GATOR GRADS AT THE TOP

AMGEN
HARD ROCK CAFÉ
METLIFE
MOTOROLA
NESTLÉ
NEW YORK METS
PGA
SUNTRUST
VERIZON
WEATHER CHANNEL
Some very big faculty shoes to fill

We already have an excellent law school. But what will it take to make us a truly great law school?

The formula is actually quite simple. First, we must continue to enroll outstanding students. After all, our students are the future leaders of our profession, and they are the citizen-lawyers who will make lasting contributions to our communities, state and nation.

Second, we must recruit and retain an outstanding faculty — a community of highly skilled teachers who both instruct and inspire our students, and whose research and law reform efforts advance the welfare of our society and our system of justice.

Third, we must acquire the resources we need — both public and private — to do our job at the highest level. We cannot successfully compete at the very highest level if our per-student spending remains at a very low level. Fortunately, as I reported to you in the fall, we are making progress in this area, thanks in large part to the generous support of our alumni and friends.

One of the reasons we must make dramatic improvements in our resource picture soon involves a historic challenge facing our college. During the next five years, at least 12 of our tenured faculty will retire. Among these faculty members are many individuals who inspired, motivated and prepared you for your careers — such as Fletcher Baldwin, Mike Gordon, Jerry Israel, Joe Little, Doug Miller, Jim Nicholas, Mike Oberst, Don Peters, David Richardson, Mary Twitchell and Walter Weyrauch.

The good news is we are optimistic many of these esteemed individuals will remain active in the intellectual life of our law school community. But the fact remains these retirements represent a full 20 percent of the tenured faculty — and some very big shoes to fill. Yet at the same time, this transition presents us with an opportunity that comes along only rarely in the life of an institution — to build the faculty that will lead our college for the next few decades.

One of the great stories in the history of our college is how a partnership of alumni, university leaders and the state faced the challenge of accreditation-threatening deficiencies in our facilities and created what is now regarded as among the very best academic space in the nation. We have already demonstrated with our recent hiring of both experienced and entry-level faculty that we are able to recruit the top teachers and scholars in the nation to the University of Florida. I am confident we will meet the challenge presented by the forthcoming retirements of many distinguished faculty, and we will use this as an opportunity to build a law faculty that is second to none. Thank you for your help and support in this effort.

During the next five years, at least 12 of our tenured faculty will retire.
New Program and Director Reinforcing Ties with Latin America

The Levin College of Law has long had a notable presence in Latin America. For decades, law faculty have traveled to the political capitals and scholarly centers of Central and South America, forging ties with law schools and making contacts with political players throughout the region.

Now the law school has launched a program devoted to strengthening those ties and using UF’s legal expertise to foster the rule of law in Latin America.

The Law and Policy in the Americas Program coordinates the activities of the college’s Center for Governmental Responsibility and three main campus centers: the Center for Latin American Studies, the International Center, and the Center for International Business Education and Research.

Program Director Meredith Fensom teaches interdisciplinary, graduate-level seminars on issues related to the program’s mission and coordinates student and faculty exchanges. She also directs the program’s research agenda and manages technical support and analysis of regional judicial reform efforts. The program’s work is showcased in the annual Conference on Legal & Policy Issues in the Americas, to be held this year in Peru.

Fensom, who has lived in Brazil and Argentina, recently returned from a year-long Fulbright Fellowship in Chile, where she assisted in that country’s judicial reform process, including projects related to civil and commercial legal and procedural reform, alternative dispute resolution mechanisms development, and an independent project analyzing military court jurisdiction over all cases related to the country’s police.

In a First, School Hosts U.S. Veterans Appeals Court

For the first time, the panel from the U.S. Court of Appeals for Veterans Claims heard an oral argument in an actual case at a law school outside of the Washington, D.C., metropolitan area. The court heard the arguments in UF’s Bailey Courtroom March 21.

One of the nation’s highest courts of administrative law, the court hopes to educate law students about veterans benefit law. The panel members included Judge Bruce E. Kasold (JD 79).

Tax & Environmental Law High in U.S. News & World Report Rankings

The Levin College of Law’s Graduate Tax Program has once again ranked second in the nation with only New York University ranking higher, and the Environmental and Land Use Law Program ranked 12th — fifth among public law schools — in U.S. News and World Report’s annual rankings of the nation’s best graduate schools. UF’s law school ranked No. 41 overall, and 18th among publics.

Dean Robert Jerry said he was pleased by the numbers, though he feels the public places too much emphasis on rankings as a measure of institutional quality. “We view rankings as just one of many ways we can measure our progress toward joining the nation’s top 10 law schools,” Jerry said. “But we are always pleased to see our programs receive the recognition they deserve. Our Graduate Tax Program faculty have long ranked at the very top in their specialty, and I am very pleased to see our Environmental and Land Use Law Program faculty rated so highly.”
New Leaders in Law Clinics

A 30-year veteran prosecutor and an experienced defense attorney — both UF law alumni — are taking charge of two of the Levin College of Law’s clinical programs.

Former Columbia County Assistant State Attorney George R. “Bob” Dekle (JD 73) is the new director of UF’s Criminal Law Clinic-Prosecution. Meshon Rawls (JD 98), who worked in the Eighth Judicial Circuit Office of the Public Defender, took the reins at Gator Team Child upon the retirement of Director Claudia Wright.

Among other accomplishments, Dekle prosecuted Ted Bundy on charges of kidnapping and murder, for which he was executed. In 1986, the Florida Prosecuting Attorneys Association gave Dekle its Gene Berry Memorial Outstanding Prosecutor Award. In July 2005, the FPAA gave him its Lifetime Achievement Award, citing his many years of work in prosecutorial education.

A Miami native, Rawls is a product of UF’s clinics. While a law student, she became a Certified Legal Intern and worked in the Public Defender’s Office, which hired her when she graduated. She quickly moved from the misdemeanor to the felony division, but found her true calling in the juvenile division.

Student Awards

Advocacy Teams Take National Honors

UF’s Trial Team and Moot Court Team captured first place at national competitions recently.

Two members of UF’s Justice Campbell Thorsnal Moot Court Team won top honors at the George Washington University National Security Law Competition before a panel of judges that included the general counsel for the Central Intelligence Agency, a federal judge from Michigan and a judge from the U.S. Criminal Court of Appeals.

UF’s Trial Team continued its long winning streak, taking first place in the St. John’s National Civil Rights Competition. The Trial Team beat 15 other teams to win the competition, which draws teams from around the country to argue civil rights cases in front of sitting judges. The victory represents another in a series of national wins that have brought UF’s trial advocacy program into the spotlight in recent years.

UF Tax Law Students in National Finals

Two UF students made it to the Final Four round of the LL.M. Division of the American Bar Association Section of Taxation Young Lawyers Forum Law Student Tax Challenge Competition this year.

LL.M. in Taxation students were part of the top six J.D. submissions and top four LL.M. submissions invited — out of 44 nationally — to compete in the oral rounds before panels that included some of the nation’s most prominent tax practitioners.

Student Group Takes Top International Award

The UF branch of the International Law Society has won the best chapter award out of 175 chapters in the U.S. and abroad. It also won the Best Speaker Award for hosting former Peruvian Ombudsman Jorge Santistevan, and the Best International Event Award for its breakfast speakers series.

UF Law to Build National Database

The 2000 presidential election made Florida synonymous with “disputed election” in the public mind. Now the Levin College of Law is helping to build an online database of state and federal election laws to allow state election administrators, the media and the public to research election law free of charge.

Clifford A. Jones, an associate in law research at the Center for Governmental Responsibility, is one of the recipients of a $285,000 contract from the U.S. Election Assistance Commission. He and Lynda Lee Kaid of UF’s College of Journalism and Communications are developing and will maintain the Election Law Resources Clearinghouse.

Jones teaches election law and served as an expert commentator for NBC News during the 2004 election.
lara Gehan, one of the first women to graduate from the UF College of Law and the first to go on to practice law and pave the way for other women, also will be the first of her gender inducted into the school’s Heritage of Leadership Recognition Society, which honors the school’s most distinguished alumni.

She is joined in the 2006 group by three other trailblazing alumni: Chester H. Ferguson, a pioneer of Florida’s higher education system; William O.E. Henry, an outstanding practitioner who helped build one of the nation’s largest firms; and precedent-setting jurist John T. Wigginton.

“These inductees were of the highest moral character and ethics,” said Scott G. Hawkins, chair of the selection committee and attorney at Jones, Foster, Johnston & Stubbs. “They stand out because of their willingness to serve others.”

The families of the now deceased inductees were recognized at an April 21 banquet in Gainesville. The Class of 2006 inductees are:

Clara Backus Floyd Gehan (JD 33), who contributed substantially to the law profession during a time of male domination and paved the way for females in the field. She founded the first law practice by a woman in Gainesville in 1963 with a focus on real property and probate law. As a member of the Gainesville Advisory Bi-Racial Committee, Gehan helped desegregate local Gainesville businesses and helped establish the Storefront Legal Aid Service, the predecessor to Three Rivers Legal Services, a Gainesville legal clinic providing service to low income residents. Gehan was president of the Eighth Judicial Circuit Bar Association and was awarded both the Florida Bar Pro Bono Award in 1982 and the Pro Bono Publico Award in 1986 by the Supreme Court of Florida.
Leadership

Chester H. Ferguson (JD 30), who was at the forefront of organizing higher education in Florida at a time when it was seen as backwater state. He is credited with paving the way for Tampa’s growth, including downtown revitalization and positioning of Tampa as a major shipping and financial center. Ferguson was an initial member of the State University System Board of Regents, where he served for 14 years, including three as chairman. He also was the chairman of the board and chief executive officer of Lykes Bros.—with interests in shipping, cattle, packing and processing, banking, real estate and energy, and the chairman and chief executive officer of First Florida Banks. He was a fellow of the American College of Trial Lawyers and the American College of Probate Counsel.

