achievement Award recognizing his work at the Justice Department five consecutive years, and in 1998 received the Director’s Award from Attorney General Janet Reno.
W. DEXTER DOUGLASS (JD 55), former general counsel to Florida Gov. Lawton Chiles, has been awarded the Lifetime Achievement Award by the Florida Supreme Court Historical Society. In 2006 he received the Florida Bar Foundation Medal of Honor for “a career spent providing legal services to the powerless.” Douglass is a Korean War veteran and a retired cattle rancher and breeder.

SHARE YOUR NEWS

Send your class notes to classnotes@law.ufl.edu or to: UF LAW magazine, Levin College of Law, University of Florida, P.O. Box 117633, Gainesville, FL 32611. The class notes deadline for the fall issue of UF LAW magazine is Sept. 17. Please limit submissions to 75 words or less by focusing on new endeavors and recognition.

1954

Robert L. Trohn, of GrayRobinson, P.A.’s Lakeland office, was named to The Best Lawyers in America 2012 list for Commercial Litigation/Personal Injury Litigation. Trohn, an AV-rated and board certified attorney in civil trial law, holds a fellowship to the American College of Trial Lawyers and has annually been named to The Best Lawyers in America since 2006.

1960

L. David Shear is a new shareholder of Gunster, Yoakley & Stewart, P.A.’s Tampa office. Shear focuses his practice on banking and financial services, corporate law and real estate law. Shear is a past president of The Florida Bar, was a member of the House of Delegates of the American Bar Association and is a current member of the American Law Institute.

1964

Gerald F. Richman, board certified litigation attorney and president of the law firm of Richman Greer, P.A., was awarded the National Masters in Trial Award from the American Board of Trial Advocates. Richman was recognized for his efforts promoting jury trials worldwide, advancing the legal profession and contributing to the nonprofit organization on a national and local level spanning the last 23 years.

1968

Don Slesnick, Coral Gables mayor from 2001-2011 and managing partner of Slesnick & Casey LLP, was awarded the 2011 Citizen of the Year Award by the Kiwanis Clubs of Dade and Monroe. In addition to the Kiwanis award, Slesnick and his wife, Jeannett, were honored with a lifetime achievement award from Catalyst Miami for their continued dedication to residents’ well-being.

1969

Charles H. Egerton, one of the founding shareholders of Dean, Mead, Egerton, Bloodworth, capouano & Bozarth, P.A., was named as the Orlando Best Lawyers Tax Lawyer of the Year for 2012.

1974

Alan G. Greer, a shareholder with the law firm of Richman Greer, P.A. in Miami, has been selected as one of the 2011-2012 Lawdragon 500 Leading Lawyers in the United States for his intellect, passion, judgment, dedication and extraordinary achievements. Greer is a board-certified litigation attorney and concentrates his practice in civil commercial litigation, antitrust, mediation and arbitration, professional malpractice, construction litigation, class actions and civil appeals.

Robert W. Mead Jr., one of the founding shareholders of Dean, Mead, Egerton, Bloodworth, Capouano & Bozarth, P.A., was named as the Orlando Best Lawyers Employee Benefits (ERISA) Law Lawyer of the Year for 2012.

Leslie J. Lott, of Lott & Fischer, PL, was named Lawyer of the Year in intellectual property litigation for the Miami area for the 2012 edition of The Best Lawyers in America; best lawyer in the categories of arbitration, copyright law, litiga-
tion—intellectual property, and litigation — patent and trademark law. Her firm was named best law firm in Miami in the 2011-2012 edition of Best Law Firms in the categories of information technology law, litigation — intellectual property, patent law and trademark law. Lott has been listed in The Best Lawyers in America for the past 16 years.

Lott spoke about developments in trademark law in the Patent and Trademark Office and federal courts during The Florida Bar’s Third Annual Intellectual Property Symposium.  

1975

Robert T. Cunningham, of Cunningham Bounds, LLC in Mobile, Ala., was recently selected for inclusion in The Best Lawyers in America 2012. Cunningham was recognized in the following practice areas: commercial litigation, litigation — environmental, and personal injury — plaintiffs.

1976

Col. Richard H. “Dick” Black (USA Ret.), was elected to the Virginia Senate for a term of four years. Black previously served four terms in the Virginia House of Delegates. Black served as an Army attorney until his retirement as chief of the Pentagon’s Criminal Law Division in 1994.

Tyrie Boyer, of Jacksonville, was appointed to the 4th Judicial Circuit Court in October by Gov. Rick Scott. Boyer has served on the Duval County Court since 2001 while also being an adjunct professor at the Florida Coastal School of Law since 2000. Prior to taking the bench, Boyer spent 24 years as a successful private practitioner and was an assistant public defender for the Duval County Court from 1976 to 1977.

Michael J. Dewberry, a shareholder in Rogers Towers, PA.’s Jacksonville office, has been accepted as a member in the Academy of Court Appointed Masters. Dewberry is a Florida Supreme Court Certified Mediator whose practice focuses on commercial litigation, including all types of business litigation and dispute resolution, disputes involving contracts, real property, insurance, health care operations and litigation, peer review and credentialing, risk management and employment issues, and professional licensing and discipline.

M. Lynn Pappas is a new shareholder of Gunster, Yoakley & Stewart, PA.’s Jacksonville office.

Grad becomes ambassador to Luxembourg

In a faraway nation, Robert Mandell (JD 72) spoke French to a group of high school students. And it certainly wasn’t perfect.

“I’m sure that my grammar wasn’t perfect and my vernacular wasn’t perfect,” Mandell said, “but I got the point across.”

After the Senate confirmed him as the newest U.S. ambassador to Luxembourg — a landlocked nation of castles and hills smaller than Rhode Island nestled between France, Belgium and Germany — Mandell’s former Winter Park world became a whirlwind of all things European.

Between meeting with the nation’s prime minister and visiting one of its steel factories, the ambassador sits for intense French classes 90 minutes twice a week to improve his fluency in the language he once learned at the University of Florida.

“I’m not fluent, but by the time I leave, I will be!” the ambassador said.

Mandell didn’t have much time to learn.

The former Central Florida real estate developer, who is now the top diplomat in one of the world’s wealthiest nations, had already moved halfway across the world two days after his swearing in Oct. 25.

“It was a very quick turnaround,” Mandell said of his move to this romantic redoubt, the last that still boasts a grand duke as head of state. “You move with your suitcases and hope your books and records get here.”

An ardent Democratic Party and President Barack Obama supporter and donor, the new ambassador’s prior diplomatic experience included a seat on the President’s Export Council, the nation’s top international trade advisory board, whose members include the CEOs of Boeing, Xerox and the Walt Disney Company.

Now he represents America’s interests before a full-fledged — albeit, tiny — member of NATO and the European Union.

Mandell said his lifelong experiences as a UF law student, a practicing attorney and an Orlando businessman prepared him for his diplomatic turn.

“It’s clearly the most interesting job I’ve ever had,” Mandell said.

—Jared Misner (4JM)
Pappas has experience representing the region’s largest community developers, multifamily and condominium developers, community associations, shopping center developers and mitigation banks among several other types of market participants. Pappas also serves on the Board of Trustees and Board of Governors for the Jacksonville Regional Chamber of Commerce, and is a member of the Jacksonville Civic Council.

Donald H. Wilson, of Homeland, was appointed to the 10th Circuit Judicial Nominating Commission by Gov. Rick Scott. Wilson has practiced at Boswell and Dunlap L.L.P. for 30 years, where he serves as general counsel for Polk State College and handles various cases and transactions for the Polk County School Board. Wilson was reappointed for a term beginning Sept. 22, 2011, and ending July 1, 2014.

1977
Lauren Y. Detzel, shareholder at Dean, Mead, Egerton, Bloodworth, Capouano & Bozarth, PA.’s Orlando office, was recently honored by the Central Florida Women’s Executive Council as the 2011 Outstanding Professional at the organization’s 40th Annual Women’s Achievement Awards in Orlando. The Women’s Executive Council recognized outstanding women who work, volunteer or study in the Central Florida area. Detzel is chair of the firm’s Estate and Succession Planning Department.

Dennis Wall, of Winter Springs and Orlando, co-presented a West Legal Education Webinar, “Disasters in Insurance” in October and, “Disasters in Insurance: The Sequel” in November. Wall is also the author of a recent article with wide interest in the practice of law, entitled “Conditional and Other ‘Nonspecific’ Objections to Discovery Are No Objections At All in an Insurance (or in Any Other) Case.” The article was published in Insurance Litigation Reporter in November. He also presented at the American Conference Institute’s 22nd National Advanced Forum on Bad Faith Litigation in December.

1978
Dennis Campbell, the founding member of Campbell Law Firm PLLC in Coral Gables, has been named to the Best Lawyers in America list for 2012 in the categories of banking and finance, bankruptcy litigation, construction litigation, commercial litigation, and real estate litigation. Since 2004, Campbell has consecutively been named to the Florida Super Lawyers list and to the Florida Trend Legal Elite list for his work in business and commercial litigation.

Frank Miller is a new shareholder of Gunster, Yoakley & Stewart, P.A.’s Jacksonville office. Miller focuses his practice on real estate, environmental, land use and corporate law. Miller brings years of experience handling transactions for many of the region’s largest community developers and serves as counsel to the master developer in multiple land planned communities throughout Northeast Florida. Miller is also part of the Clay County Economic Development Advisory Board.

1979
Laurence C. Hames, of Winter Park, has been named to the prestigious Best Lawyers Business Edition list of outstanding lawyers in the practice areas of corporate law, estate and trusts, tax law and corporate governance for the fourth consecutive year. Hames has been practicing law in those areas of concentration for 35 years.

Steven A. Pepper, a partner in Arnall Golden Gregory LLP in Atlanta was named real estate lawyer of the year in Atlanta for 2012 by Best Lawyers. Pepper is a partner on the Real Estate Practice Team, the Commercial Lending Practice Team, and the Distressed Assets Practice Team. Pepper chairs the firm’s Multifamily Practice Team, is a member of the firm’s Executive Committee and co-chairs the firm’s Diversity Committee.

1980
Harry H. “Trip” Barnes, president of Barnes Law Firm, P.A. with offices throughout Mississippi, was named a Mid-South Super Lawyer by Super Lawyers magazine.

Brian J. Davis, circuit judge for the 4th Judicial Circuit of Florida since 1994, has been nominated for the U.S. District Court for the Middle District of Florida by President Barack Obama. Davis served as chief assistant state attorney in the State Attorney’s Office for the 4th Judicial Circuit from 1991 to 1994, having previously worked in the same office as an assistant state attorney from 1982 to 1988.

Richard Hersch, of Miami, was appointed to the 11th Judicial Circuit Court. Hersch has been a partner with Hersch and Talisman P.A. since 1998. Hersch was a sole practitioner from 1980 to 1998.

Gary R. Saslaw, of Gary R. Saslaw, P.A. in Aventura, was recently elected president of the Gold Coast Chapter of the Florida Institute of CPAs, an organization serving Certified Public Accountants in the North Dade, South Broward area.

1981
Richard B. Comiter, the senior partner in Comiter, Singer, Baseman & Braun, LLP in Palm Beach Gardens, has been named to the Florida Super Lawyers 2011 list. Comiter has also been selected as one of the Top 100 Attorneys in Florida for 2011 as published in the Wall Street Journal. Comiter spoke on Intergenerational Philanthropy in a joint presentation Feb. 14 for the Palm Beach County Estate Planning Council. Comiter’s practice includes tax, estate and business law.

1982
Linnes Finney Jr. has joined Greenspoon Marder, P.A.’s Personal Injury group in Port St. Lucie. His practice areas are personal injury,
For Ken Jones (JD 98), next to normal is as good as it’s gonna’ get. “An average day? That’s a misnomer,” Jones said with a laugh. “I don’t think there is such a thing.”

“I’m so used to being nervous that I get tense when I’m calm,” Jones said.