William O.E. Henry (JD 52), an outstanding practitioner who helped build one of the nation’s largest firms, Holland & Knight. He was president of The Florida Bar in 1983, served for six years as a member of the Board of Governors and chaired several Bar committees. In other service to the Bar, he was president of the Foundation, trustee of the Endowment Trust and chair of the Tax Section. Henry was the first Floridian in 50 years to serve on the council of the Section of Business Law for the American Bar Association and was president of the UF National Alumni Association. His awards included the Medal of Honor from The Florida Bar Foundation, the Outstanding Past-President award from the Voluntary Bar Association, and the Outstanding Tax Attorney in the State of Florida from the Tax Section of The Florida Bar.

“Recognition by this society is the law school’s highest mark of distinction for pre-eminent graduates.”

John T. Wigginton (JD 32), a superb judge who set an example for future jurists by his impeccable character. He was the first president of the integrated Florida Bar in 1951. Wigginton played an active role in the gubernatorial elections of Millard Caldwell, Spessard Holland and Leroy Collins, and was the executive assistant to Caldwell as governor. He was a partner in the Tallahassee law firm Caldwell, Foster & Wigginton. In 1957, he became judge of the inaugural bench of the First District Court of Appeals, going on to serve, including one term as chief judge, until his retirement in 1974. He also served as the first executive director of the Florida Judicial Qualifications Commission. Wigginton was well-known for his leadership of the Fabisinski committee that drafted the first set of Florida’s civil procedure laws from common law practices.

“Recognition by this society is the law school’s highest mark of distinction for pre-eminent graduates,” said Dean Robert Jerry. “It is a privilege to honor these outstanding alumni who have distinguished themselves nationally in truly remarkable ways.”

Nominations are now being accepted for 2007 inductees. Nominees must meet several criteria, including being a graduate of the UF College of Law or having direct involvement with the college in a very significant way. The Heritage of Leadership Committee is currently only accepting nominations for posthumous awards.

Nominations should be sent by July 1 to Scott Hawkins, who can be contacted at (561) 626-4356 or shawkins@jones-foster.com; or to Kelley Frohlich at (352) 273-0640 or frohlich@law.ufl.edu.
“Never ask a question you don’t know the answer to — well, I do that all the time.” — speaker George Parnham (above), attorney for Andrea Yates

MENTAL HEALTH AS A DEFENSE

The mother who drowned her five children in the bathtub in June 2001 to save their souls from satanic influence is to stand retrial in June. The man pursuing an insanity defense on Yates’ behalf believes her children’s lives will not have been in vain if beneficial changes are made to the mental health care and criminal justice systems, particularly as they pertain to women’s issues such as postpartum depression. Attorney George Parnham said the killings point out serious problems in America’s mental health system.

TAX OVERHAUL LONG OVERDUE

Establishing a national retail sales tax, abolishing income tax and detangling what may be an irreparable U.S. tax code served as discussion points for the Florida Law Review’s annual Dunwody Distinguished Lecture Series, which brings a prominent American legal scholar to the Levin College of Law. This year one of the nation’s leading tax authorities, George K. Yin, expressed the need for a more fair, efficient and simple tax system.

Current tax reformation efforts have been crippled by the diminishing quality of the legislative process. Even Congress members, who are charged with its reformation, do not take time to understand the tax code because they are more concerned with raising campaign funds, Yin said. Meaningful tax reform has historically passed when the executive and legislative branches were controlled by opposing parties, along with a combination of significant public support and tax proponents addressing major lobbying groups’ concerns prior to the push for reform.

“The prospects for tax reform in America are dim.” — speaker George K. Yin, former chief of staff of the U.S. Congress’s Joint Committee on Taxation & University of Virginia law professor
SOUTH AFRICAN POLITICS DISCUSSED

Law professors, writers, political scientists and apartheid-era dissidents discussed the “politics of inequality” in South Africa at an international conference, held and sponsored in part by the Levin College of Law.

The conference looked back on the work of the late Gwendolen Carter, a former UF professor who is regarded as one of the founding figures in African studies in the U.S. The conference also honored the centennial of her birth.

Speakers included prominent opponents of South Africa’s former apartheid regime, including novelist and poet Jonty Driver, who was jailed for his opposition to the white-dominated government, and poet Dennis Brutus, who was sent to Robben Island Prison for his efforts to have South Africa suspended from the Olympic Games.

A second session of the Carter conference is planned by the law faculty at the University of Cape Town in Africa, which served as joint sponsor for the first time.

“A nation’s constitution is a monument and a memorial …”

— panelist Lourens du Plessis, law professor at the University of Stellenbosch

ENVIRONMENT UNDER SIEGE

Highly respected experts from across the nation and more than 1,700 attendees were drawn to a student-run Public Interest Environmental Conference kicked off by keynote speaker Robert Kennedy Jr., who characterized current environmental conditions as the worst in American history. Lamenting the corrosive impact of excessive corporate power on democracy and an indolent press, Kennedy said the nation is in the midst of an “environmentally induced health epidemic.”

The conference was the nation’s first to combine humanities, law, policy, children and the environment under one umbrella. Other nationally known speakers included Richard Louv, a columnist for The San Diego Union-Tribune and Parents magazine, and Philippe Cousteau, grandson of Jacques Cousteau and president of Earth EchoInternational.

“We are living today in a science fiction nightmare.”

— keynote speaker Robert F. Kennedy Jr. (below), one of Time magazine’s “Heroes for the Planet”
Without Legal Solutions to Make Data Safer, Criminal Elements Will Prevail Against Corporations and Consumers

BY MICHAL MEYER

While technology hurries along, both laws and lawyers operate at a far slower pace.

They need to catch up.

And when it comes to keeping information safe, lawyers have a lot to learn.

Those insights were unambiguous at the “Data Devolution: Corporate Information Security, Consumers and the Future of Regulation” conference, an international forum held at the UF law school to update lawyers on information security and its technological challenges.

The conference — organized by the college’s new Center for Information Research (CIR) and Executive Director Andrea Matwyshyn — mixed expert legal, economic, ethical, technological and political perspectives on information security.

“We need to adjust the way we operate,” said Matwyshyn, a UF assistant professor of law whose early legal work with financial institutions and brokerage houses exposed her to the technological threats facing data control. “Recognizing the speed of technological advance, and then layering on the burgeoning black market, means we have an information criminal economy pushing on everyone.”

Companies are increasingly faced not only with information theft, but also angry customers prepared to sue over the loss of their data, whether it’s financially sensitive credit card information or wholesale identity theft.

The modern trend of turning information into a saleable commodity — whether individuals’ political preferences or the trade secrets of corporations — and the technological ease with which that information can slip into the criminal economy are pushing lawyers, corporations and citizens to take better care of data. But are they doing enough? And is it possible to balance legal rights, security and the privacy concerns of individuals?

“There is a reason why people want to protect data,” said intellectual property expert Peter Yu. “It’s valuable.”

Often the value is not fully understood. “Even today, most companies think they are obscure and that no one is interested in their data, so they don’t need to put much effort into it,” said Kim Zetter, a well-known technology writer.

Lawyers take heed, warns UF law Assistant Professor Elizabeth Rowe. The legal consequences of failing to properly protect data such as trade secrets may be catastrophic. Whether it is the Colonel’s Secret Recipe or Kodak’s film process, a trade secret’s value lies in its very secrecy. Often, Rowe adds, companies do not realize that once the secret is lost, so is any legal protection. And when employees turn into thieves, recourse is likely only if the company shows its secrets had the best possible protection.

DEVELOPING STANDARDS OF SECURITY

Long a domain of IT departments, new regulations and statutes are turning data protection into a corporate survival strategy, one where lawyers play a major role. Concrete standards of data security are developing as a result, says Kevin Cronin. A Blank Rome lawyer involved in corporate data security cases, Cronin said that where statutory standards incorporate technical standards, violations may create a statutory liability.

He also noted that questions of best practice in cases of negligence and breach of standards in securing data now draw increasing scrutiny in courts. In one case, a retailer, through no fault of its own, had credit card data stolen through high-tech means. But since the company violated policy guidelines by retaining the data,
Cronin says the court held the retailer negligent.

Lawyers, said Cronin, must learn that data security has no final answer. The constant feedback between changing technology, data, criminal elements and lawmakers means legal solutions must keep pace with ever-changing challenges.

INCREASED THREAT OF IDENTITY THEFT

One challenge facing Congress now is protecting individuals’ private data. It was reported that 1.7 billion digital records have been lost, stolen or otherwise compromised — roughly eight records for every U.S. adult.

“Security is a hot issue right now,” said Chris Hoofnagle of the Electronic Privacy Information Center said. “It gives an incredible amount of traction.” For years, Hoofnagle tried to get Congress to pay attention to data aggregation companies such as ChoicePoint. But not until ChoicePoint suffered a security breach — ending in several hundred identity thefts — did Congress show interest.

Identity theft has topped the Federal Trade Commission’s list of complaints for the sixth straight year. Unlike credit card fraud, such theft has ramifications throughout life and can affect everything from the ability to own a home to finding employment.

“A damaged credit rating is not as easy to correct as fraud,” said Microsoft’s Cem Paya. “No single entity, like a bank, is magically capable of making the problem go away by putting money into your account.”

With personal data used for tracking everything from music preferences to voter profiles, from airline passenger profiling to checks on prospective employees, data collecting (excluding financial and medical data) is big business. But, Zetter said, “companies are collecting information needlessly, and consumers are letting them.” In addition, many companies don’t realize data security is an ongoing concern. And neglecting security may leave companies open to lawsuits, Cronin said.

NEED FOR ENHANCED REGULATION

Privacy Activism’s Deborah Pierce views data collecting from the point of view of someone whose personal data is sold without her consent. She wants a constitutional amendment to protect data privacy, a right already guaranteed in the European Union. The accuracy of information collected by such companies also disturbs Pierce, especially since governments, corporations and law enforcement agencies buy and use the information. Mistakes filled the pages of one aggregator’s report on her, including a potential criminal record, she said. Of special concern is the fact that individuals have few, if any, legal options to correct mistakes and must simply live with the results.

“The legal consequences of failing to properly protect data such as trade secrets may be catastrophic.”

Some presenters think the best response to such problems is an ethics board to review data aggregators. The London School of Economics’ Gus Hosein, on the other hand, sees regulatory and technology costs as more important than any specific legal recourse.

“We say it’s important to preserve and enhance rights and people ignore us, but when we say it will cost and there will be competitive issues, then people listen,” Hosein said. While successful, Hosein worries that such an approach reduces privacy and civil liberty issues to pragmatic considerations, rather than having them rest on legal foundations.

In a world where neither the legal nor the technological landscape solely controls data use and safety, new norms of use and security are part of an evolving system, Matwyshyn said. It is a world where lawyers have to run merely to stay in place.

Change is so fast that lawmakers must work harder to influence the uses and control the abuses of data, Matwyshyn said. “It’s an ongoing arms race between builders of security and criminals,” she said.

And whether it is invasive copyright protection, the collecting of individuals’ life histories, or criminals stealing secrets and identities, the pace of change means that “we’re operating in an hour glass out of which the sand is slipping,” Matwyshyn said.
Largest Ever Class Gift Presented to the Law School

All Class Representative Chris Carmody challenged his classmates at the December 2005 graduation by offering advice he gathered from prominent alumni, which included: work extra hours, do research, be open-minded, have fun, give back, and always tell the truth.

The Fall 2005 class did indeed give back, donating a total of $62,425 to their college — the largest class gift in the history of the law school. With 45 percent of graduates contributing, the Fall 2005 class also set an all-time participation record.

The 2005 Fall Class was a historic group, said Dean Robert Jerry, because they endured a complete transformation of the law school’s facilities while earning a law degree.

U.S. Rep. Michael Bilirakis (JD 63), considered one of the most legislatively productive members of Congress, presented the commencement address.

Three Grads Honored Campuswide

Three law alumni who have distinguished themselves in one short decade since graduation have been named Outstanding Young Alumni at the University of Florida.

Derek Bruce (JD 98), Tim Cerio (JD 95) and Rahul Patel (JD 97) were selected by Dean Robert Jerry and the Law Alumni Council to represent the Levin College of Law at the university-wide ceremony hosted by President Bernie Machen, the UF Alumni Association and the UF Foundation.

Each nominee’s qualifications include an extensive array of leadership, philanthropic, professional, university, college and community-related activities.

Bruce, director of government relations for Walt Disney World, is a longtime member of the alumni council and is active in many Orlando-area organizations. Cerio, general counsel for the Florida Department of Health, serves as alumni council president and has held top leadership positions for various Florida Bar committees. Patel, a partner at King & Spalding, serves as alumni council secretary and is an active sponsor of the Book Award program.

Estate of Justice Ehrlich Creates Two Eminent Scholar Chairs

The memory of the late Florida Supreme Court Chief Justice Raymond Ehrlich (LLB 42), who died last year, will live on and support faculty at two colleges at the University of Florida thanks to provisions made in his estate.

Eminent scholar chairs in UF’s Levin College of Law and in the College of Liberal Arts and Sciences have been established in the name of Justice Ehrlich and his late wife, Miriam, to honor his parents, Ben and Esther Ehrlich.

The law chair will support a faculty position in U.S. constitutional law, while the chair in the College of Liberal Arts and Sciences will be in the political science department.

“Justice Ehrlich was a giant in the legal profession,” Dean Robert Jerry said. “His wisdom and
insights will be impossible to replicate, but his commitment to professionalism will resonate with our students for generations to come. Our alumni and all those who practiced law with Justice Ehrlich throughout his long career know that this expression of care for future students is how he wanted to be remembered.”

Ehrlich, a longtime resident of Jacksonville, Fla., earned a bachelor’s and a law degree, both from UF. After serving in the Navy from 1942 to 1946, Ehrlich began practicing law in Jacksonville. In 1981 he was named to the Florida Supreme Court by Gov. Bob Graham, and served as chief justice from 1988 to 1990.

**Book Awards Available for Sponsorship**

Criminal Law, Contracts and Constitutional Law are just three of the 45 courses available for book award sponsorship. The awards recognize the top student in each course and give alumni a chance to support academic excellence at the Levin College of Law.

Awards are sponsored for five years with $2,000 annually, or endowed in perpetuity with $50,000. Call Development & Alumni Affairs at (352) 273-0640 for more information.

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**Recent Gifts to College Support Students and Strengthen Programs**

Each gift to the Levin College of Law is judiciously employed to support and enhance programs for students and faculty. Recent gifts include:

- $200,000 from Dewey (JD 65) and Lynn Burnsed (JD 95) to endow scholarships for students.
- $50,000 from Brian O’Connell (JD 79), the nephew of Stephen C. O’Connell, to endow a Book Award in Estates & Trusts and provide a gift toward an eminent scholar chair.
- $53,250 from members of the Dean Mead firm toward establishing an eminent scholar chair.
- $100,000 from Robert Kramer (JD 74) as trustee to establish the Richard H. Simons Charitable Trust Faculty Professional Development Endowment Fund. The endowment will provide support such as conference travel and research for faculty in the area of taxation. It will be matched with state funds.
- $100,000 from the Hon. Benjamin Overton (LLB 52) to support the Institute for Dispute Resolution. It will be matched with state funds.
- $50,000 from the Hon. Charles Wells (JD 64) and Linda Wells to establish the Charles and Linda Wells Judicial Process Teaching and Research Fund. The fund will support activities and programs that involve judges with the college’s teaching mission or otherwise contribute to students’ understanding of the judiciary and the judicial process.

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**Get Connected Through Online Opportunities**

- Want to reunite with old friends through instant messaging and sharing photos? Want to search job openings or find a roommate? The University of Florida Alumni Association has launched the Gator Nation Network, a free, password-protected website to help alumni and friends stay connected through an array of professional and social services such as event calendars and blogs. UF is the first school in the Southeastern Conference to offer this service. Visit: gnn.ufalumni.ufl.edu

- Legal education certification courses are coming soon to a computer near you. Professor Steven Willis is planning convenient online CLE courses on topics such as “Financial Calculations for Lawyers,” to commence this summer. Visit www.ufcle.edu or e-mail Joseph Greaser, Director of Online Learning at greaser@law.ufl.edu.

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**Tench Joins Alumni Office**

Rachel Tench has joined the Office of Development and Alumni Affairs as the new assistant director.

For the past five years she has served as development coordinator for the Harn Museum of Art. She holds a bachelor’s degree from Duke University and a master of fine arts from UF.

Tench’s father is the late Judge Benjamin Tench, the Circuit Court Judge in Gainesville for many years, and her sister, Lauchlin Tench Waldoch (JD 78), has an elder law practice in Tallahassee.

She works in the area of annual giving with Andrea Shirey, associate director of development and alumni affairs, and will coordinate special events for UF law alumni.
The UF Levin College of Law just completed a huge renovation of facilities. Now come the finishing touches ... a much needed new advocacy center.

Pensacola attorney Fred Levin (JD 61) has contributed $2 million as the lead gift to the college to build a $5.2 million complex that will include a large, modern courtroom and faculty offices. It and two other significant gifts are eligible for state matching funds, which will bring the value of the gift to $5.2 million for the college.

A new state-of-the-art courtroom complex could assist UF’s already nationally recognized trial advocacy program advance to the upper echelon and give students more opportunities to use skills learned in the classroom.

College of Law Dean Robert Jerry said the expansion — to be named the Martin H. Levin Advocacy Center in honor of Fred Levin’s son and former colleague — will put the UF law school at the forefront of major law colleges providing students with sophisticated facilities and services.

“This is a transformational gift for the law school and critically needed by our trial advocacy program, which was ranked 13th in the nation in 2005,” said Jerry. “Combined with the recent $25 million renovation of our academic space, the addition of this advocacy courtroom places our facilities among the best in the nation.”

Other significant gifts for the project come from Robert Montgomery, of Robert M. Montgomery Jr. & Associates in West Palm Beach, and the law firm of Kerrigan, Estess, Rankin, McLeod & Thompson in Pensacola. Both firms have exceptional trial records and were instrumental in representing the state of Florida in its $13 billion settlement against the tobacco industry.

The two-and-a-half story complex will feature a grand entry foyer, a fully functional trial and appellate courtroom with a 120-seat gallery and bench for seven judges, as well as 10 offices for retired faculty and four apartments for distinguished scholars and visitors. The new complex is planned to extend from the west end of Bruton-Geer Hall.

Construction will begin in May 2007 and should be completed for Fall 2008 classes, with the bulk of construction occurring over two summers to ensure limited disruption of classes.

In making the new facilities possible, Levin said, “Law school changed my whole life. It was there I found a sense of purpose and fell in love with the logic and beauty of the law. My hope is that my gifts to the law school will ensure the college takes that next step to true greatness.”

Levin, namesake of the UF law school, provided a $10 million cash gift in December 1998 that, with state matching funds, moved the college’s endowment into the top 10 of all public law schools in the nation.

He is well known as one of the most successful trial attorneys in the country, having received more than 25 jury verdicts in excess of $1 million, including six in excess of $10 million. On numerous occasions during his career, he has held the national record for jury verdicts involving a variety of wrongful death claims, and held the largest personal injury verdict in Florida. He is a member of the Inner Circle of Advocates, an organization limited to 100 members throughout the country.
Levin received the “Perry Nichols Award” in 1994, which is the highest honor bestowed by the Academy of Florida Trial Lawyers. It is awarded in recognition of a person’s lifetime achievements in the pursuit of justice.

In 1999, the National Law Journal named Levin the top civil litigator in Florida and one of the “Top Ten Litigators for 1999,” both for plaintiff and defense counsel.

When asked about his greatest career accomplishment, Levin named the rewriting and passage of the Florida Medicaid Third Party Recovery Act in 1993, which successfully permitted the State of Florida to sue the tobacco industry to recover expenditures for treating illnesses caused by cigarette smoking.

Levin, however, is most proud of his children and asked that the new courtroom complex be named in honor of his son Martin (JD 88), “the finest lawyer I’ve ever seen.”

Martin Levin said an advanced advocacy center will provide students with the preparation and skills they need to enhance the administration of true justice.