As the president and CEO of the nonprofit 2012 Republican National Convention Tampa Bay Host Committee, Jones is responsible for managing every detail of the three-day Tampa Bay extravaganza that will officially nominate the Republican Party’s 2012 presidential candidate. The details range from raising $55 million, to making sure the perfect color confetti litters the floor, to training an estimated 10,000 volunteers. And all of those details have to squeeze into a day of waking at 5 a.m. “whether he likes it or not” to get his sons, Cal and Hubbell, ready for the day; a full-time job as the executive vice president and general counsel at the global investment firm Communications Equity Associates where he keeps tabs on about $1 billion; and, during the Florida Republican presidential primary, hurrying off to a presidential debate at the University of South Florida at 9 p.m. that evening.

“I get tired just telling you,” Jones said. “Every day is different. Every day is unique.”

But for a man who’s been “going full speed” since he moved to Washington, D.C., two months after graduating from UF Law to serve as former Senate Majority Leader Trent Lott’s chief legal counsel and deputy chief of staff, the general counsel to the 55th Presidential Inauguration of George Bush and senior strategic adviser to the last three Republican National Conventions, volunteering to plan one of America’s two quadrennial political conventions is right up his alley.

“This is a big airplane. It isn’t easy,” said Robert Watkins, a director on the RNC Tampa Bay Host Committee. “But what Ken does is make it look easy.”

—Jared Misner (4JM)
Brenna Malouf Durden, a shareholder with Lewis, Longman & Walker, P.A. in Jacksonville, was named to the 30th annual class of Leadership Florida.

Steven Ellison, a partner in the West Palm Beach office of Broad and Cassel, was honored by the Arthur I. Meyer Jewish Academy for his years of service, support and dedication to the academy and the Jewish community in the Palm Beach area. Ellison is member of the firm’s commercial litigation and special assets practice groups, and devotes a substantial portion of his practice to consumer financial services litigation.

Stanley A. Gravenmier, shareholder of Dean, Mead, Egerton, Bloodworth, Capouano & Bozarth, P.A., was elected to the firm’s board of directors. Gravenmier is the chair of the firm’s Real Estate Department. Gravenmier focuses his practice on commercial loan transactions, real estate development, financing and leasing. In addition, Gravenmier has extensive experience in the areas of Florida documentary stamp taxes and intangible taxes incurred in connection with conveying and mortgaging real estate.

Elizabeth Krentzman, former Investment Company Institute general counsel, has been appointed to lead Deloitte’s U.S. mutual fund practice. Krentzman is now a principal with Deloitte Consulting LLP in Washington, D.C., and will oversee the national development and delivery of mutual fund strategies across Deloitte’s audit, tax, financial advisory and consulting businesses to mutual fund complexes, boards of directors and service providers.

Stephen R. Looney, chair of the Dean, Mead, Egerton, Bloodworth, Capouano & Bozarth, P.A.’s Tax Department in Orlando, was among the featured speakers at New York University’s 70th Institute on Federal Taxation in October. This marks the seventh consecutive year and the ninth time overall that Looney has spoken at the NYU Tax Institute. Looney’s presentation this year was entitled “Mergers and Acquisitions of S Corporations.” Looney was also among the guest speakers at The Florida Bar Tax Section Fall Meeting in October.

1986

William Altfield was sworn in as a county court judge of the 11th Judicial Circuit at the Dade County Courthouse in November. Prior to joining the county bench, Altfield served as an assistant state attorney with the Miami-Dade State Attorney’s Office from 1987 through September of this year, where he was a senior prosecutor primarily responsible for the investigation and prosecution of public corruption cases.

1987

Harvey Jay III, of Jacksonville, was appointed to the 4th Judicial Circuit Court in October by Gov. Rick Scott. Jay has had a distinguished law career as a trial and appellate litigator, the bulk of which has been spent as a partner at Saalfeld, Shad, Jay, Stokes, Inclan and Stoudemire P.A. Previously, Jay practiced with the Law Office of Joseph Milton from 1989 to 1991.

Scott D. Makar, of Jacksonville, was appointed by Gov. Rick Scott to the 1st District Court of Appeal. Makar has served as Florida’s solicitor general in the Office of the Attorney General since 2007. Since becoming solicitor general, Makar has argued five cases in the U.S. Supreme Court, as well as cases in the U.S. Court of Appeals for the 11th Circuit, the Florida Supreme Court, the 1st District Court of Appeal, and the 2nd and 13th judicial circuits.

Jeffrey T. Shear is a new shareholder of Gunster, Yoakley & Stewart, P.A.’s Tampa office. Shear focuses his practice on banking and financial services, environmental, land use, health care and real estate law. Shear also brings knowledge from his experience in various aspects of health care law representing hospitals and hospital systems in real estate transactions, development, leasing and Stark law and anti-kickback regulatory issues.

Marcia Parker Tjoflat joined Gunster, Yoakley & Stewart, P.A.’s Jacksonville office as an of counsel attorney. Parker Tjoflat focuses her practice on environmental and land use law and business litigation. Parker Tjoflat brings significant experience in environmental permitting and administration litigation as well as experience representing industries, developers, local government and land owners throughout North Florida.

1988

R. Scott Costantino, of Liles, Gavin, Costantino, George & Dearing in Jacksonville, has been selected by his peers for inclusion in the 2012 edition of The Best Lawyers in America in the practice areas of personal injury litigation and medical malpractice law. Costantino was also named as one of the top attorneys in Florida for 2012 by Super Lawyers Magazine, and he has been elected to the executive committee of the Jacksonville chapter of the American Board of Trial Advocates.

Jorge J. Perez, former circuit court judge who was appointed to the bench by Gov. Jeb Bush and most recently was a partner at Gordon & Rees, LLP has joined the Miami office of McDonald Hopkins, LLC as a member and chair of the newly formed National Receivership Practice Group at the business advisory and advocacy law firm. Perez is among six attorneys who have joined the firm’s Miami office since it opened last year.

Michael Singer, a partner in Comiter, Singer, Baseman & Braun, LLP in Palm Beach Gardens, has been named to the Florida Super Lawyers 2011 list.
1989

Sean C. Domnick, of Domnick & Shevin, PL in Palm Beach Gardens, has been named to the Best Lawyers of America list for personal injury litigation and medical malpractice law. Domnick & Shevin, PL was placed on the “Best Law Firms” list for 2011-2012 by Best Lawyers and U.S. News & World Report.

T. Mills Fleming, partner of Hunter, Maclean, Exley & Dunn, P.C. with offices in Savannah and Brunswick, Ga., and chair of the firm’s Health Care Practice Group, recently authored a chapter in Health Care Law Enforcement and Compliance: Leading Lawyers on Understanding Recent Trends in Health Care Enforcement, Updating Compliance Programs and Developing Client Strategies. Fleming contributed the chapter, “New Government Scrutiny Demands New Strategies for Health Care Clients,” which explores the impact of recent health care laws and regulations on hospitals, health care facilities and medical practitioners.

Mark Stein, a partner in Higer Lichter & Givner LLP in Miami, was named to the 2012 Best Lawyers in America list.

Bradley H. Trushin has recently founded the firm of Chepenik Trushin LLP in Miami. Trushin will be focusing in the practice areas of probate, trust and guardianship litigation in addition to complex business and commercial litigation. The firm also specializes in estate planning, asset protection, probate and trust administration.

1990

Steve Bernstein, a partner in the Tampa office of Fisher & Phillips LLP, was recently elected to the board of directors for the Greater Tampa Chamber of Commerce. In addition to providing guidance to the growing organization, Bernstein will chair the 2012 Benchmarking Visit to Baltimore. He previously served a one-year term on the board in 2010. Bernstein has more than 20 years of experience as a labor and employment attorney.

**UF Law tax seminar leads to ESPN career**

Kristi Dosh (JD 07) calls her new sports reporting job for ESPN a dream come true.

And it’s a dream born in an unlikely place: a UF Law tax law seminar.

During her third year, Dosh decided to take a tax law seminar with UF Law Professor Emeritus David Richardson because the class meshed well with her schedule and involved a final paper rather than an exam. She knew nothing of tax law or the Internal Revenue Code.

But what she did know was baseball.

So Dosh approached Richardson with an “out-of-the-box” idea for a paper. She wanted to write about luxury taxes and revenue sharing in Major League Baseball.

To her surprise, Richardson agreed, and the paper was a grand slam. The University of Denver Sports & Entertainment Law Journal published the paper.

“Her paper was actually a remarkable explanation of very complicated rules and regulations,” Richardson said. “For a student to have that talent is memorable in and of itself.”

“That’s sort of where things changed for me,” Dosh said.

The academic paper led to an expanded version in a book deal. Balancing Baseball: How Collective Bargaining Has Changed the Major Leagues is set to be published late this year or in 2013.

Making her a “legitimate expert on collective bargaining,” as Dosh said, her book allowed her to begin working in May 2010 as a sports analyst for SportsMoney and Comcast.

And she did it while practicing affordable housing and finance law at several Atlanta firms.

Writing and providing TV commentary was just for fun, Dosh said.

And the burgeoning website she created, businessofcollegesports.com, to fill the gap in college sports business reporting? That was just for fun, too.

By the time her agent mentioned her name to ESPN, the global sports powerhouse was already well aware of Dosh.

As she adjusts to her ESPN career, Dosh is still thankful for her law degree. Without it, and maybe a wacky idea for a tax law paper, she wouldn’t be where she is today, she said.

—Jared Misner (4JM)
Jill M. Granat, of Burger King Holdings, Inc., was promoted from vice president, assistant general counsel to general counsel, secretary and chief compliance officer.

Antoinette DiPalma Plogstedt, an Orange County judge, has recently been appointed as a board member of the Orange County Bar Association Foundation. Plogstedt has served as an Orange County judge since 2001.

Cynthia Crofoot Rignanese, of Winter Haven, was re-elected president of the Winter Haven Women's Bar Association. Rignanese's areas of law include estate planning, probate, real estate and business law. Rignanese is also a founding member of FAB (Females Advancing Business).

1991

Todd L. Bradley, from the Naples Office of Cummings & Lockwood LLC, was selected for inclusion in the 2012 edition of The Best Lawyers in America in the practice area of trusts and estates.

Keith Grossman, formerly a partner at Burandt, Adamski, Grossman & Powell in Cape Coral, opened his own law firm in Fort Myers, Grossman Law & Conflict Management. Grossman's practice areas have expanded to include family law, employment law, mediation and training. Grossman hopes to transform the way families and businesses manage conflict by offering mediation in both family and divorce cases, as well as in the workplace.

Kimberly B. Rezanka, shareholder of Dean, Mead, Egerton, Bloodworth, Capouano & Bozarth, P.A., has been elected to serve on the firm's board of directors. Rezanka leads the firm's Real Estate Development Industry Team. Rezanka represents business entities and individuals in matters involving contracts and in matters concerning governmental activities.

Edwin A. Scales III, of counsel in the Key West office of GrayRobinson, P.A., was reappointed by Gov. Rick Scott for a three-year term to the District Board of Trustees for the Florida Keys Community College in October. Scales will assist the board in providing policy direction for the Florida Keys Community College. Scales was first appointed to the board by former Gov. Jeb Bush in 2006, and chaired the board from 2007 to 2009.

1992

Susan Katherine Frazier, of Tampa, has been appointed to the Florida Transportation Commission by Gov. Rick Scott. Frazier has been an attorney with Hill Ward Henderson since 1992 and serves on the executive council of the Real Property, Probate and Trust Law Section of The Florida Bar. Frazier has served on the Board of Trustees of the Henry B. Plant Museum since 2008 and is currently the board's vice president.

Kenneth B. Jacobs, managing shareholder of the Jacksonville office of GrayRobinson, P.A., has been elected to serve on the board of directors of Synovus Bank, one of the largest community banks in the Southeast. Jacobs is on the board of directors for the JCC Association of North America, and has served on the board of governors of the Jacksonville Chamber of Commerce.

Tracy Tyson Miller, a solo practitioner in Jacksonville specializing in social security disability, was recently elected to the board of directors of the National Organization of Social Security Claimants' Representatives, where she will represent members of the 11th Circuit. Miller is board certified by the National Board of Social Security Disability Advocacy and was selected in 2011 to both the Florida Legal Elite and Florida Super Lawyers lists.

1993

Amy R. Hawthorne, of Cape Coral, was appointed to the 20th Judicial Circuit Court. Hawthorne has been a sole practitioner since 1998 and served as an assistant public defender with the Office of the Public Defender for the 20th Judicial Circuit from 1993 to 1998. In 1993, Hawthorne was an associate attorney with Bill Powell PA. Hawthorne served as a general civil magistrate for the 20th Judicial Circuit from 2010 to 2011, and as an alternate special master for the city of Cape Coral from 2003 to 2005.

1994

Keith W. Rizzardi, former assistant professor of law at St. Thomas University in Miami, joined Jones, Foster, Johnston & Stubbs, PA, in West Palm Beach as special counsel for the firm. Rizzardi is a board certified lawyer in state and federal administrative practice.

Rosemarie Scher, a Palm Beach County traffic hearing officer, has been appointed to replace retired Circuit Judge Elizabeth Maass. Scher is a partner with Schwed, McGinley and Kahle P.A., where she handles construction and business litigation, general liability and wrongful death claims.

Levi G. Williams, of Fort Lauderdale, was appointed by Gov. Rick Scott to the Commission for Independent Education. Williams is a partner with Levi G. Williams PA. Previously, he practiced with Fertig and Gramling for 14 years and was an assistant state attorney for the 20th Judicial Circuit from 1994 to 1996. Williams was also vice president of Ambrosia Corporation from 1992 to 1994 and president of Anthem Inc. from 1991 to 1994.

1996

Kenneth Curtin, of Adams and Reese, has been appointed to the Governance and Ethics Committee of the board of directors of the Glazer Children's Museum in Tampa. Curtin is a special counsel in the Tampa and St. Petersburg offices. Curtin is a litigator, focusing in the areas of complex commercial, construction, community association and real property litigation as well as insurance defense and coverage issues. Curtin is board certified by The Florida Bar in construction law, and he has been recognized as a top up and comer by the South Florida Legal Guide.
Curtin was also selected by his legal peers as a Super Lawyer in the areas of business and construction litigation.

Christa Joy Lampley Fortson was elected to serve a three-year term as a trustee to The Leadership Georgia Board of Trustees. Leadership Georgia’s primary purpose is to identify, train and inspire a network of emerging young leaders. Lampley Fortson is an assistant chief counsel with the U.S. Department of Homeland Security where she practices immigration law.

Suzanne E. Gilbert, of Holland & Knight LLP’s Orlando office, has been named to the 2012 Lawyers of the Year list by Best Lawyers in America. She practices in banking and finance litigation.

Marve Ann Alaimo, of the Bonita office of Cummings & Lockwood LLC, has been elected to serve on the board of the Estate Planning Council of Naples.

Mark Criser, a shareholder at Hill Ward and Henderson in Tampa, received the UF outstanding Young Alumni Award. Criser is a member of numerous professional and community organizations, including TMI Kids, Defense Research Institute, Hillsborough County Bar Association, University of Florida Law Alumni Council, American Bar Association, and University of Florida Alumni Association board of directors.

J. Scott Duncan, of Pensacola, was appointed to the 1st Judicial Circuit Court by Gov. Rick Scott. Duncan has practiced with Borowski and Duncan P.A. since 2002. Previously, he was an assistant state attorney with the 1st Judicial Circuit from 1997 to 2002, where he coordinated the Escambia County Drug Court Program from 2000 to 2002. Duncan will fill the vacancy created by the resignation of Judge Nikolai P. Geeker.

Brad Fallon, founder of the new user content sharing platform, uQast, has announced that he will begin publishing video tips and news for online business entrepreneurs. Fallon is also CEO of StomperNet, a leading subscription-based Internet marketing training company. Fallon ranks No. 1 on Google for “Coolest Guy.”

Nicole L. Goetz, of Nicole L. Goetz, P.L. in Naples, spoke at the Collier County Bar Association Trusts and Estates Section’s Second Annual Estate Planning Symposium in February. Goetz lectured on the topic of “Protecting your Client’s Non-marital Property: Avoiding Inadvertent Distributions and Support Obligations.” Nicole L. Goetz, P.L. is a boutique firm that represents clients in marital and family law cases, including complex and high net worth divorces; and provides assistance to other attorneys on complex legal issues and appellate matters.

1997

1998

Matthew J. Ahearn, a shareholder of Dean, Mead, Egerton, Bloodworth, Capouano & Bozarth, P.A., was elected to serve on the firm’s board of directors. Ahearn practices in estate and succession planning and is board certified in wills, trusts and estates and tax law by The Florida Bar Board of Legal Specialization. Ahearn has extensive experience in the areas of estate and business succession planning, asset protection planning, charitable planning and planning to minimize or avoid wealth transfer taxes.

Nicole K. Atkinson, Gunster shareholder, was recently appointed as co-chair of the Judicial Relations Committee of the Palm Beach County Bar and reappointed as the vice president of the board of directors of the Hospice Foundation of Palm Beach County. Atkinson focuses her practice on business litigation; private wealth services; probate, trust and estate planning; and appellate matters.
Atkinson also sits on the Corporate Counsel Committee of the Palm Beach County Bar.

Keith Merritt, of Merritt Law Office, P.A., was elected as a city commissioner for the city of Lakeland on Nov. 8, 2011.

Harvey E. Oyer III, a partner in Shutts & Bowen LLP’s West Palm Beach office, was recently named to the board of directors of the Florida Historical Society. Oyer is a fifth-generation native of Palm Beach County and served for seven years as the chairman of the Historical Society of Palm Beach County. Oyer represents clients in real estate transactions, finance, land use, zoning, agricultural law, cultural property law and government relations/lobbying.

Jay M. Sakalo, practice group leader and partner in Bilzin Sumberg Baena Price & Axelrod LLP’s Restructuring & Bankruptcy Group in Miami, was recognized as one of The Cystic Fibrosis Foundation’s 40 Under 40 Outstanding Lawyers of Miami-Dade County. The 40 Under 40 award honors rising stars of Miami-Dade County for their dedication to providing outstanding legal service and for their commitment to improving the community.

2000

Brenda Ezell, founding partner and sole shareholder of Ezell Law Firm, was recently named a 2011 Woman of Influence by the Jacksonville Business Journal. The prestigious award recognizes outstanding female leaders in the community’s business and nonprofit sectors. Ezell was recognized for her community involvement and for instituting flat-fee billing in her law practice. Ezell, president-elect of Commercial Real Estate Women Jacksonville and immediate past president of OneJax, was also selected as a member of Leadership Jacksonville’s Class of 2012.

Russell Koonin, an associate in Bilzin Sumberg Baena Price & Axelrod LLP’s Litigation Group in Miami, was recognized as one of The Cystic Fibrosis Foundation’s 40 Under 40 Outstanding Lawyers of Miami-Dade County. The 40 Under 40 award honors rising stars of Miami-Dade County for their dedication to providing outstanding legal service and for their commitment to improving the community.

Michelle L. Naberhaus, an attorney in the Melbourne office of GrayRobinson, P.A., has been selected to serve on the board of directors for the Women’s Business Center at Florida Institute of Technology for a one-year term. The WBC provides women with opportunities, tools and connections to advance their global influence and success. Naberhaus is also a volunteer for The Florida Bar’s Disaster Legal Services and the Supreme Court Justice Institute Justice Teaching program.

Lisa A.G. Smith has partnered with her husband and fellow J.D. 00 alumnus, Roy J. Smith, IV, for the continuation of The Smith Family Law Firm, P.A. Smith will continue to practice exclusively in the field of family law. Smith has also recently been selected as one of “Orlando’s Top Lawyers” by Orlando Home & Leisure Magazine for excellence in divorce law, and was also featured in Orlando Style Magazine’s “Spotlight On The Law” feature for September 2011.

Roy J. Smith, IV, of The Smith Family Law Firm, P.A., has been appointed a member of the 9th Judicial Circuit Grievance Committee. Smith has also been named to Florida Trend Magazine’s Legal Elite, Orlando Home & Leisure Magazine’s list of Orlando’s Top Lawyers for excellence in family law, and highlighted as one of Orlando Style Magazine’s Renaissance Men for 2011. He and his wife and fellow J.D. 00 alumnus, Lisa A.G. Smith, were also nominated for the Orlando Business Journal’s 40 under 40 for 2011.

Kathryn F. Whittington is a new shareholder of Gunster, Yoakley & Stewart, P.A.’s Jacksonville office. Whittington focuses her practice on environmental, land use and real estate law, and also serves as counsel to the master developer in multiple developments of regional impact.
Leadership Advantage” at the Second Annual panel, “Finding Success Amid the Downturn.”

Abraham practices patent litigation before the U.S. district courts and the U.S. International Trade Commission. Abraham’s practice encompasses a wide array of technologies, including the chemical, pharmaceutical, mechanical and electrical fields.

T. Robert Bulloch, of Quarles & Brady LLP, has been named managing partner of the firm’s Naples office. Bulloch succeeds Naples co-managing partners Kimberly Leach Johnson (JD 81) and Timothy G. Hains in this leadership position.

Rose K. Drupiewski, of Atlanta, has been promoted to income shareholder of Chamberlain Hrdlicka. Drupiewski maintains a broad tax planning practice with significant experience in estate and gift tax planning and tax-exempt organizations. Drupiewski represents a broad range of clients with their tax planning needs, including individuals, businesses, fiduciaries, public charities and private foundations.

Alexa Sherr Hartley, founder and president of Premier Leadership Coaching, LLC, has been featured at several South Florida professional development events such as CREW-Miami’s panel, “Finding Success Amid the Downturn.” Most recently Hartley presented on the “Leadership Advantage” at the Second Annual Florida Women’s Conference where she outlined ways to attain greater levels of success and career fulfillment. Hartley’s blog, which provides strategies for improved professional performance, may be viewed at www.premierleadershipcoaching.com/.

Brian Mencher, founder of the UF Music Law Conference, recently created the Songwriters Law Seminar in New York City. The seminar has three classes and a final session, aimed at songwriters who perform their own material, called “Verse Three: Singer-Songwriters and Recording Agreements — Implications on Publishing.” Mencher is a founding partner of Beame & Mencher LLP and handles legal matters in the entertainment industries, with particular focus in the music business — artist representation, intellectual property management, deal-making and general business governance.

Larry R. Fleurantin, of Larry R. Fleurantin & Associates, PA. in North Miami Beach, recently published the article: “Exhaustion of Administrative Remedies in Immigration Cases: Finding Jurisdiction to Review Unexhausted Claims the Board of Immigration Appeals Considers on the Merits” in 34 American Journal of Trial Advocacy 301 (2010-2011). Fleurantin’s firm concentrates its practice in civil and appellate litigation, with a particular focus on personal injury, car accidents, family law, real estate, foreclosure and immigration.

Ryan V. Kadyszewski, an associate at Linkhorst & Hockin, PA, in Jupiter, recently became Florida board certified in the area of construction law. Kadyszewski focuses his practice on construction law and commercial litigation.

Brian McPherson, of Gunster, Yoakley & Stewart, PA.’s West Palm Beach office, has been promoted from associate to shareholder. McPherson is a member of the firm’s labor and employment practice and focuses on labor and employment litigation and counseling and complex commercial litigation.

Hale Sheppard, a shareholder of Chamberlain Hrdlicka, has been named to the Georgia Super Lawyers list as a top attorney in Georgia for 2012. No more than 5 percent of lawyers statewide are selected by Super Lawyers annually.