“All lawyers need exposure to the process of the advocacy system to help them think logically, be succinct, investigate, prepare and relate better with people of different social, intellectual, age, education and racial backgrounds,” Martin Levin said. “The justice system fails when lawyers aren’t prepared.”

He believes most beneficial social changes — such as taking dangerous drugs off the market, requiring seat belts and air bags, or protecting wetlands — come about when they are addressed in the courts first. Elected officials usually react only after the courts and public opinion weigh in to tackle difficult issues, Levin said.

“In the 1960s, my father tried a case that resulted in the prescription drug chloromycetin being temporarily withdrawn from the market,” Levin said. “At that time, the drug was thought to be a cure-all for many things, including acne, yet it was causing numerous severe side effects and was killing approximately 5,000 people a year. My father’s case, in a little courtroom in Pensacola, is thought to have saved at least 400,000 lives. Because of the case, the drug was pulled from the market for general use and now is mainly reserved for microbial infections that are resistant to antibiotics.”

Fred Levin is making the center possible

“The justice system fails when lawyers aren’t prepared.”
—MARTIN LEVIN

Bailey Courtroom Continues to Serve

Part of savoring where the UF law school is going is appreciating where it has been. In 1985 “a new level of excellence” was achieved with the opening of the then ultra-modern Bailey Courtroom in Bruton-Geer Hall. Over the past two decades, the courtroom has allowed students to hone their trial skills in a realistic setting and critique their performance via videotaping technology.

Though the courtroom is credited with allowing the trial competition team to earn national prominence, UF law historian Betty Taylor (JD 82) said it wasn’t long before other schools began to follow suit. Innovative capabilities combined with widespread publicity drew visitors from near and far for courtroom tours.

The facilities and equipment were made possible with a $350,000 gift from the estate of Ralph R. Bailey, arranged by personal estate representative James D. Camp Jr. (JD 51).

Bailey, who died in 1961, was a successful landowner and developer in Broward County. His legacy also established one of the largest scholarship funds for UF law students from the Broward County area and also provided $100,000 to UF libraries.
Being Better

Burned out and searching for answers, Martin Levin leaves powerful practice for divinity school

BY KATHY FLEMING

s Martin Levin (JD 88) and his dad Fred (JD 61) left the courthouse in June 2000, there was cause for celebration. They had just prevailed in a $32 million medical malpractice suit. But there was no joy for the younger trial lawyer. It was just his latest win in a long line of over-the-top victories that brought yet more money and more prestige.

“He had come to hate the practice of law,” said his father, who worked next to his son, in and out of the courtroom, seven days a week for 12 years. “I was really worried about him.”

Despite being one of the most successful attorneys in the nation — a savvy strategist named one of the “Top Ten Litigators in 1999” by The National Law Journal — Fred Levin did not expect what came next.

Martin, at the age of 36, announced he was leaving his multi-million dollar annual salary and the law firm to attend Harvard Divinity School.

He was departing at the top of his game. He was president of the Levin Papantonio law firm in Pensacola, a firm created in 1955 by his uncle, David Levin (JD 52), and former Florida governor Reubin Askew (JD 56). He had received 15 jury verdicts in excess of $1 million and five in excess of $20 million. He was on course to become president of the Academy of Florida Trial Lawyers Association.

Bob Kerrigan, a Pensacola attorney who often works with and against the Levins, says Martin was a competitor who has “gone up against some of the best attorneys in the nation and whipped them all.”

“Few lawyers in my experience have had the ability to have an immediate grasp of complicated legal issues with the ease that Martin does,” Kerrigan said. “He is one fine human being as well.”

For Martin, it was both easy and hard.

“I was born into a fortunate situation. I never wanted for anything,” Martin said, ever soft-spoken and reflective. “But I made a decision early on that I was going to stand on my own. I wasn’t the most intelligent guy in the room, so that meant I had to study seven days a week when I was in college. Once I started practicing law, I prepared literally 365 days a year, even on Christmas, to compete at a high level.”

That work ethic led to Martin graduating with top honors in economics at Stanford University, and in the number one spot of his UF law school class. He was editor of the Florida Law Review and clerked in the United States District Court. Twenty of his legal writings, and a book on closing arguments, have been published. He designed and developed SmartJURY, a software program available commercially.

“I woke up at 36 and said, ‘I’ve accomplished everything I’ve dreamed of. I don’t need or want any more money.’ I don’t want to get caught in the economic trap of greed, dishonesty or manipulation. It’s not the proper goal for me,” he said.

Instead he wanted answers. And he started to change.

“I wanted to wake up one morning with an epiphany and a sense of peace. It wasn’t happening. I kept asking myself those hard questions that everyone at some point asks. Why am I here? What is my purpose? What is expected of me?” he said.

Martin grew up in a Jewish household. His wife Terri, who he met at UF, grew up Catholic. Together they began to explore area synagogues and churches of different denominations. He started spending hours at Sacred Heart Children’s Hospital, regularly visiting terminally ill children and their families. Known for his ability to
party as hard as he worked, he no longer found either pleasurable.

Terri suggested he take some religion courses at a nearby community college. With his usual methodical attention to research and planning, he decided Harvard Divinity School was the best fit for his needs. He and Terri moved to Boston in 2001, bought a house next to the school, and he started classes on September 11, the very day of the terrorists attacks and a time when millions were looking inward.

It wasn’t that Martin wanted to become a rabbi or a priest; he just wanted to know how to become a better person.

“I didn’t know what to think when he made this decision. It was a shock,” said his father, describing his son’s decision as a big blow to him and to the firm. Martin was not only the president of the firm, he was one of its top three money producers.

“Divinity School was kind of like law school. The training helps guide you through the issues and problems of life,” he said.

For three years Martin studied the religions of the world as he earned his masters in theology. Again he excelled, graduating with an A average.

“Looking back almost two years later, I think Divinity School was kind of like law school. The training helps guide you through the issues and problems of life,” he said. “I’m definitely more spiritual now than before I attended Divinity School, and the education gave me a much greater appreciation for the different cultures, beliefs, religions and philosophies that have evolved throughout history and that presently exist.”

What Martin didn’t discover, however, was the meaning of life. Nor did he experience the epiphany he desired.

In an effort to keep learning, he enrolled in an LL.M. program in mass tort ethics at Harvard Law School. Two weeks into the program, on Sept. 16, 2004, Hurricane Ivan hit his hometown, destroying the family law firm that employed 28 attorneys and 150 staff members.

He immediately left law school to oversee arrangements for moving the firm into makeshift quarters and spent the next 18 months getting the firm back into its original building and handling everything from contractors to communications. He also got involved in various charitable organizations.

“Physically, Martin is small in stature, but he is a man of big ideas, actions, kindness and intelligence,” said Millard Fuller, the founder and longtime CEO of Habitat for Humanity International. Martin now assists Fuller in his newest charity, The Fuller Center for Housing. “He is a tremendous encourager to me, and I speak with him often for his advice and support.”

After Hurricane Ivan, Martin began spending two weeks each month in Pensacola moving projects ahead, and then like clockwork would return home to Boston for two weeks to be with his wife and son Dustin, now four.

These days Martin continues to head up another family business, Consolidated Technology Solutions, as well as the family’s non-profit foundation, which concentrates on providing for the basic needs of children. The foundation has done everything from giving away 10,000 pairs of shoes to impoverished school children to helping build a center for abused youngsters and a camp for terminally ill and special needs children.

“Martin made a lot of money practicing law, but he gave a lot of it away. Now he forces me to give my money away,” said Fred Levin, who most recently provided major funding (see page 14) for a new advocacy center at UF law’s school. “I don’t have hobbies. I work. But, Martin has impressed on me that I can’t take the money with me and I might as well enjoy giving to others.”

Martin will begin teaching trial law this fall at New England School of Law in Boston and will continue serving on the Board of Advisors for Harvard Divinity School.

He also commits his time and resources to the World Centers of Compassion for Children, an international non-profit organization working to improve the lives of children, especially those of war-torn countries. The organization is run by Nobel Peace Prize laureate Betty Williams and counts other laureates on its Board of Advisors, including the Dalai Lama, Desmond Tutu, Mikhail Gorbatchev, Lech Walesa and Elie Weisel.

“Martin is one of those rare individuals who lives by an ethic of acts and reflections. Doing good for others is, for Martin, like breathing in and breathing out; he does it naturally,” said Williams. “This year he will accompany me to Dharamsala (a town in India with Tibetan exiles) where, with His Holiness the Dalai Lama, I will lead a ‘PeaceJam’ for the children of Tibet. His participation in this event will be invaluable.”

One thing that has not changed over the last few years is his unwavering introspection.

“Why was I born with a silver spoon and never had to worry about basic needs? Why is it that I was able to concentrate on staying motivated in my career? Is it chance, destiny, fate?” he asks. “I wish I knew the answer.”

“Right now I’m still contemplating the ultimate issues. What can I do now to have the biggest impact and to do the most good? I know it sounds corny and clichéd, but I want to be involved in the betterment of our world. The truth is, however, that the most we can do is likely the little things we all know we should do.”
On Top ▲

“This photo was taken as my campaign team and I celebrated my election to student body president in the spring of 1956. It was a milestone at the time because I ran as an independent, as was the majority of my campaign organization. That was my last soirée in the political arena. My involvement since has been limited to occasionally helping political aspirants and candidates, but I never managed to campaign again. I have served as general practitioner and lawyer over the last 48 years.”

J. Fletcher Fleming (JD 57)
Shell, Fleming, Davis & Menge
Pensacola

Contrary Conjecture

During the 1950-51 academic year I had Crim Law I or II with Professor “Danny” Clark, who had a reputation as being very tricky. Many of his exam questions were from footnotes, and we learned to be prepared. On this final exam, he asked what year the electric chair was first used in Florida. I had no idea, so I just reached out in the “blue” and grabbed a date. In the next semester he stopped me one day in the hall and said in his high, squeaky voice, “Mr. Abbott, do you know that story about Benjamin Franklin, the kite, the key and harnessing electricity?”

“Yes, I do,” I replied.

“Do you know what year that occurred?” he asked.

“I don’t know,” I said.