Lisa Wolgast, of Morris, Manning & Martin, LLP in Atlanta, has been elected as a partner in the firm. Wolgast is now a partner in the Creditors’ Rights & Bankruptcy and Corporate & Commercial Litigation practices. Wolgast focuses her practice on creditors’ rights and bankruptcy issues, and her practice includes representing creditors in state and federal court and she regularly handles contested foreclosures, represents creditors in complex workouts and defends lenders liability claims.

Julie Farkas has joined the Personal Injury Practice Group of Greenspoon Marder, PA. Farkas has experience in multiple aspects of civil litigation, including personal injury, wrongful death, appeals before Florida district courts and representing plaintiffs in complex tobacco litigation. Farkas is a member of the Martin County Bar Association, Florida Young Lawyers’ Division of The Florida Bar, the American Bar Association and The Florida Bar.

Matthew D. Horton has joined King & Chaves, LLC in West Palm Beach. Horton previously worked for a number of years as a public defender representing clients in serious felony offenses and litigated numerous jury trials.

Traci Kratish has joined Provenance Wealth Advisors, an affiliate of the CPA and consulting firm Berkowitz Dick Pollack & Brant, as a financial planner in the Ft. Lauderdale office. Kratish, a lawyer and Certified Public Accountant (CPA), will provide comprehensive income, estate, financial and investment planning for firm clients. Kratish joins Provenance Wealth Advisors from private practice, where she focused on providing asset protection, wealth preservation and insurance planning for individuals, companies and nonprofit entities.
Linda G. Pisani is now an associate in the Healthcare Litigation Practice Group in the Tampa office of GrayRobinson, PA. Pisani practices in many areas of the law, including commercial litigation, general civil litigation and family law. Pisani is admitted to practice in the state of Florida, as well as the U.S. District Court, Middle District of Florida.

Michael P. Silver, a partner of Shutts and Bowen LLP, has a broad-based litigation practice that includes commercial litigation and appeals in state and federal courts, as well as various administrative forums. Silver’s experience includes contract disputes; business torts claims; defense of professional liability/malpractice matters; insurance and bad faith claims; and real estate litigation, including commercial foreclosures and lender liability issues.

2005

Jeffrey T. Breloski joined the Atlanta office of Baker, Donelson, Bearman, Caldwell & Berkowitz, PC as an associate in the Intellectual Property Group. Breloski handles general business litigation matters and assists corporate and individual clients on matters related to intellectual property and patent prosecution. Prior to joining the firm, Breloski served 14 years in the U.S. Army.

Christopher Chestnut was quoted in the Dec. 1, 2011, issue of The New York Times as the attorney representing the family of Robert Champion, the Florida A&M University drum major who died after a football game as a result of band hazing.

Jennifer Finch has taken a new position as assistant general counsel for Market America Worldwide in Greensboro, N.C.

A. Felipe Guerrero has been elected to serve as the 2012 president of the Hispanic Bar Association of Central Florida board of directors. Guerrero is an associate in the Orlando office of Dean, Mead, Egerton, Bloodworth, Capouano & Bozarth, PA. The practice focuses on real property litigation, commercial litigation, creditors’ rights and landlord/tenant litigation. Guerrero has been actively involved with the Hispanic Bar Association of Central Florida since 2007, and he recently received the UF Outstanding Young Alumni Award.

Jordan Lee, a partner of Shutts and Bowen LLP, concentrates his practice in the areas of complex estate planning, estate and trust administration, federal income, estate, gift, and generation-skipping transfer taxation, private foundations and other tax-exempt organizations, pre-marital and post-marital agreements, and business succession planning. Lee also frequently assists clients with estate and trust litigation, corporate, partnership and real estate matters.

2006

Adam Artiglieri was the recipient of the 20 Under 40 award, recognizing community leaders in the Anderson, S.C., area. Artiglieri recently started a law firm, Artiglieri & Clark, PA., in downtown Clemson, S.C.

Amy Bokor, of Charlotte, N.C., works at a construction firm that recently merged. The firm’s new name is Erwin Bishop Capitano & Moss, PA. Bokor practices civil litigation with a focus in construction law.

Brian Bokor, of Charlotte, N.C., recently left Kat- ten Muchin Rosenman LLP and joined Alston & Bird LLP in Charlotte, N.C. Bokor practices commercial real estate with a focus in structured finance.

Kimberley A. Dillon, an attorney in the Quarles & Brady LLP’s Naples office, was selected as a 40 Under 40 recipient by Gulfshore Business magazine. Dillon practices in the areas of estate planning, estate and trust administration, general business law, corporate services, tax controversy and tax planning.

Jeff Lieser, a reserve judge advocate in the U.S. Army JAG Corps who recently returned from deployment to Iraq, wrote a piece on the withdrawal that appeared in The Hill Congress Blog in November entitled “Immune to Reality: A view on the withdrawal from Iraq.”

Steven E. Martin, of the Martin Law Firm, PL, is a member of The Florida Bar’s Judicial Administration and Evaluation Committee. Martin attended the meeting of the committee in Orlando on Sept. 16. The committee addressed lack of attorney response to judge evaluation surveys, a voters’ guide for the upcoming 2012 judicial retention election and a proposed new rule of judicial administration addressing disqualification of trial judges.

Douglas H. Shaver has been promoted to shareholder in Rogers Towers, PA. Shaver has been a member of the firm for the past five years, practicing in the areas of federal and state taxation; the creation, operation, and reorganization and disposition of partnerships, corporations and other business and professional entities; as well as general corporate matters.

Marta Stypulkowski has joined Richman Greer, PA.’s West Palm Beach office as an associate. Stypulkowski focuses her practice on commercial and complex civil litigation. Prior to joining Richman Greer, she was an associate attorney with the law firm of Adams Coogler in West Palm Beach. Stypulkowski is admitted to practice in Florida and is a member of the Palm Beach County Bar Association, Young Lawyers Section, the Florida Defense Lawyers Association and the Palm Beach County Chapter of the Florida Association for Women Lawyers.

2007

Anastasia Protopapadakis recently joined GrayRobinson PA.’s Miami office. Protopapadakis will focus her practice in commercial litigation, civil rights law, local government, employment litigation and general tort litigation.

Jon Mills — politician, media pundit and professor extraordinaire — was networking at a law school reception in honor of a visiting Florida Supreme Court Justice when I tapped him on the shoulder.

“You’ve been busy,” I said, citing just a few of his recent activities ranging from multiple media appearances to lectures at national conferences.

He threw his hands in the air and laughed. “I’m supposed to be on sabbatical!” he said, and shook his head at the futility of staying away from the law school and legal world that has been his passion for more than 40 years.

Mills (JD 72) is one of UF Law’s best-known and most influential graduates, and he likes to be involved. He has earned widespread respect in his many diverse roles as an elected official, lawyer, professor, author, businessman and oft-quoted media expert on constitutional law issues. He received the University of Florida Distinguished Alumnus Award in recognition of all that hard work during the college’s May 2012 graduation ceremony.

“...The education I received from Florida gave me the opportunity to be a lawyer, to be a teacher, to be a writer,” Mills said. “It’s impossible for me to give back enough to repay what that has meant to my life in terms of allowing me to have joy in the things that I do and to see that I’ve made an impact.”

Mills served 10 years in the Florida Legislature and was Speaker of the House 1986-1988. His major policy initiatives included water quality and environmental bills, child abuse prevention, high tech development, and constitutional privacy protections. While Speaker, he initiated and led the effort to build the Center for the Performing Arts and locate all UF arts facilities at the “Miracle on 34th Street.” He served on the historic Constitution Revision Commission and was named its most valuable member, chaired the drafting committee, and sponsored a substantial revision to the education provision of the Florida Constitution.

Mills is currently exploiting his hard-won knowledge of the Florida constitutional and political system. He serves as counsel for the Democratic Party before the state Supreme Court in a challenge to the Republican Legislature’s legislative redistricting map.

Mills has been a lawyer in high profile national cases such as protection of privacy for the Earnhardt family, the Versace family, and the family of SeaWorld trainer Dawn Brancheau; he has appeared in courts nationwide and is of counsel to the prominent Miami law firm Boies Schiller & Flexner, LLP.

Mills served as dean of the college of law from 1999 through 2003, when he chose to step down to return to serving full-time as director of the college’s Center for Governmental Responsibility, which he founded in 1973. As dean, he focused on raising the funds needed to help the law school address a critical need for new and expanded facilities and on hiring excellent faculty. He helped bring in more than $25 million in private support and initiated the effort to completely transform the college’s physical space. The work was continued by his successor, current law school Dean Robert Jerry, and concluded this year.

He continues to serve the university as a law professor and director of the center he founded 30 years ago. Under his direction, CGR has promoted the rule of law through conferences held around the globe, supported numerous research and education initiatives, and nurtured students who have gone on to be Cabinet members, federal judges, and legal services lawyers. He has conducted research and taught in Brazil, Poland, and universities worldwide. He has written numerous articles and books, the most recent of which, Privacy: The Lost Right, was published by Oxford University Press.

As an expert and a commentator, Mills has appeared on CNN, CBS, Fox, National Public Radio, and the BBC. He has been quoted in the New York Times, the Wall Street Journal and the Los Angeles Times among many other publications.

As a Florida businessman, he was part of the development team to build the Hilton UF Conference Center in Gainesville and the La Concha Hotel in Key West. He is founding chairman of a startup company, Cybershield, an Internet security and identity company that was selected to be in the Florida Innovation HUB at UF.

In his spare time, such as it is, Mills is a pilot, scuba diver, and big fan of his daughters’ sports activities. He and his wife of 20-plus years, Beth, have two daughters, Marguerite and Elizabeth.
nonspecialist readers interested in learning the latest scientific findings concerning climate change and how great a danger it actually represents.

2008

Natalie F. Guerra-Valdes joined Blank Rome LLP’s Boca Raton office as an associate in the Commercial Litigation Group. Guerra-Valdes previously served as an associate at Arinstein & Lehr, LLP in Fort Lauderdale. Guerra-Valdes represents lenders and financial institutions in a variety of consumer finance litigation matters, including disputes under TILA, RESPA, FCRA, ECOA and FDCPA, state law UDAP claims, and a variety of common law claims.

Lawrence Scheinert has recently joined the U.S. Department of the Treasury to serve as a policy adviser in the Office of Terrorist Financing and Financial Crimes. Prior to joining the Treasury Department, Lawrence was a corporate associate at White & Case LLP.

2009

Justin M. Axelrod joined the Corporate and Securities Practice Group in the Orlando office of Broad and Cassel. Axelrod joins the firm from the Internal Revenue Service where he served as a tax consultant advising on federal taxation and the application of federal tax law, and identifying significant compliance issues. Axelrod also worked for the IRS Office of Chief Counsel as a tax attorney.

Christopher T. Borzell has joined the firm of McCumber, Daniels, Buntz, Hartig & Puig, P.A., as an associate in the Tampa office. Borzell focuses his practice on first-party property coverage, premises liability, auto liability, bad-faith and commercial litigation.

Michael J. Henry, an associate in Burke Blue Hutchison Walters & Smith, P.A.’s Panama City office, has been elected the vice president/president-elect of the Bay County Bar Association for 2012.

Margaret “Peggy” E. Hunt joined the Orlando office of GrayRobinson, P.A. as an associate. Hunt’s practice will focus on all aspects of civil litigation with an emphasis on construction litigation and complex civil litigation in federal court. Prior to joining GrayRobinson, Hunt clerked for Marcia Morales Howard (JD 90), U.S. District Court Judge for the Middle District of Florida. She also completed a judicial externship with Anne C. Conway (JD 75), chief judge of the U.S. District Court for the Middle District of Florida.

Rafal Strzalkowski, associate director of the local Jordan Klausner Foundation for children with special needs, was nominated for a Spirit of Gainesville Award in the Community Service category.

2010

Michael J. Lazinsk has joined the law firm of Zimmerman, Kiser & Sutcliffe, P.A. in Orlando as an associate practicing in the areas of general commercial and corporate litigation.

Ryan Q. Moon has joined Phelps Dunbar LLP’s Baton Rouge, La., office as an associate in the regional business group. Moon’s practice focuses on federal taxation, estate planning, business formations and business transactions. Prior to joining Phelps Dunbar, Moon practiced in the areas of federal taxation, estate planning and general business matters at Hunter, Hunter & Sonnier, LLC in Lake Charles, La.

2011

Jamie L. Barwig joined the Corporate and Securities Practice of Bass, Berry & Sims PLC in Nashville, Tenn. Barwig is focusing on Intellectual Property. After receiving her undergraduate degree, Barwig taught for a year in Chicago through the Teach for America program. Christina Blood has become a litigation associate in the Adams and Reese LLP Tampa office. In 2010, Christina was a summer associate at Adams and Reese, where she worked on legal matters concerning civil and commercial litigation, including commercial foreclosures, real property disputes and contract disputes.

Eric R. Feld has joined Greenspoon Marder, P.A.’s Litigation practice in the Fort Lauderdale office. This is Feld’s first position as an attorney, as he recently passed The Florida Bar.

Alejandro Gonzales is a co-owner of the first Willy’s Mexicana Grill in Florida at 3619 Archer Road in Gainesville. Willy Bitter opened the first Willy’s in Atlanta in 1995 and now has 19 locations in metro Atlanta and Athens, Ga., in addition to the new Gainesville location.

Stephen D. Lott has joined Lott & Fischer, PL as an associate attorney. Lott primarily devotes his practice to trademark, copyright, entertainment, Internet law and related litigation. Lott’s article, “Culture War in the Classroom: A Legal Analysis of the 2010 Texas Curriculum Controversy,” was recently published in 13 Texas Tech Admin. L.J. 101. While at UF Law, he was editor-in-chief of the Florida Journal of International Law and managing editor of the Journal of Technology Law & Policy.

Sean McDermott, a 2011 Environmental and Land Use Law Certificate recipient, was awarded a 2012 National Oceanic and Atmospheric Administration National Sea Grant John A. Knauss Marine Policy Fellowship. Competitively selected by the state Sea Grant Directors then subjected to a nationally competitive selection process, Knauss fellows are placed in prominent policy relevant positions in Washington, D.C., to gain experience in marine and coastal policy. McDermott will serve in the Washington office of U.S. Sen. Bill Nelson, D-Fla.

Axelrod 09  Henry 09  Hunt 09  Moon 10  Barwig 11  Blood 11  Feld 11
In Remembrance

Shuler Austin Peele (JD 63), a member of the UF Law Center Association Board of Trustees, passed away Nov. 20, 2011.

Peele was a respected real property and corporate lawyer with his Lake City firm, Darby and Peele.

While attending UF Law, he was a member of the editorial board of the Florida Law Review. He returned to UF Law as a lecturer from 1974 to 1979 and joined the LCA Board of Trustees in 2004.

Peele was active in the legal community. He served on The Florida Bar’s Board of Governors and executive committee and as chairman of The Florida Bar’s Budget Committee and Long Range Planning Committee.

Peele also remained active in his local Rotary Club and the First United Methodist Church of Lake City.

He is survived by his wife of 52 years, Fredda, and three daughters, Julia, Laura and Mary.

Joseph Milton (JD 69), respected civil litigator and a recipient of The Florida Bar Foundation Medal of Honor Award, passed away Dec. 4, 2011, in his Jacksonville home. He was 68 years old.

Milton’s legal career spanned 42 years, during which he received numerous honors and served in many local, state and national leadership positions.

Born in Richmond, Va., Milton grew up in Avon Park, Fla., and attended the University of Florida as an undergraduate, where he played baseball for the university. He graduated from the University of Florida College of Law in 1969, and immediately moved to Jacksonville to begin practicing.

In 1990, Milton founded the Jacksonville firm that is now known as Milton, Leach, Whitman, D’Andrea & Eslinger.

Milton spent his entire career in civil practice. He was board certified as a civil trial lawyer by The Florida Bar and the National Board of Trial Advocacy. He was also board certified in Admiralty & Maritime by The Florida Bar.

Since he began practicing in Jacksonville, Milton worked to promote professionalism and ethics in the practice of law. He was a past president of the Jacksonville Bar Association, the Jacksonville Chapter of the American Board of Trial Advocates, the National Foundation of the American Board of Trial Advocates, and the Florida Council of Bar Presidents. In addition to his many years of service on The Florida Bar Board of Governors, Milton was a past chairman of the Trial Lawyers Section of The Florida Bar, the Florida Supreme Court Judicial Nominating Commission and the 4th Judicial Circuit Committee on Professionalism.

During his tenure as chairman of the 4th Judicial Circuit Committee on Professionalism, the circuit won professionalism awards from The Florida Bar and the American Bar Association.

In 2010, The Florida Bar Foundation honored Milton with its prestigious Medal of Honor award for promoting professionalism in the legal community.

Milton is survived by his wife, Cela, his sons, David and Michael, and his daughter, Amy Baker.

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After serving in World War II as an infantryman in the Pacific Theater, Van Alstyne earned his bachelor’s in history from the University of Buffalo in 1948. He moved on to the University of Wisconsin where he would receive a master’s in history, an LL.B. and S.J.D. While in law school, he was a member of Phi Beta Kappa, Order of the Coif, and served as executive editor of the Wisconsin Law Review.

Van Alstyne went into private practice after law school before first teaching law at the University of Nebraska. He returned to Wisconsin after two years and continued to teach law as an adjunct at the University of Wisconsin while maintaining a private practice, advising government agencies, serving as a member of the Wisconsin Bar Board of Governors and authoring scholarly works.

Colleagues said World War II and his deep knowledge of history helped shape his political beliefs and his approach to the legal profession throughout his life.

Emeritus UF Law Professor Joseph Little forged a bond with Van Alstyne during their time together at UF Law.

“Scott and I frequently discussed history, law and politics both in the law school and elsewhere,” Little said. “In the last few years, these sessions have been focused around box luncheons in his and Marion’s fine new home. In me, Scott found a good listener and sometime critic. In him, I found an ardent, erudite, earnest and always valuable teacher.”

Van Alstyne is survived by his wife of 31 years, Marion; his children from his first marriage, Dr. Gretchen Van Alstyne and Hunter Scott Van Alstyne; and three grandchildren, Lisa, Anna and David Van Alstyne.

For a list of alumni deaths reported to the Levin College of Law since November 2011 go to Web-Xtras at www.law.ufl.edu/uflaw/12spring.
What UF Law alumni give to the bar, and their domination of its commanding heights

By Richard Goldstein

It was the climax of West Palm Beach lawyer Marshall Criser’s year as president of The Florida Bar. The annual convention bids adieu to the old president and inaugurates the new one. Outgoing Bar President Criser (JD 51) would be replaced by fellow Gator and President-elect Mark Hulsey Jr. (JD 48). Criser had four children, two on the way, and his wife, Paula. But at the May 1969 convention, the 40-year-old occupied the presidential suite of Hollywood, Fla.’s, Diplomat Hotel all by himself.

Two years before, Criser had lost a bid to become The Florida Bar president in a race against Gator William Simmons (JD 34), a retired Army general. Then he was elevated in an uncontested election.

Criser described the campaigning in an oral history interview with UF historian Samuel Proctor: “A contested race run all over
Florida,” Criser said. “There were 10,500 lawyers in Florida and I would practice law until three o’clock in the afternoon, get in my car and drive to Bradenton, give a talk to the Bradenton Bar Association. After, they had a cocktail party for one hour or a cocktail party and a big dinner for one and one half hours and all they wanted to do was go to sleep or go home. But I would have to drive back that night to practice law the next day.”

Looking back, Criser figures the routine was a bit much, and he was not at the optimum stage in life to pursue leadership in the bar.

“I couldn’t afford to be president of The Florida Bar and spending a large percentage of my time running around the state of Florida when I’m still trying to make a living and take care of a wife and six children,” Criser told UF LAW magazine in an interview in his University of Florida Foundation office.

With 93,000 lawyers in 2012, today only California’s bar is larger. Gator lawyers are still making sacrifices to run the organization, whose duties include lawyer discipline, continuing legal education, judicial procedural proposals and prosecuting the unlicensed practice of law. And Gators still dominate its commanding heights.

By 2013, when Eugene Pettis (JD 85) is elevated to president, UF Law alumni will have held the presidency for four, one-year terms in a row and five of the last six terms. UF Law graduates have accounted for more than half the organization’s presidents since 1950, the year after the state Supreme Court ordered that bar membership was obligatory for all of Florida’s practicing lawyers. Even the 32-year executive director of the bar, John F. Harkness (JD 69), is a UF Law alumnus.

So it’s no surprise that despite a bar headquarters in Tallahassee, Gator is spoken fluently in this Seminole heartland.

“Go Gators!” was the cry heard outside the hospital room of Mayanne Downs (JD 87) as she lay in a coma in March 2007. Someone
The 2011-2012 administration of Florida Bar President Scott Hawkins has concentrated on making sure the machinery of lawyer discipline operate effectively.

Hawkins cited the Scott Rothstein Ponzi scheme that came to light in the fall of 2009. Hawkins noted that the scandal, in which the Fort Lauderdale lawyer pleaded guilty to running a $1.2 billion fraud and is

--- HAWKINS HONES LAWYER DISCIPLINE ---

Bar Fight

Quips like that show why Downs is known as someone who walks into tense situations and breaks the ice with her quick wit. The longtime Orlando city attorney just named to a top post at GrayRobinson put her political and interpersonal skills to good use during her 2010-2011 year as The Florida Bar president. It turned out to be one of the more turbulent in recent history. Downs faced a legislative initiative by fellow Gator and member of the bar, House Speaker Dean Cannon (JD 92), to change the structure of the judiciary. Cannon proposed a constitutional amendment that would have expanded the Supreme Court from seven to 10 members and divided criminal and civil jurisdiction between two sets of justices.

The bar put defeating that proposal at the top of its legislative agenda.

“It was a time of great personal stress because some of the controversy ended up getting centered on me personally,” Downs said.

Downs paraphrased her critics as saying, “She’s supposed to do more. ’She should be doing things differently.’ ‘She should take different positions.’”

The constitutional proposals died in the Legislature, and Downs notes that the Legislature protected the judiciary from budget cuts in a year when the state budget declined. Florida Bar President Scott Hawkins (JD 83) also notes that judicial pensions were not touched, and the Legislature authorized state agencies to fund bar dues for government attorneys.

Downs, a double Gator, credited her connection to Gator graduates with her ability to work through these thorny issues.

“There were a lot of Florida Blue Keyers in the middle of a lot of that stuff,” Downs said of the selective honor society that perennially counts a healthy share of UF Law students among its members. “There’s just something about being a member of the Gator Nation and it lasts longer. It’s a deeper bond.”

Gwynne Young (JD 74), who takes over as bar president in July, experienced this bond in two contested bar races. The Tampa lawyer fought for her seat on the Board of Governors nine years ago and did the same during her run for president last year.

As an emeritus member of the UF Law Board of Trustees, Young was especially well connected. The Tampa-based partner at Carlton Fields who specializes in business litigation crisscrossed the state campaigning for the job.

“My friends on the Law Center Association Board offered to take me through their law firms, host me at events to introduce me to people, wrote letters and emails to their contacts,” Young said. “I don’t think there’s any question that the Gator network helped a lot. All three candidates had access to that network, but to the extent that I got out there, I met people — they were willing to help.”

Key responsibilities of the bar such as disciplining lawyers and prosecuting the unlicensed practice of law are governmental functions under supervision of the Supreme Court. Much of the work is performed by bar staff and is paid for by The Florida Bar’s $43 million budget, financed largely by member dues. Harkness notes that the work is also performed through thousands of volunteer hours donated each year to bar activities by the president, president-elect, the 82-member Board of Governors and other contributing bar members.