He gave one of his distinctive “hee hee” laughs and nailed me. “That’s what I thought,” he replied. “It was about 20 years after the date you wrote down on the exam.”

Charles Abbott (LLB 53)
Holland & Knight
Orlando

It’s a Tie

Professor Nagan taught civil procedure to my section of first-year law students and wore the same black tie to every class. After a few weeks, Professor Nagan’s tie became the subject of speculation and sly remarks by my classmates … “Will Professor Nagan wear the black tie again today?” “Does Professor Nagan have another tie?” “The black tie must be his favorite.” “Maybe he is in mourning.” “Oh no, not the black tie again.”

Throughout the term, he wore the black tie — until the last class. On that day, Professor Nagan strode into class with a very bright red, white and blue tie, resembling the American flag, which was neatly tucked in his pants. The class broke into applause and gave him a standing ovation. Unfazed, he remarked “So, you like this tie? Here, you can have it!”

Then Professor Nagan began to pull his tie out of his pants, and the tie kept coming and coming. When he was done pulling, his tie was draped over the lectern and trailed on the floor. It was a magical moment, and no one cared about the black tie anymore.

Lindy Paull (JD 79, LL.M. 80)
PricewaterhouseCoopers
Washington, D.C.
There is a reason they call it general counsel. On any given day, UF law graduates are guiding some of America’s most prominent businesses on a wide spectrum of issues that can affect everything from transactions and taxes to intellectual property and outside counsel. These top executives often wade into murky legal waters to review and vet business practices, opportunities and challenges that can cost or earn their companies millions. It’s all in a day’s work.
Size of staff and areas of responsibility:
I manage nine people, including four attorneys, two paralegals and support staff in addition to personally handling television, new media and player issues. Areas of specialization include: sports marketing, domestic and international television, new media, domestic and international intellectual property, retail licensing, tournament relations, tournament management, player regulations, golf course development, ownership and management, employment, immigration, ADA compliance, litigation, etc.

How did you come to concentrate on business law as opposed to other practice areas?
During law school, I thought I wanted to be a litigator. It wasn’t until my first summer clerkship that I learned business lawyers were not just drafters, but integrally involved in structuring and negotiating deals. That was very appealing to me.

What are the hot legal issues in corporate practice today?
Because PGA TOUR is not a typical corporation, but an association of professional golfers, we do not face many of the issues faced by large, private, for-profit corporations. In our world, a couple of hot-button issues are ownership of real time sports data (see Morris Communications v. PGA TOUR, M.D. Florida and Eleventh Circuit) and regulation of entertainment practices in the securities industry, as it relates to entertainment at professional golf tournaments.

What has been one of your most challenging cases/issues?
The Morris case dealt with whether the PGA TOUR had the right to restrict the distribution of real time data generated by its multi-million dollar scoring system.

How have you been able to influence the direction of your company?
Fortunately, lawyers in this company are well-thought of and function as integral members of each business unit. We constantly influence the direction of our company by providing input on a broad spectrum of issues in their earliest stages. Perhaps for this reason, we have an incredibly small amount of litigation for a company our size.

How are your duties and responsibilities different from what you anticipated?
I was originally hired as the TOUR’s intellectual property counsel and my duties expanded beyond that title within the first two years. The biggest surprise and one of the duties I find most enjoyable is the facilitation of internal company relations. We have many disparate groups (such as competitions, player relations, public relations/communications, television, marketing, etc.) that must function collectively, but often their interests are not aligned. I help find common ground so that the company functions best as a whole rather than segmented departments or TOUR constituencies.

How has the working relationship with outside counsel changed over the years?
We do not often employ outside counsel. The one or two litigators whom I do rely on have become close confidants and in some cases, personal friends over the last several years. There is a deeper working relationship present than I ever would have expected.

Senior Vice President & General Counsel
PGA TOUR:
World’s premier men’s professional golf organization, which coordinates the highest level of golf tournament competition for the PGA TOUR, Champions Tour and Nationwide Tour. Tournaments are televised on major network and cable television channels.
TOUR revenues total approximately $1 billion annually.
Ponte Vedra Beach, Fla.

Background:
• B.S., UF
• With PGA TOUR for 11 years
• Troutman Sanders from 1990 to 1995

PGA TOUR
RICHARD D. ANDERSON (JD 90)
Bernard begins a new job at Duke University in July, becoming the first ever non-Duke graduate to step into the general counsel role there. The answers below reflect her role as general counsel at the University of Florida.

Size of staff and areas of responsibility:
I was responsible for 11 attorneys in three offices. My scope of responsibility included all legal matters for UF and its 20-plus support corporations, two health centers (in Gainesville and Jacksonville), and all colleges, professional schools, IFAS and athletics. I also served as counsel to the UF Board of Trustees.

How did you come to concentrate on corporate law as opposed to other practice areas?
My decision to practice in a corporate-type setting happened by chance. The university’s Office of Counsel contacted me after I graduated law school, though I was unaware that office even existed. After two weeks on the job, I told my husband that I couldn’t believe they were paying me to do something so interesting!

What are the hot legal issues in corporate practice today?
In a complex research institution like UF, many of the hottest topics are the result of the government’s stepped-up regulatory interest in scientific research and medical practice. The complete restructuring of the Florida public higher education system has taken great amounts of time, both in adding first-time boards of trustees to university operations and sorting out the relative constitutional powers of various governmental branches. Finally, not-for-profit entities are receiving some of the spillover from the efforts of the federal government to mandate greater accountability from corporate boards after Enron and WorldCom.

What has been one of your most challenging cases/issues?
One of my most challenging times, which occurred early in my practice, was handling two major NCAA investigations simultaneously. Because this practice area is so narrow, there are few experts one can turn to and very little law to serve as guidance. Likewise, handling a multi-million dollar Medicare investigation that spanned six years also generated years of experience over a relatively short period of time.

How have you been able to influence the direction of your company?
In-house counsel is able to achieve far greater success through his or her influence than by the mere use of the power of position. Influence comes from establishing relationships of trust with the various decision-makers in the organization and consistently achieving good results. Through these relationships, the general counsel becomes a valued member of the organization and will establish a strategic place at the corporate table.

What has been one of your most creative solutions?
In unraveling the complexities of the Florida Education Code’s massive rewrite, the best way I could describe the constitutionally-created Florida Board of Governors was as a fourth branch of government. Described as such, it was much easier for individuals to understand its constitutional powers cannot be encroached upon by another branch of government, a matter of continuing ambiguity.

How are your duties and responsibilities different from what you anticipated?
The greatest difference in practicing law for a major research university is the range of issues with which the general counsel must be familiar, including industry trends and global events in virtually every area. Far more of my work is related to the effect external events have on the university than internal events.

How has the working relationship with outside counsel changed over the years?
In the past, outside counsel was called upon for many complicated issues, leaving the day-to-day work for in-house counsel. That trend has reversed. Now, legal issues of significance are more likely handled in-house, with boutique areas of practice and federal litigation outsourced. Further, in-house counsel usually are more active partners with outside counsel today, exerting greater control over cases and requiring greater efficiencies.
New York Mets

DAVID P. COHEN (JD 89)

Size of staff and areas of responsibility:
I manage two attorneys and one paralegal and am responsible for all legal affairs and human resources. I generally am involved in overall management of the organization, and also serve as vice president and secretary of Mets Development Company.

How did you come to concentrate on corporate law as opposed to other practice areas?
I was interested in working in sports and the opportunity to do so presented itself in an in-house capacity.

What are the hot legal issues in corporate practice today?
I find that corporate governance/ethics are the hot legal issues.

What has been one of your most challenging cases/issues?
Operating in a “regulated environment” — i.e. one of 30 major league baseball clubs connected through a central governing body — is certainly a challenging issue.

How are your duties and responsibilities different from what you anticipated?
A great deal of my time is spent on matters that require business judgment in addition to legal expertise. I also spend more time than anticipated with financial matters, including credit transactions and “baseball finance” issues such as luxury tax and other financial regulations.

How did the UF College of Law help prepare you for this career path?
A solid legal education has opened many doors.
Size of staff and areas of responsibility:
I have a staff of 19 and am responsible for intellectual property and litigation.

How did you come to concentrate on corporate law as opposed to other practice areas?
I left private practice to join Amgen because I wanted my efforts as an attorney to make a positive impact on society. Amgen’s business is dedicated exclusively to developing therapeutics that dramatically improve patients’ lives. I truly believe that my efforts contribute to Amgen’s ability to achieve its mission, which is reflected in the passion I bring to my role as an attorney.

How are your duties and responsibilities different from what you anticipated?
My responsibilities have grown over time with Amgen. I joined Amgen eight years ago as a patent litigator. Today, I am responsible for Amgen’s patent litigation and lead a skilled, motivated team. Although my practice continues to focus on patent litigation, I now spend a lot of my time managing others and work in many diverse areas including patent prosecution and strategy, patent policy, antitrust, securities, product liability, corporate litigation, FDA law, M&A and licensing.

How has the working relationship with outside counsel changed over the years?
When I first went in-house at Amgen, I was disappointed with the work product of outside counsel and frustrated by their inability to anticipate our legal needs. I have learned the value of taking the time to explain Amgen’s business and technology to outside counsel. The advice I receive from outside counsel who understand Amgen’s business is much more practical and well-reasoned than legal advice from outside counsel who do not. I believe working with outside counsel is a partnership, not simply a delegation of tasks, which will be successful only through mutual respect and communication.

How did the UF College of Law help prepare you for this career path?
My experience at the UF College of Law was great training for my legal career. I learned as a 1L that success requires diligence and is not possible by taking shortcuts. Professor Pearson taught me the importance of focus — to concentrate on the relevant facts and to analyze them critically. I continue to rely upon the fundamentals of federal evidence that I learned from former Dean Lewis. The exchange program with the University of Leiden was a significant personal and professional growth opportunity. Living in Holland and backpacking across Europe gave me the confidence to resolve complex problems and to manage diverse personalities. Interacting with law students from all over the world taught me the importance of communication and the value of seeking diverse opinions to achieve the best results.