Young estimates that she now spends half her time doing work for the bar as president-elect (the president and president-elect receive a traveling stipend from the bar).

“They take that extra time and effort because all our board members pay their own way,” Harkness said. “Plus it’s time out of their offices not only traveling to the six meetings. The amount of time they’re in their office doing local bar work for The Florida Bar is substantial, particularly in the grievances areas because they all have responsibilities locally for grievance matters.”

“I don’t think there’s any question that the Gator network helped a lot.”

— GWYNNE YOUNG (JD 74)
MRS. CRISER ARRIVES

The 1969 bar convention featured panels and speeches about the prospects for nuclear détente with the Soviet Union and peace in the Middle East. An especially hot topic was dealing with the protests sweeping college campuses, and Criser would soon find himself in the midst of these when he was appointed to the state Board of Regents. As a member of the universities’ governing body, Criser said he and other regents sometimes required security to enter and leave public meetings on campuses.

This year, 35 percent of bar members are women. A tiny minority were members in 1969. So few that The Florida Bar Journal could report that 600 wives showed up for the bar convention with their lawyer husbands and were treated to a reception by the pool on Thursday afternoon followed by a luau on Thursday night.

But the bar’s First Lady was absent from the festivities. Paula Criser, a former national photographic and fashion model who attended University of Florida before leaving school to marry Marshall, had more important matters to attend to.

“I occupied the presidential suite in Hollywood by myself because my wife had just given birth to twins the previous Saturday,” Marshall Criser explained. “The Board of Governors still has a tradition that the outgoing president is honored at a luncheon at the end of the bar convention. So my wife, who was nursing the twins, was able to come down and spend the luncheon with us and then she had to get in the car and go back (to Palm Beach) for the next feeding.”

During the 1970s as a partner, Criser would continue to build the law firm known today as Gunster in West Palm Beach. He would serve on the Board of Regents from 1971 to 1981, as president of the University of Florida from 1984 to 1989 and as founding chairman of the UF Board of Trustees 2000 to 2003. Criser ended his professional career practicing law in Jacksonville.

One of those baby twins was Mark Criser (JD 97), who graduated from UF Law and is a shareholder in the litigation group of Hill Ward Henderson in Tampa. The younger Criser has recently turned toward bar politics, campaigning on behalf of fellow Gator, Gwynne Young, for the bar presidency. He serves on the state bar ethics committee.

These days the annual conventions have moved to Orlando, but if history is a guide, there will be plenty more chances for Gators in the presidential suite.

now serving a 50-year prison sentence, cast the legal profession in a negative light. The practice of robosigning — approving real estate documents without proper review — which surfaced as the foreclosure crisis gathered steam, also spurred Hawkins to action.

“People often forget that one of our primary purposes is to regulate lawyers’ behavior,” Hawkins said his goal is to find out: “Are there things that we can do better?”

Part of his administration’s work has been to explore whether to form a division for senior lawyers, noting that as lawyers get older their mental acuity may decline resulting in harm to clients.

“Instituting a support system could forestall such problems.

Hawkins is a Florida Bar board certified business litigation lawyer at Jones, Foster, Johnston & Stubbs and vice chairman of the board of directors.

Like many bar leaders, Hawkins got active in the local bar at the local level and was elected to the Board of Governors. His deep ties to the University of Florida where he is a double Gator, currently serves on the UF Law Board of Trustees and is a former president of the Alumni Association, have aided him in his rise.

“A lot of older leaders, older lawyers in Florida have graduated from (the University of) Florida or have ties to Florida, so often there’s an immediate bond or an immediate familiarity that arises,” Hawkins said.

—Richard Goldstein
How UF Law manufactures Florida Bar leaders

More than half of The Florida Bar presidents since 1950 are Gator law graduates, so what is it about UF Law that produces so many presidents of The Florida Bar?

By way of explanation, John F. Harkness (JD 69) notes that UF Law is the state’s flagship law school and until 1968 it was among only three Florida law schools accredited by the American Bar Association.

Even so, UF Law graduates never represented more than a minority of those practicing in the state, and the rapid growth of the state bar has meant a large influx of out-of-state talent eligible to lead the organization. Today there are 11 American Bar Association-accredited law schools in Florida.

Harkness surmises that the fact that Gators have so often led The Florida Bar as presidents is “just one of those things.”

But it is “one of those things” that happens a lot. In 2008-2009 John G. “Jay” White III (JD 83) became the first Gator in a decade to serve as bar president, setting the stage for the current run of consecutive Gator presidents. White’s law partner Gerry Richman (JD 64), a current member of the Law Center Association Board of Trustees, was bar president 1984-1985. Richman is joined on the Board of Trustees by 1995-1996 President John A. Devault (JD 67), current bar President Scott Hawkins (JD 83), 1991-1992 President Benjamin H. Jill (JD 65) and 2013 President Eugene Pettis (JD 83). Incoming bar President Gwynne Young (JD 74) is an emeritus member.

Mayanne Downs (JD 87), a former member of the UF Law Alumni Council, notes that UF Law graduates are often double Gators — that will be true of three of the four consecutive bar presidents through 2013. And Florida law students and undergraduates eagerly soak up the leadership opportunities available through Blue Key, student government, Florida Law Review and numerous other clubs and frater-

GATOR NATION: FLORIDA BAR PRESIDENTS

John T. Wigginton (JD 32), 1950-51
John M. Allison (JD 27), 1951-52
William A. McRae (JD 33), 1952-53
Darrey A. Davis (JD 34), 1954-55
Donald K. Carroll (JD 35), 1955-56
J. Lance Lazonby (JD 32), 1956-57
Baya M. Harrison Jr. (JD 35), 1957-58
Clyde Atkins (JD 36), 1960-61
Charles B. Fulton (JD 35), 1961-62
Reginald L. Williams (JD 34), 1962-63
Delbridge L. Gibbs (JD 40), 1963-64
Chesterfiled H. Smith (JD 48), 1964-65
Robert M. Ervin (JD 47), 1965-66
Fletcher G. Rush (JD 42), 1966-67
William P. Simmons Jr. (JD 34), 1967-68
Marshall M. Criser (JD 51), 1968-69
Mark Hulsey, Jr. (JD 48), 1969-70
John M. McCarty (JD 41), 1971-72

Harkness is bar’s master mechanic

Manage a big, elected all-volunteer governing board in charge of a $43 million operating budget for a quasi-governmental organization, whose mission is to protect the interest of the public and its 93,000 lawyer members.

That, in a nutshell, is the job description of John F. “Jack” Harkness (JD 69), executive director of The Florida Bar.

“My job is really to try to steady the course of the bar,” Harkness said, noting the nature of its ever-changing leadership.

Harkness is a double Gator and once president of Florida Blue Key. He was born in Virginia and raised in Miami. He's the kind of man who slows down during an interview to ask where you're from.

In 1980, Harkness resigned as administrator of the Florida courts and took on the top job at the bar. He started before faxes were around and now even videos have migrated to the Web. As technology has exploded so has the bar’s membership, ballooning to the second
“People who care about excellence and are driven to reach the highest heights can go to the flagship university.” — Mayanne Downs (JD 87)

And then there’s the whole Gator Nation phenomenon.

Harkness said fellow UF Law alumni intervened at key moments in his career. One of two people choosing him as state courts administrator in the 1970s was Justice Ben Overton (JD 52).

Steven N. Zack (JD 71), the 1989-1990 president of The Florida Bar and later of the American Bar Association, worked on the Rathskeller with Harkness. Zack was among the UF Law alumni on the committee that picked Harkness as Florida Bar executive director.

Zack is among five ABA presidents who graduated from UF Law, more than from any other law school in 50 years. The others are Chesterfield Smith (JD 48), William Reece Smith Jr. (JD 49), Talbot “Sandy” D’Alemberte (JD 62) and Martha Barnett (JD 73). All besides Barnett served as presidents of The Florida Bar before taking the top spot at the ABA.

After graduating from UF Law, each of these figures has dedicated themselves to the state or national bar. They have also given back to their alma mater with major donations of time and money or as members of the UF Law Center Board of Trustees or the UF Law Alumni Council. That in turn has improved the education for future Gator lawyers and helped build the state’s largest endowment.

UF Law Dean Robert Jerry said these inter-relationships are no coincidence.

“It’s a virtuous circle,” Jerry said. “We graduate future leaders, and they propel us toward greater educational heights, which leads to success for the next generation of alumni.”

—Richard Goldstein

largest in the country. It’s a big job just keeping track of everyone, Harkness said.

If the courts are the machinery of the justice system, the bar administration might represent the mechanic that keeps the motor running smoothly. Its No. 1 responsibility is to prosecute and discipline wayward lawyers and it keeps unlicensed practitioners from fouling the works of the state’s justice system.

It’s up to Harkness, for example, to sign off on emergency suspensions when a lawyer has absconded with client funds.

The bar keeps lawyers on their game by supplying continuing legal education, and news and scholarly articles in *The Florida Bar News* and *The Florida Bar Journal*. Because about 10,000 members of The Florida Bar are based out of state, Harkness said Florida is one of the few bars that will supply ethics opinions upon request over the telephone or by email.

Figuring out what’s next for the legal system is also part of Harkness’s job description. How will the courts implement electronic filing? And what sort of email requirements will lawyers face?

The bar proposes — and opposes — procedural changes for the courts and legislative initiatives via its 52-member Board of Governors and specialized sections devoted to areas such as tax or family law.

“The difficult job,” Harkness said, “is planning for the future.”

— Richard Goldstein
April 27, 1950, would be the last and most consequential convention of the old Florida Bar Association. In an Ormond Beach hotel William McRae (JD 33) led the debate about whether to abolish the association. Under an order of the Florida Supreme Court, all practicing lawyers in the state would now be members of an integrated bar. Its key responsibility then and continuing today would be disciplining its members: reprimanding, suspending and disbarring unethical and dishonest lawyers. The question before that 1950 convention was whether to continue operation of a statewide, voluntary association even as the disciplinary functions were incorporated into the obligatory, integrated bar.

McRae, whose future included the presidency of The Florida Bar and a federal district judicial appointment by President Kennedy, may have boasted the most impressive resume in the room. In addition to his degree from UF Law, McRae had been a Rhodes Scholar before the war and held a master’s degree from Oxford. He left the U.S. Army Air Corps with the rank of colonel in 1945. At the San Francisco Conference the same year he looked out for U.S. security interests as an adviser to the Joint Chiefs of Staff while the United Nations charter was written, according to William A. McRae Papers, Special and Area Studies Collections in the George A. Smathers Libraries at the University of Florida. McRae was partner in the law firm that would later become Holland & Knight, arguably the most influential in Florida.

Next to his professional and scholarly credentials, the argument that McRae would advance is all the more jarring. There were only a handful of black lawyers practicing in 1950 Florida and an integrated, professional bar would now include all of them. Many at the convention feared that professional integration of the bar would lead to racial integration of the bar’s social activities.

“If you have all men, regardless of race, creed, previous conditions of servitude, and whether the effect of slum or what condition or position may be, if all of those are brought into the integrated bar then what with respect to one of the most important phases of our work as a volunteer organization?” McRae asked the convention. “The solution is a rather simple one: The work of the bar as a profession is participated in by everyone … But, as to social occasions, they will, as they are at this present convention, be handled under the control and the sponsorship of the local associations.”

In the aftermath of World War II, the rumblings of the civil rights movement were just beginning in Florida. Blacks had begun to demand equal treatment under the law, and one member of the convention alluded to the fact that Virgil D. Hawkins, a Bethune-Cookman College official, was suing to secure a place at UF Law.

Would it be long before demands were forthcoming that black lawyers be admitted to the lunches, dinners and conventions of The Florida Bar?

John T. Wiggington (JD 32), soon to take office as president of the integrated bar, elaborated on how racial segregation could be maintained: “That if perchance there is in attendance upon our meetings, some members of the bar who are of the colored race, that the invitations to social functions can be so handled that they will not be invited and therefore no friction would arise or no unpleasant occurrences take place.”

This history, recorded in the proceedings of the convention published in the June 1950 issue of The Florida Law Journal, underscores the significance of another UF Law graduate’s accomplishment. After his 2011 election, Eugene K. Pettis (JD 85) is slated to become the first black president of The Florida Bar in 2013.

(Pettis is joined by Glendell Jones as a black UF Law graduate to achieve a major leadership milestone. Jones starts July 1 as president of Henderson State University, a public liberal arts college in Arkadelphia, Ark.)

“It’s amazing that it took 61 years for it to happen,” Pettis said during a break at a January Board of Governors meeting in Tallahassee. “I’m certainly not the first (black person) who was a member of this bar who was qualified to do it. But the doors were not opened in the past.”
ALLEN’S FIGHT

In 1958, Hawkins withdrew his application at UF Law in return for a settlement that racial integration would come to all University of Florida graduate and professional schools.

W. George Allen (JD 62) would run through the door that Hawkins worked nearly a decade to open. Allen was the first black person to earn a degree from UF Law, the University of Florida or any previously whites-only college in Florida. He tells the story of Florida educational integration in a self-published new memoir, *Where the Bus Stops* (see Page 60).

After his graduation from UF Law, Allen moved to Fort Lauderdale where the pugnacious (and pugilistic: he once decked a fellow UF Law student who said, “get out of the way boy” and gave Allen a push as both tried to register for a class) Sanford native had more integrating to do. This time it was related to The Florida Bar and the Broward County Bar Association.

During the 1960s, the county voluntary bar associations brought disciplinary grievances to the Board of Governors of The Florida Bar. These local bars were often, if not always, whites-only clubs.

“I said if they are going to set my fees and discipline me then I want to be a member,” Allen explained in a telephone interview from his Fort Lauderdale office. “In ’64 I applied for membership.”

Allen called on the Gator Nation for help. A reference was required from a member of the Broward County Bar for admission so Allen asked classmates Morton Perlin (JD 62) and Charles M. Prince (JD 61) to vouch for him. Allen said he issued threats of a lawsuit in addition to his classmates’ reference. But in due course Allen was admitted to the Broward County Bar and in 1988 he became president.

Chesterfield Smith (JD 48) was another UF Law graduate unafraid to upset the apple cart. Smith, of Bartow, started out as a law partner to McRae, and he would build Holland & Knight into the powerhouse we know today. In his spare time, Smith served as Florida Bar president 1964 to 1965 and as American Bar Association president 1973 to 1974 when he issued one of the most devastating condemnations of President Richard Nixon’s Watergate scandal: “No man is above the law.” Allen said Smith’s encouragement and assistance led him to become a national delegate to the ABA and he was appointed to key ABA committees. In 1975, Smith attended Allen’s inauguration as president of the National Bar Association, an organization devoted to the interests of black lawyers.

By 35, Allen, who had worked in the celery fields near Sanford as a kid, was driving around Fort Lauderdale in a yellow Rolls Royce.

PETTIS ASCENDS

Pettis entered a different world in 1978 when he enrolled as an undergraduate at the University of Florida. Pettis was the youngest of seven children of a Fort Lauderdale maintenance man and teaching assistant who sent all their children to college. He was doubtful at first about enrolling at Florida, thinking it had “too many white students and it’s too big.”

A scholarship offer helped change his mind. “When I got to Florida I found every opportunity if I was willing to go out and work for it.”

In 1985, Pettis graduated from UF Law as a double Gator, having served as treasurer of the student body and a member of Florida Blue Key.

In 1991, fellow UF Law alumnus and former Gov. Lawton Chiles (JD 55) appointed Pettis as the first black person to serve on the South Florida Water Management District. In 2005, the personal injury, medical malpractice and employment lawyer with Haliczer Pettis & Schwamm was elected to the bar’s Board of Governors. Pettis claimed the Broward County (17th Circuit) seat that one of his mentors, Henry Latimer, held before his death in a car accident. Pettis figures that Latimer, a one-time judge who had returned to private practice, had been on track to be the first black Florida Bar president. When Pettis ran for bar president last year he faced no opposition.

Among the bar’s priorities in 2012 is encouraging more minority lawyers to participate in bar activities. “The bar is going to recognize its true strength when we can recognize the involvement of all people, when we can harness that diversity,” Pettis said.

As this happens, Pettis expects that he will soon enjoy company at the top. “I think it’s worthy of note that I will be the first. I don’t think it will be too long before there’s a second.”
All eyes again turned to Florida as the Trayvon Martin shooting case generated national headlines. The case was ripe for legal discourse and the media came calling — again and again — on UF Law faculty to solicit their expert opinions as the drama unfolded before the nation.

UF Law faculty stepped up to the plate and addressed a vast number of issues ranging from Florida’s “Stand Your Ground” law, to race, to ethics, to Twitter. UF Law issued a media tip sheet just as the story was breaking and UF Law faculty got in early on the conversation. Now, they have been positioned as some of the go-to experts on the case, with the media relying on faculty — as experts in not only criminal law, but in Florida law — to elucidate the sometimes difficult and technical details.

Faculty members have been quoted by The New York Times, The Los Angeles Times, The Associated Press, Reuters, NPR, Time.com, and numerous local and regional publications. Professor Kenneth Nunn offered commentary on Eliot Spitzer’s “Viewpoint” on Current TV and Professor Michael Seigel chatted with Geraldo. Other faculty commenting on the case include Legal Skills Professor George Dekle, Legal Skills Professor Monique Haughton-Worrell, Professor Michelle Jacobs, Professor Lyrissa Lidsky, Professor Amy Mashburn and Professor Kathryn Russell-Brown.

One day after special prosecutor and UF Law graduate Angela Corey (JD 79) speaks to the media April 12 outside the John E. Polk Correctional Facility in Sanford, Fla. UF Law faculty have become the analysts of choice to explain the Trayvon Martin case and Florida’s “Stand Your Ground” law. (Photo by Getty Images)
“"Stand Your Ground’ statutes may be problematic for a number of reasons. But if we really want to save lives and prevent future miscarriages of justice, we will have to confront the reality of race.”

—KENNETH NUNN
Professor of Law

“A fine line keeps Jacksonville teen jailed despite ‘Stand Your Ground’ law” (April 2, 2012, The Florida Times-Union)

“Racism Is the Problem Here”

—MICHAEL SEIGEL
UF Research Foundation Professor of Law; Director, Criminal Justice Center and Clinics

“'stand Your Ground' statutes may be problematic for a number of reasons. But if we really want to save lives and prevent future miscarriages of justice, we will have to confront the reality of race.”

“Stand Your Ground’ statutes may be problematic for a number of reasons. But if we really want to save lives and prevent future miscarriages of justice, we will have to confront the reality of race.”

—MICHAEL SEIGEL
UF Research Foundation Professor of Law; Director, Criminal Justice Center and Clinics

“If Trayvon Martin perceived an unknown individual to be a threat to his safety, then he was entitled under the self-defense law to protect himself.”

—MICHELLE JACOBS
Professor of Law

“Trayvon Martin’s killing is now a murder case” (April 12, 2012, USA Today)

“Part of the law school’s mission is serving the public and fostering justice. UF Law professors educate the public about how the law is applied, and they are in even more demand in that role than they were during the Casey Anthony trial, which concluded last summer. It can make for a hectic schedule as professors shuffle from teaching to taking a five-minute phone interview, to fielding another media request before the next class. The fact that the media keep coming back to our faculty is a testament to their expertise, insight and articulation of the legal matters imperative to this case and to the rule of law.”

Matt Walker is media relations manager in the Levin College of Law Office of Communications

MEDIA HITS
For a complete list of the stories UF Law faculty were quoted in on this case as of April 16, visit http://www.law.ufl.edu/news/2012/04/17/uf-law-faculty-go-to-sources-in-trayvon-martin-case/.
“To attract antitrust attention, you have to be more than just big. You have to be big and bad. It was only 2007 when Apple released the iPhone, and only 2010 when it released the iPad. The company hasn’t had that long to be bad yet, if it is indeed bad.”

—D. DANIEL SOKOL
Associate Professor of Law

“Apple’s market clout likely to draw more scrutiny” (March 12, 2012, Associated Press)

“Companies are becoming more aggressive and more willing to pursue (trade secret) cases. As more and more of these cases go to trial, it encourages people to bring them. You have a growing body of precedent.”

—ELIZABETH ROWE
Professor of Law; Director, Program in Intellectual Property Law


“We talk about the fact that if the parties want to have a future relationship, an apology can be a very important part of that. And we look at that in the civil setting and also in the criminal area.”

—JONATHAN COHEN
Professor of Law

“The Last Word: When the Last Thing You Want to Do Is the First Thing You Ought to Do” (Jan. 1, 2012, ABA Journal)

“There’s a certain irony that Florida simultaneously denounces the Western system of water rights, while at the same time considering modifications that would cause Florida’s system to more resemble the Western approach of perpetual permits.”

—CHRISTINE KLEIN
Professor of Law

“In Florida, whose water is it, anyway?” (Dec. 24, 2011, Orlando Sentinel)
“It’s very easy to bring a libel suit against someone when you are criticized, if you have the resources. The unmasking of anonymity is often enough to chill the speech.”

—LYRISSA LIDSKY
Stephen C. O’Connell Chair; Professor of Law

“Unmasking a Critic: Law School Seeks Identity of Ex-Student Blogger” (Oct. 18, 2011, Law.com)

“There has to be a reason — thus the issue for a warrant. The technology is just too good, too intrusive and getting better. … The putting of a GPS on a car is just too easy. That’s why we have the search and seizure provision in the Constitution — we as a society want some oversight.”

—JON MILLS
Dean Emeritus; Director, Center for Governmental Responsibility

“With high-tech police surveillance, how far is too far?” (Nov. 12, 2011, The Gainesville Sun)

“It’s guerilla warfare. As long as you can put it off, as long as you can delay, as long as you can keep the thing going in any way, shape or form possible, that’s how much time you’ve got.”

—BOB DEKLE
Legal Skills Professor


PROMOTIONS & TENURE

■ Deborah Cupples, who teaches legal drafting, has been promoted to senior lecturer

■ Robin K. Davis, director of the Institute for Dispute Resolution, has been promoted to senior lecturer

■ Elizabeth Rowe, who specializes in intellectual property law, was promoted to full professor and awarded tenure. Rowe also received a University of Florida Research Foundation Professorship Award for 2012-2014. The professorships recognize faculty who have established a distinguished record of research and scholarship during the last five years. Professor Alyson Flournoy holds a 2010-12 term and Professor Mary Jane Angelo holds a 2011-13 term professorship. Professor Michael Seigel’s three-year term ended in May, when Rowe’s began.

■ Professor Lee-ford Tritt, director of the Center for Estate Planning, has been promoted to full professor

■ D. Daniel Sokol, who specializes in antitrust law, has been promoted to associate professor
maybe not since President Theodore Roosevelt spoke softly and carried a big stick to knock down railroad and oil monopolies has antitrust represented such a vital field of the law. Countries around the world are establishing antitrust laws at record pace in an area of law historically limited to the United States and a few others.

“In 1990, I think there were 20 to 30 jurisdictions with an antitrust law,” University of Florida Levin College of Law Associate Professor D. Daniel (Danny) Sokol said. “But today, there are over 110 jurisdictions around the world with an antitrust law.”

As co-editor of the forthcoming Global Competition Law and Economics book series from Stanford University Press, author of numerous scholarly articles on antitrust and economics, and a cross-discipline antitrust and economics workshop, Sokol is particularly attuned to the state of antitrust law.

“It is one of the areas of law that has truly become the most globalized, so that’s a very exciting thing for an area of law that’s over 100 years old in the United States,” Sokol said.