Senior Associate General Counsel

Background:
• B.S., West Virginia University; LL.M., Georgetown University Law Center
• With Amgen 8 years
• Fish & Richardson from 1994 to 1998
• Cushman, Darby & Cushman from 1989 to 1994
• Involved in patent litigations, including Amgen v. TKT/ Aventis, Schering v. Amgen, IBEP v. Amgen et al and Amgen/Immunex v. Columbia
• Litigation experience includes U.S. federal court litigation and Federal Circuit appeals, as well as litigation outside of the U.S. in Japan and the U.K.
Size of staff and areas of responsibility: I am responsible for legal, compliance, corporate governance and regulatory affairs. We have 45 in-house lawyers with an additional staff of 100 focused on compliance and administrative tasks.

How did you come to concentrate on corporate law as opposed to other practice areas? I have concentrated on corporate/securities law mainly because I find business interesting, and I don’t really have the patience for litigation. The corporate legal environment has changed a great deal over the past few years. There are certainly more rules, which are being applied with less flexibility and harsher sanctions. The Sarbanes-Oxley Act has complicated the daily life of a public company, and has driven an increase in accounting and regulatory expense. Although good for our profession, I wonder whether this is good for our economy as a whole.

How has the working relationship with outside counsel changed over the years? Our outside lawyers are valuable partners for SunTrust, and we strive to develop meaningful relationships with them. When hiring a law firm, we look for expertise, efficiency and effectiveness. At times I worry the legal profession has become too driven by the billable hour, but I don’t know of an effective alternative model.

How did the UF College of Law help prepare you for this career path? I think law school can be a very valuable prelude to a career in corporate life. My time in law school spent focusing on the more rigorous commercial courses has been invaluable to my career. The effort put into corporate, UCC, tax and other commercial courses gave me analytical skills and basic information that I use every day. The legal profession is competitive and the business world is very demanding of its lawyers. Competition requires intensive preparation and UF Law afforded a good foundation.
Size of staff and areas of responsibility:
I work with one other lawyer. Together, we are responsible for all of the company’s legal affairs. I am primarily responsible for acquisitions, board of directors and governance matters, securities issues, trade and overseeing significant litigation.

How did you come to concentrate on corporate law as opposed to other practice areas?
I majored in accounting so corporate/business law was a natural fit for me.

What are the hot legal issues in corporate practice today?
The hot legal issues mostly relate to corporate governance, compliance and class action employment litigation.

What has been one of your most challenging cases/issues?
During my prior tenure as general counsel of Eckerd Corp., we had a newly hired executive who was about to be sued in Florida for violating a non-compete agreement he signed in Chicago. Since Illinois was more favorable to employees with respect to non-competes, we filed a declaratory judgment action against his previous employer in Chicago just before the employee was sued in Florida. We ultimately negotiated a very favorable resolution of the case.

How are your duties and responsibilities different from what you anticipated?
It has been interesting to go from Eckerd, where we had 15 lawyers in an established legal department, to Gerdau Ameristeel where I was the first lawyer the company ever hired. I thought it might be a difficult adjustment for the employees here to have an in-house legal department, but I have found that everyone welcomes the internal support. I have also enjoyed being associated with a manufacturing company and dealing with the legal issues the organization faces. The fact that Gerdau Ameristeel is a public company — of which 70 percent is Brazilian owned — also has made my experience here very interesting.

“ The fact that [we are] a public company — of which 70 percent is Brazilian owned — has made my experience here very interesting.”

How did the UF College of Law help prepare you for this career path?
My years at the UF College of Law gave me the legal training I needed to start and develop my legal career. Additionally, the personal contacts I developed while in law school have been beneficial throughout my career.

Background:
- B.S., UF
- With Gerdau Ameristeel one year
- Eckerd Corp. from 1994 to 2004
- Shackleford, Farrior, Stallings & Evans from 1985 to 1994
- Member of the board of directors of Pilot Bank, a community bank in Tampa
The Weather Channel

BECKY POWHATAN (JD 76)

Size of staff and areas of responsibility:
I oversee six lawyers and 10 staff members in the legal area, which includes the video library and patent program. I am responsible for overseeing and directing sales of The Weather Channel and Weatherscan and related products to cable, satellite and telephone companies and other distributors of the networks to the consumer. The distribution team consists of 26 employees.

How did you come to concentrate on corporate/business law as opposed to other practice areas?
I was a business litigator for 12 years. One of my clients, Landmark Communications, Inc., a private media company in Norfolk, Va., that owns newspapers, television stations, classified advertising publications and The Weather Channel, asked if I would like to become a business lawyer and join the company as corporate counsel. I worked closely with outside corporate lawyers and learned much of what the job required. After eight years at the corporate level, the president of The Weather Channel convinced me I should become part of an operating business as general counsel and serve on the executive committee.

What are the hot legal issues in corporate practice today?
I think it differs for a private company versus a public company. One of the hottest issues for our companies today is the security of our data — both internal and that which we collect from customers.

What has been one of your most challenging cases/issues?
I was asked by the parent company to begin a patent program for The Weather Channel Companies. I knew very little about patents and even less about running a patent program. I began interviewing technology companies and law firms with expertise in patents to learn how others had set up such a program — what worked and what didn’t. We had to decide whether to hire a patent lawyer or a technology person as patent program director, and create objectives for the program. Today we file approximately 10 to 15 patent applications a year and are building a culture of patent awareness through education and an ongoing commitment to innovation.

How have you been able to influence the direction of your company?
I was the first in-house lawyer for The Weather Channel. As the sole in-house lawyer for my first three years, I was involved in all legal issues that arose in addition to all significant contracts that affected any of our various weather businesses. By such involvement, I gained an understanding of the overall business, whereas some of my peers were focused on a specific area. Also by being part of the executive committee, I participate in setting strategic direction for the company.

How are your duties and responsibilities different from what you anticipated?
I am much more involved in the actual business than I ever anticipated. I was fortunate in that several of my bosses at The Weather Channel recognized the importance of having the general counsel involved on the executive committee — in the early stages of the planning process and negotiations of significant contractual relationships. By having such involvement, I quickly learned the business and began providing legal and business advice, thereby gradually increasing my business responsibility. In 2005, I became head of distribution wherein I am responsible for over $100 million in revenue for the company.
Size of staff and areas of responsibility:
I lead a staff of 10 in the attorney law department and manage all of the North American legal functions.

How did you come to concentrate on corporate law as opposed to other practice areas?
Like several of my classmates, I returned as a lawyer to the industry in which I worked before law school. Although I am pleased with how things turned out, I caution law students about starting at an in-house job right after law school. In his 1975 law office management course, professor Scott Van Alstyne said it is easier to move from private practice to other legal work than it is to make any other kind of legal career move. That was more so the case in the past, but it still holds today.

What has been one of your most challenging cases/issues?
My first legal job was general counsel of a small company. That was challenging in itself, since I had no mentor, predecessor or legal staff. The first piece of litigation I had to contend with involved the very survival of the company. Fortunately, we won that case at the D.C. Circuit Court of Appeals.

How have you been able to influence the direction of your company?
I have campaigned to help Adecco and others in the industry reverse a trend toward excessive transfers of risk from the customer to the company. This year, I am also urging staffing customers to relax policies that automatically (and I believe, unnecessarily) rotate temporary employees after a certain period of time on their assignments. The employees will reap the greatest benefit from that, if I succeed.

How are your duties and responsibilities different from what you anticipated?
My father, who was a lawyer, once gave me three words of career advice: “Life is sales.” We never spent much time on basic, effective sales skills in law school, which are invaluable to the profession. Persuasion and interpersonal relations are just as important in business and transactional law as they are in litigation.

How has the working relationship with outside counsel changed over the years?
I have always wondered why the corporate bar agonizes over these “relationships.” Few outside counsel worry about them. Instead they focus on client development or sales. Corporate counsel should focus on results, costs and internal clients. One of the greatest current challenges for corporate counsel is the prevention, detection and remediation of law firm billing abuses. Attorneys in law firms are under tremendous pressure to bill, and the range of what a certain package of services can cost is great. If you are not attuned to these details, you will pay more than the firm’s other clients.

How did the UF College of Law help prepare you for this career path?
In my opinion, the law of Florida is more intellectual than the law of many other states. The UF College of Law probably helped achieve that, since many of its graduates go on to become Florida judges. When I attended, it struck a fine balance between legal scholarship and preparation for practice. As a large school, it also offered a rich selection of courses and activities for various legal interests, including business.

How would you compare the practice of business ethics with legal ethics?
This may sound strange, but I have always been proud of the section of the Florida Bar News that publishes the ethical transgressions of Florida lawyers. Of course, I am not glad such things occurred, but I know of no other profession or occupation that is as forthright about admitting the fallibility of its members and as systematic at disciplining them.
How did you come to concentrate on corporate law as opposed to other practice areas?

I’m not even sure how I ended up as a lawyer, let alone a business lawyer. My father is a doctor and he thought I’d gone to the dark side. I initially focused on litigation because I so much enjoyed moot court and trial practice, but became interested in corporate law by taking very stimulating courses on basic corporations and antitrust.

It’s interesting how careers can be serendipitous. My antitrust law professor suggested I apply for a position with the U.S. Department of Justice Antitrust Division through their honors program. I was accepted and used that as springboard first to a corporate practice with a law firm in Washington, D.C., and then to joining Motorola.

I found that the more I worked with business, the more I enjoyed the diversity of the experience. For those out there just beginning their careers, consider that a corporate practice involves virtually every area of law, which provides for a rich range of potential experiences.

Over the course of my career, I have handled everything from M&A to employee terminations, criminal investigations, FDA regulatory matters and international dispute resolution. I’ve had experience in court and in the boardroom. The opportunity to provide legal advice and counseling that shapes a global business icon like Motorola has been extremely satisfying.

What has been one of your most creative solutions?

As a business lawyer, you must recognize your objectives are to minimize legal risk while helping to maximize business opportunity. Success is measured by avoiding litigation and resolving business disputes in ways that preserve business relationships whenever possible.

One of my best outcomes began on a Friday afternoon. We were served with a complaint from a major customer who not only sought substantial damages, but also to terminate a major contract. I thought we would win the lawsuit, but we clearly would lose the customer and their future business (if we hadn’t already).