Most of the world, it seems, now agrees with America’s turn-of-the-century trust-buster-in-chief. An increasingly pro free-market European Union, the fall of communism, and the shift to market economics in China, India and elsewhere have contributed to the proliferation of antitrust regimes.

“Countries that came from centralized planning didn’t have a market economy,” Sokol said, “so this is part of the broader trend of global economic liberalization.”

Previously, in places like the United States, domestic antitrust laws carried the day. Globalization means that foreign jurisdictions now wield a veto.

“If the Europeans don’t want a merger to go through and the United States does, the merger’s probably not going through,” Sokol said.

Add newly emerging markets in Asia — mainly China and India — to the mix and there’s a whole new world of antitrust issues to consider that never existed before. Sokol’s antitrust research and technical assistance work for antitrust authorities in the emerging Asian markets and Latin America has positioned him as an authority on the topic.

“Professor Sokol is one of the most creative and energetic scholars in the antitrust community today,” said Richard Steuer, head of the American Bar Association Antitrust Law Section. “His vision and leadership in organizing the (New York University School of Law’s) groundbreaking Next Generation of Antitrust Scholarship Conference has been paving the way for a host of emerging academics in the field of competition law and economics.”
Steuer also praised Sokol’s Antitrust and Competition Policy Blog, which he said is “catching fire among antitrust enthusiasts.” Sokol’s frequently updated blog features news and academic scholarship.

Sokol has worked with international organizations to establish policy, including the Organisation for Economic Co-operation and Development and the Inter-American Development Bank. This summer, Sokol will conduct antitrust training sessions in Beijing for members of the Supreme People’s Court. The judges need help interpreting a new anti-monopoly practices law promulgated by the Chinese government. Meanwhile, Sokol is working on a survey of how the Chinese government undertakes antitrust merger review.

“It’s topics like that — where antitrust research merges with policy development — that makes the research enterprise worthwhile for Sokol.

“It’s a very rewarding area because the academic work, in addition to being shaped by policy developments, also shapes policy developments,” Sokol said. “It affects issues of entrepreneurship and innovation — what’s the next big company look like? What are the next opportunities for smaller companies to grow?”

Pithy quotes and an outgoing personality have made him a favorite source on the topic in the national media, including CNN and The Associated Press, where he weighed in on recent investigations into Apple allegedly working with publishing companies to fix prices on e-books.

Making an impact was something Sokol carefully considered when he entered the academic world, focusing on a field that piqued his interest as a young University of Chicago law student watching the Microsoft antitrust trial unfold in the late ’90s. After four years in private practice he returned to academia — first as a fellow at the University of Wisconsin, while teaching law classes. He joined the UF Law faculty in 2008.

“There are certain issues, core issues that have always been written about in antitrust and it’s very difficult to make your mark where there’s already a lot of writing,” Sokol said. “So my idea was to make my mark by focusing on those areas that are cutting edge, both intellectually and from a policy perspective, where there hasn’t been as much focus.”

Sokol said he accomplishes this by analyzing antitrust institutions “in the area of mergers, cartels and the role of government in creating or distorting competition both in the United States and abroad.”

Ultimately, antitrust laws exist to police the market against malfunctions and to improve overall society’s welfare and benefit, Sokol said.

“At the end of the day, I’m happier when there’s greater competition — that means more innovation, lower prices, better services,” he said. “Everybody wins.

“I’ve actually sometimes talked about it in religious terms: We’re doing God’s work.”

“(Anti-trust-law) has truly become the most globalized, so that’s a very exciting thing for an area of law that’s over 100 years old in the United States.”

— ASSOCIATE PROFESSOR D. DANIEL SOKOL

UF Law influences high court doctrine

Daniel Sokol is not the only UF Law professor to exercise influence on significant antitrust policy. Professor Jeffrey Harrison, Stephen C. O’Connell Chair, has been cited by the U.S. Supreme Court in multiple cases dealing with antitrust standing and the antitrust response to monopoly (the opposite of a monopoly in which a single buyer faces many sellers), including the notable State Oil Co. v. Khan, which ruled that wholesalers cannot dictate the prices at which franchisees choose to sell their goods.

In Weyerhaeuser Co. v. Ross-Simmons Hardwood Lumber Co., Inc., the Supreme Court cited Harrison’s book Monopsony: Economic Theory and Antitrust Policy, co-authored with Roger D. Blair, University of Florida Walter J. Matheley Professor of Economics. Ross-Simmons sued Weyerhaeuser — a competing sawmill — charging that Weyerhaeuser bought an excess of raw materials at exorbitant prices, raising the price of saw logs to the point that Ross-Simmons could no longer be profitable. The lower courts ruled in favor of Ross-Simmons. The Supreme Court reversed, citing Harrison’s and Blair’s work in establishing that a monopoly test from a previous case, Brooke Group v. Williamson Tobacco Group, should also apply to predatory pricing.

UF Law Professor William Page, the Marshall M. Criser Eminent Scholar, is an expert on the antitrust case United States v. Microsoft, while Assistant Professor Wentong Zheng has represented clients before the World Trade Organization and studies international trade, antitrust and competition law, and Chinese law.

—Matt Walker
**W. GEORGE ALLEN (JD 62)**  
*Where the Bus Stops*

When Allen graduated from UF Law in 1962, he was the first African-American to earn a degree from the law school, helping pave the way — along with Virgil Hawkins — for generations of African-American law students to come. In this book, Allen recounts his early life in Sanford, Fla., his education at Florida A&M and UF Law, and offers insight into how a young man growing up in the segregated South was able to rise above the social standards of the time to forge his own successful life and legal career. (Self-published)

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**JEFF ASHTON (JD 80)**  
*Imperfect Justice: Prosecuting Casey Anthony*

Ashton was the assistant prosecutor in the Casey Anthony trial and when the unexpected not guilty verdict was handed down, many questions remained. Along with co-author Lisa Pulitzer, Ashton addresses these questions and sheds light on some of the behind-the-scenes details of the investigation and media-saturated trial. Ashton looks back at what he believes the prosecution got right, what they could have done differently and why he still believes Anthony is guilty. (William Morrow)

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**ELIZABETH ROWE**  
*Cases and Materials on Trade Secret Law*

UF Law Professor Rowe, with co-author Hamline University School of Law Professor Sharon Sandeen, designed this casebook for law students and business students who have no prior background in intellectual property law. It is the first casebook in the United States devoted exclusively to trade secret law. Rowe and Sandeen present the chapters using a logical analytical approach to facilitate the understanding of trade secret law. The book includes coverage of essential elements of trade secret claims; defensive tactics; managing trade secrets; criminal actions; employment issues and international issues. (West Publishing)

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**MICHAEL SEIGEL**  
*White Collar Crime: Procedure, Theory and Practice*

In this casebook, UF Law Professor Seigel explores the most pertinent issues in modern white collar crime. The book offers in-depth examinations of the most widely used white collar crime statutes and regulations, criminal procedure issues, the sociology and psychology of white collar crime, and white collar prosecution and defense. With journalists’ accounts of recent white collar crime cases and a strong focus on the most relevant real-world white collar crimes such as bank and securities fraud, the book is robust with interesting facts and cases. (Aspen Publishers)
The queen of UF Law
Engaging scholarship, dance, art and revolution

BY BRANDON BRESLOW (4JM)

f life were a chessboard, Caroline Picart would be the queen. Her ability to move swiftly and decisively has earned her numerous academic degrees and vast experience in disparate fields of human endeavor.

“Some people may call my life complicated,” said Picart, a 3L pursuing a joint juris doctor-M.A. in women’s studies, “but I know that everything I’ve done is to be true to myself — to follow what I am curious about and passionate enough to work on.”

Born in Nueva Vizcaya, Philippines, Picart grew up under martial law. In 1986, while working on her bachelor’s in biology, she acted as a student leader in the People’s Power Revolution that overthrew the country’s dictator, Ferdinand Marcos.

Like the student uprising in China, Picart and her unarmed compatriots confronted government soldiers in tanks.

“I was one of hundreds of student leaders who formed human barricades and encouraged soldiers to step down from their tanks,” she said.

Picart left the Philippines in 1989 after earning her bachelor’s and her master’s in philosophy from Ateneo de Manila University and working simultaneously in three departments teaching zoology, introduction to philosophy and introduction to astrophysics.

She attended Cambridge University as the Sir Run Run Shaw Scholar, a competitive international scholarship open to Asians, to study neuroembryology under Roger Keynes. When she developed allergies to the chemicals she worked with, Picart switched to the history and philosophy of science.

Picart graduated from Cambridge in 1991 at the top of her class but felt the urge to reflect on the professional options open to her. She spent a year in Seoul, South Korea, teaching English as a professor at the Yonsei University Foreign Language Institute, writing as an invited columnist for English-language newspapers, hosting one-woman exhibitions as a visual artist, and instructing ballroom dancing in her spare time.

“When I was offered opportunities to stay in South Korea and I enjoyed being there,” she said, “I felt that I still had room to grow and new worlds to explore.”

Picart studied continental philosophy with doctoral minors in aesthetics, criticism and comparative literature at Pennsylvania State University.

Since receiving her Ph.D. in 1996, Picart has produced sketches, paintings, books, scholarly and popular articles and syllabi across the world. She has also performed and competed in ballroom dance, and in 2006, won the U.S. Open Pro Am Competition in Cabaret, a mix of ballroom, ballet and gymnastics. She now teaches ballroom dance, and serves as an invited dance judge nationally.

She began drawing with her father as a child. In 1986, Picart’s pen and ink sketches were featured in her first art show; her one-woman show in Seoul, South Korea. She continues to produce new works for exhibitions and for client orders.

Picart’s writing subjects are also rooted in her childhood. She has published several books on the tales of Dracula and Frankenstein, and how the stories have changed over time.

“My nanny used to tell me stories about vampires and monsters, and they always fascinated me,” she said.

Her most recent book, to be released in July with Palgrave-Macmillan, is Speaking of Monsters: A Teratological Anthology. She has also written books about the Holocaust and ballroom dancing and has published law review articles during her time at UF Law.

Before UF Law, Picart was a tenured associate professor at Florida State University. She taught courses on critical theory on philosophy and literature and on issues of film and literature through different time periods. It was during her teaching that she became interested in the practice of law.

En route to law school, Picart hosted a nationally and internationally syndicated radio show. Her guests included Nobel Prize winners Keith Beauchamp and Sir Harry Kroto, and professors in several fields.

Picart was accepted to law schools in several states, some with full scholarships.

“UF Law was the best choice, overall, especially with my and my husband’s personal and professional ties to Florida,” she said.

Picart’s husband, Gerardo Rivera, holds a law degree and he consults on Equal Employment Opportunity law.

While attending UF Law, Picart has pursued interests in international law and intellectual property and served as the editor-in-chief of the Florida Journal of International Law and as articles editor of the Journal of Technology Law & Policy.

Picart expects to graduate in May 2013 when she hopes for a possible fellowship, clerkship or to practice in intellectual property or international law. But, she says, she might also return to academia.

“When I know I move rapidly from one area to the next,” she said, “I know there will come a time where I have to settle down. Until then, I will continue to explore what lies ahead, with my husband by my side.”
EVENTS

The Florida Bar Annual UF Law Alumni Reception
June 21
6:30 p.m. – 8 p.m.
Gaylord Palms Resort and Convention Center, Kissimmee
Email khendrixson@law.ufl.edu

Law Alumni Council Board of Directors Meeting
June 22
8:30 a.m. – 11:30 a.m.
Gaylord Palms Resort and Convention Center, Kissimmee
Email khendrixson@law.ufl.edu

Heritage of Leadership and Fall Book Award Ceremony
Sept. 21
Time TBA
Chesterfield Smith Ceremonial Classroom
Levin College of Law

LCA Board of Trustees Board / Law Alumni Council Meeting
Sept. 22
9 a.m. – Noon
Levin College of Law
Email khendrixson@law.ufl.edu

www.law.ufl.edu