I joined the business team and we flew to the customer headquarters that evening. Over a very long weekend, we negotiated a business resolution acceptable to the customer, agreed on how to resolve the legal claims, and filed a stipulated dismissal when the courthouse opened on Monday morning.

Today, 10 years later, that customer still buys Motorola equipment and their value to us as a customer far outweighs the minor cost of resolving the dispute. The lesson is simple — you must understand the business imperative and recognize that legal results are good only if they achieve your business objective.

How did the UF College of Law help prepare you for this career path?

When I started law school, I thought I would end up as a commercial litigator with a local firm. Even though it’s a state school, UF had national and international experts on the faculty, and their perspectives reflected that diversity of background. Exposure to them, in turn, allowed me to consider broader career options.

One of the advantages of UF Law is that it provides not only wonderful opportunities within the state, making available an outstanding legal education and incredible statewide connections, but also great national and international opportunities.
ALEXANDER SPITZER (JD 69)

Nestlé USA

Size of staff and areas of responsibility:
My staff size is 36, which includes tax lawyers and tax accountants. My responsibilities include all federal and state tax planning for acquisitions, divestments, reorganizations, all federal and state controversy, lobbying, compliance and book taxes.

How did you come to concentrate on corporate (or business) law as opposed to other practice areas?
In law school, I enjoyed corporate tax law immensely. My only other path of equal interest was criminal law.

What are the hot legal issues in corporate practice today and what has been one of your most challenging cases/issues?
1. Legitimate tax planning versus abusive tax avoidance transactions. 2. Cross border transactions. 3. Economic substance and business purpose testing of corporate transactions.

How have you been able to influence the direction of your company?
Nestlé has been able to avoid “packaged” tax products and other abusive transactions.

How are your duties and responsibilities different from what you anticipated?
Nestlé is a great place to work, and I never imagined that I would head up the Tax Department of such a large company. More importantly, I have fun every day at my job and I am lucky to be working with great people. Plus, we dress casually every day and are surrounded by an ocean of candy!

How has the working relationship with outside counsel changed over the years?
The relationship has not changed — the most important element of working with outside counsel is to ensure a “team” effort and a proactive involvement with all aspects of an engagement.

How would you compare the practice of business ethics with legal ethics?
Business and legal ethics are, and should be, compatible. Perhaps the line between ethical and non-ethical behavior may be a little less gray in the legal profession.

How did the UF College of Law help prepare you for this career path?
When I attended UF law, the school did not yet have a graduate tax program, so I attended NYU for an LL.M.. However, I got my start on taxes at UF with Professor James J. Freeland, who was the best teacher I ever had in my life. He made taxes come alive and got me started on my career path.
Size of staff and areas of responsibility:
I am responsible for all legal, corporate secretarial, land, environmental and governmental affairs activity (four lawyers and five other direct reports).

What are the hot legal issues in corporate practice today?
One hot issue is compliance with Sarbanes-Oxley Act and other corporate governance because members of the board of directors are now very active.

What has been one of your most challenging cases/issues?
I am now serving on the board of the FutureGen Industrial Alliance, Inc., a $1 billion international project to develop the world’s first zero-emission power plant, which the president referred to in a recent State of the Union address. As a member of the board, I am asked to spot the legal issues, which is a challenge. This involves everything from international intellectual property matters to governmental indemnification for potential effects of capturing and injecting carbon dioxide into the earth. The plant will be built in the U.S., but at this time, there are American, Australian, Chinese and British companies involved.

What has been one of your most creative solutions?
After many decades of surface mining, we were unable to reclaim a property in Colorado in accordance with our permits. These permits, issued decades earlier, assumed the deer and elk would leave the area. The opposite occurred and the overpopulated deer and elk were eating the replanted vegetation. Years of effort proved unsuccessful, but we resolved the dispute by donating a permanent conservation easement for an elk calving ground in another area and changed the permit conditions.

How have you been able to influence the direction of your company?
Legal input is sought at the outset of almost every commercial transaction as the lawyers are considered to be the human resource with a holistic view of the organization. We are the only ones who see agreements in all areas such as land, labor, environmental, purchasing, sales, financing and other areas. As such, we can spot issues and problems early and structure the transaction accordingly.

How are your duties and responsibilities different from what you anticipated?
For many years, we were private. Going public in December 2004 required a complete refocusing and restructuring of my daily role—it was like going back to law school with only pass or fail grades.

How have you been able to influence the direction of your company?
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How are your duties and responsibilities different from what you anticipated?
For many years, we were private. Going public in December 2004 required a complete refocusing and restructuring of my daily role—it was like going back to law school with only pass or fail grades.

How has the working relationship with outside counsel changed over the years?
We have gravitated to fewer firms who provide consistent and prompt service. A sense of trust and confidence is critical so you need not comb over every invoice.

How did the UF College of Law help prepare you for this career path?
They made everyone take tax! In my experience, this is not common at most law schools. There are tax issues in every business transaction and a basic understanding is necessary.
Top Executives Across the Globe

UF law school alumni can be found in corner corporate offices in financial, food, real estate, manufacturing and numerous other brand name institutions. Here are just some of the top executives leading organizations around the world.

A. DUDA & SONS
Tracy Duda Chapman (JD 90)
Vice President and General Counsel
Oviedo
Diversified land company with a variety of agricultural operations and real estate operations throughout the U.S.

AMERICASMART-ATLANTA
Neal G. Patton (JD 81)
Secretary and General Counsel
Atlanta
Owns and manages a 4.5 million-square-foot trade mart complex and produces more than two dozen trade shows annually in Atlanta, Orlando, New York and Las Vegas

APRIA HEALTHCARE GROUP
Robert G. Abood (JD 86)
Senior Vice President, Acquisitions
Tampa
Nation’s leading provider of integrated home healthcare products and services for more than 1.2 million patients in 50 states, consisting of 500 branches

ARCS COMMERCIAL MORTGAGE
Steven D. Heller (JD 80)
Senior Vice President
Princeton, N.J.
One of America’s leading multi-family lenders

ASTAR Air
John Dasburg (JD 73)
CEO and co-owner
Miami
(formerly DHL Airways) With a fleet of 45 aircraft, provides international air freight and charter services for DHL Worldwide Express network, U.S. military and U.S. Postal Service

ATTORNEYS’ TITLE INSURANCE FUND
R. Norwood Gay III (JD 65)
Senior Vice President and General Counsel
Orlando
Nation’s sixth largest title insurer; oldest and largest lawyer-owned title insurer, with more than 7,000 lawyer-agents primarily in Florida, the Midwest and the Southeast

BANK OF AMERICA
Deborah Buatti Story (JD 85)
Associate General Counsel
Jacksonville
Third-largest commercial bank in the U.S. with more than $1.3 trillion in assets

BAPTIST HEALTH SYSTEM
Lanier Drew (JD 87)
Associate General Counsel
Jacksonville
Not-for-profit health care system that owns and manages hospitals and health-related facilities

BATTAGLIA FRUIT CO.
William P. Battaglia (LL.M.T 78)
President and CEO
Winter Park
A family business in the real estate investment sector; fresh fruit and vegetable merchant wholesaler

BEST BUY
David P. Berg (JD 86)
Senior Vice President
Richfield, Minn.
Fortune 500 company for consumer electronics, home-office products, entertainment software and appliances and related services

BLUE CROSS & BLUE SHIELD OF FLORIDA
Randy M. Kammer (JD 78)
Vice President Regulatory Affairs
Jacksonville
Florida healthcare company offering health-related products and services

BOCA RATON COMMUNITY HOSPITAL
Paul E. Risner (JD 82)
Vice President and General Counsel
Parkland
Not-for-profit, community hospital with the second largest cancer program in Florida

BPB AMERICA
Larry Rayburn (JD 81)
General Counsel and Secretary
Tampa
World’s leading gypsum company with facilities in more than 50 countries, with 31 locations and more than 2,000 employees in North America

THE BREAKERS PALM BEACH
P. Kristen Kay (JD 94)
Director, Legal Services
Palm Beach
Five diamond resort that staffs more than 2,000 employees

BRINK’S
Austin F. Reed (JD 75)
Vice President, General Counsel and Secretary
Richmond, Va.
Leading global security services company with operations in more than 130 countries and 45,000 employees worldwide

CHAMPION ENTERPRISES
John J. Collins, Jr. (LL.M.T 77)
Senior Vice President, General Counsel and Secretary
Auburn Hills, Mich.
World’s largest builder of manufactured homes; operates 32 homebuilding manufacturing facilities in North America and partners with nearly 3,000 independent retailers, builders and developers.

COCA-COLA
Mike Gilroy (JD 74)
Senior Environment, Health and Safety Counsel
Atlanta
World’s largest manufacturer, distributor and marketer of concentrates and syrups for nonalcoholic beverages
CODINA GROUP  
Kolleen Pasternack Cobb (JD 88)  
General Counsel  
Miami  
Top-ranked commercial real estate investment, development, construction, brokerage and property management firm with more than 150 employees

COMPBENEFITS CORP  
Bruce A. Mitchell (JD 80)  
Executive Vice President, General Counsel, Corporate Secretary  
Atlanta  
Leading full-service provider of dental and vision benefit plans in 22 states with a membership base of approximately 4.6 million people

THE CONTINENTAL GROUP  
Erin Schatz Goldstein (JD 99)  
Associate General Counsel  
Hollywood  
Provides property management and ancillary services throughout South Florida and employs about 3,600 full-time employees

CSX  
Frank A. Lonegro (JD 93)  
Vice President of Internal Audit  
Jacksonville  
International transportation company with diversified services to various industries

DARDEN RESTAURANTS  
Joseph G. Kern (JD 87)  
Associate General Counsel  
Orlando  
Fortune 500 company that owns and operates more than 1,400 casual dining restaurants throughout the U.S.

DYNETECH SERVICES  
Stephen V. Rosin (JD 72)  
General Counsel and Vice President  
Department of Legal Affairs  
Orlando  
Enterprise development and management business focusing on financial software, training and online services

FLAGLER DEVELOPMENT  
Karl B. Hanson III (JD 94)  
Vice President and General Counsel  
Jacksonville  
Owns, leases and manages about 7.8 million square feet of Class-A office and industrial space in Jacksonville, Orlando, Fort Lauderdale and Miami

FLORIDA AGENCY FOR HEALTHCARE ADMINISTRATION  
Christa E. Calramas (JD 97)  
General Counsel  
Tallahassee  
Administers state Medicaid program, regulates healthcare facilities and collects and compiles related statistical information

FLORIDA A&M UNIVERSITY  
Elizabeth T. McBride (JD 84)  
General Counsel  
Tallahassee  
Four-year, public, co-educational and fully accredited institution of higher learning

FLORIDA DEPARTMENT OF HEALTH  
Timothy M. Cerio (JD 95)  
General Counsel  
Tallahassee  
Regulates all licensed healthcare practitioners and the delivery of public health services

FLORIDA POWER & LIGHT GROUP  
Edward Tancer (JD 85)  
Vice President and General Counsel  
Juno Beach  
Premier power company in 26 states, with annual revenues of more than $10 billion in 26 states

FREEMAN WEBB  
Judith E. Burris (JD 89)  
Executive Vice President and General Counsel  
Nashville, Tenn.  
Diversified real estate investment firm specializing in the acquisition and long-term management of multi-family residential and commercial property

GENERAL SERVICES ADMINISTRATION  
Barry D. Segal (JD 89)  
Senior Assistant General Counsel  
Potomac, Md.  
Federal agency that helps manage and support the basic functioning of other federal agencies by securing use of buildings, products, services and technology

GLENN WRIGHT CONSTRUCTION AND DEVELOPMENT  
Gex F. Richardson (JD 88)  
General Counsel  
Fort Lauderdale  
Private, residential construction company specializing in urban redevelopment

HARD ROCK CAFÉ INTERNATIONAL  
Jay A. WolSZczak (JD 93)  
Vice President Business Affairs and General Counsel  
Orlando  
Combines the spirit of rock music, artist memorabilia and classic American food

HISTORIC TOURS OF AMERICA  
Edwin A. Scales III (JD 91)  
General Counsel  
Key West  
Largest privately owned tour company in the world; operating trolley and train tours, historical themed attractions and retail stores in cities throughout the U.S.

IMPLANT INNOVATIONS  
Glenn L. Criser (JD 90)  
Senior Vice President and Division Counsel  
Palm Beach Gardens  
Leader in the oral reconstructive market and subsidiary of orthopedic and implant innovator Biomet

INTERNATIONAL GAME TECHNOLOGY  
Ross A. Hodge (JD 67)  
Associate General Counsel  
Reno, Nev.  
Global company specializing in the design, development, manufacturing, distribution and sales of computerized gaming machines and systems products

IVAX CORP  
Steven D. Rubin (JD 86)  
Senior Vice President, General Counsel and Secretary  
Miami  
Multinational company engaged in the research, development, manufacture and marketing of pharmaceuticals and veterinary products in more than 30 countries

MARRIOTT INTERNATIONAL  
Phyllis A. Hood (JD 83)  
Vice President and Assistant General Counsel  
Orlando  
Leading worldwide hospitality company
with more than 2,700 lodging properties located throughout the U.S. and in 65 countries and territories

METLIFE REAL ESTATE INVESTMENTS
Chris Markussen (JD 72)
Chief Counsel
New York
A subsidiary of MetLife, a leading provider of insurance and other financial services for approximately 13 million U.S. households and 9 million customers internationally

MIA MI CHILDREN’S HOSPITAL
Kimarie R. Stratos (JD 84)
General Counsel
Miami
World leader in pediatric healthcare and only licensed hospital exclusively for children in South Florida, employing more than 650 physicians and 2,000 employees

MPS GROUP
Jenny C. Lee (JD 98)
Associate General Counsel
Jacksonville
Consulting, solution and staffing services to government entities and businesses in an array of industries

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
B. Michael McLemore (JD 87)
Southeast Regional Counsel
St. Petersburg
U.S. Department of Commerce agency with stewardship responsibilities regarding legal issues of the marine environment and natural resources

THE NEMOURS FOUNDATION
Vivian Menge Gallo (JD 92)
Corporate Compliance Director
Jacksonville
A pediatric healthcare organization that operates a children’s hospital and pediatric subspecialty clinics in various states

ORIX FINANCIAL SERVICES
Paul H. Kennedy (JD 91)
Senior Vice President and General Counsel Equipment Finance
Kennesaw, Ga.
Leading provider of equipment finance products and services in the U.S. and wholly owned subsidiary of ORIX USA Corporation

PGA TOUR
Edward L. Moorhouse (JD 78)
Executive Vice President and Co-Chief Operating Officer

Pont e Vedra Beach
World’s premier men’s professional golf organization, coordinating the highest level of tournament competition for the PGA TOUR, Champions Tour and Nationwide Tour

PHARMACEUTICAL CARE MANAGEMENT ASSOCIATION
Barbara A. Levy (JD 85)
General Counsel and AVP State Affairs
Washington, D.C.
A national association representing America’s pharmacy benefit managers, who administer prescription drug plans for more than 200 million Americans

PRIMERICA FINANCIAL SERVICES
Maureen M. Middleton (JD 81)
Vice President and Assistant General Counsel
Duluth, Ga.
Markets insurance, securities and loan products to help families become debt free and financially independent

PUBLIX
John Attaway (LLMT 84)
General Counsel and Secretary
Lakeland
Largest U.S. employee-owned supermarket chain; among the 10 largest in volume

RFA MANAGEMENT COMP.
Callum C. Macgregor (JD 96)
General Counsel
Atlanta
Diversified investment holding company that manages a controlling interest in publicly traded corporations and privately held entities in addition to holdings in real estate and private equity investments

RL HOMES AND REARDON LEVINE MANAGEMENT
Aimeé S. Dishkin (JD 92)
General Counsel
Miami
One of South Florida’s premier real estate developers specializing in Miami-Dade County planned communities

ROYAL PALM DIVERSIFIED HOLDINGS
Kurt Raulin (JD 97)
General Counsel and Director of Legal Staff
Boca Raton
High-rise condominium development company with projects located on Biscayne Bayfront, downtown Miami and southern strip in Las Vegas

SUNGARD CORBEL, LLC
Craig P. Hoffman (LLMT 1981)
General Counsel
Jacksonville
Provides software to the employee benefits community

SUNNYRIDGE FARM
Lucius M. Dyal Jr. (JD 66)
Vice President and General Counsel
Winter Haven
A supplier of fresh fruit; exporting to and sourcing from a host of countries

TECH DATA CORP
David R. Vetter (JD 84)
Senior Vice President and General Counsel
Clearwater
Leading distributor of IT products with locations in more than 100 countries

UNITELLER FINANCIAL SERVICES
Ronald N. Schwartzman (JD 78)
Vice President and General Counsel
Rochelle Park, N.J.
Financial services firm specializing in global electronic funds transmissions and currency exchange

VERIZON COMMUNICATIONS
Thomas H. Catalano (JD 77)
Associate General Counsel
Arlington, Va.
One of the world’s largest multi-national communications companies

VEXURE
Michael P. Williams (LLMT 95)
General Counsel
Jacksonville
Mix of shipping logistics services

VISTA HEALTHPLANS
Gerald M. Cohen (JD 83)
Senior Vice President and General Counsel
Hollywood
Insurance company and affiliated network consisting of three HMOs

WACHOVIA TRUST
Susan Neiswender Black (JD 96)
Senior Vice President, Managing Director
Orlando
Comprehensive trust administration, investment management, philanthropic advisory and estate settlement services in 12 states

— Compiled by Lindsay J. Dykstra and Ashley S. Pinder
Family law takes more than book smarts and a ‘take-no-prisoners’ attitude. UF draws on several specialty areas to better equip a new generation of attorneys for the demands of one of law’s most complex arenas.
If you met Steve Sessums (JD ’59) on the street, you’d probably never guess what he does for a living.

A tall, mellow-voiced man, he carries himself with the confident-but-soothing demeanor of a good pediatrician. An advocate of psychological testing in the workplace, he can talk Myers-Briggs personality types with the ease of an experienced psychologist. When discussing his own inner workings, he is quick to state that he has “the heart of a social worker.”

Sessums isn’t a doctor, or a psychologist, or a social worker. He’s one of Florida’s top divorce lawyers — though he prefers the term “marital and family law.”

“Family law is about more than just making money, and it’s about more than just shuffling paper,” he said. “It’s about being a counselor in law to someone who needs it at a crucial moment in life. And while it’s often about dissolving a marriage, it’s also about preserving the connections that allow families to function even when a marriage breaks up.”

Sessums’ firm, the Tampa-based Sessums, Mason & Black, has risen to prominence largely because of outside-the-box solutions to problems in family law. Now he’s one of a group of prominent attorneys and child advocates who are helping the Levin College of Law shape its curriculum to educate a new generation of kinder, gentler — and ultimately, more effective — family lawyers.

UF’s Center on Children and Families, already one of the nation’s foremost child and family law programs, recently convened a board of advisers to discuss what they can do to better prepare their students for the world of family law. The advice these family law professionals give may change the way you look at family law.

MORE THAN A HIRED GUN

“People often think of divorce lawyers as hard-nosed advocates who take no prisoners,” said David H. Levin Professor Barbara Woodhouse, director of the center. “That’s the image people see on television, and when you’re headed for divorce, that’s often the kind of lawyer you think you want.”

Some call it the “L.A. Law” effect. In television and film, divorce lawyers appear as polished, combative advocates who are long on aggression and maybe a little short on conscience. A “good” lawyer is prepared to wage war over every dish or bedsheet. A “good” lawyer is out to get it all, and leave the other spouse destitute.

In the real world, experienced family lawyers say, the attack dog approach rarely gets the best results.

“When my clients come in they say, ‘I want the toughest guy in town,’” said advisory board member Bill Barnett (JD ’66) of Barnett & Barclay in Orlando. “I can do the tough guy approach — but it’s just one of the arrows in a good lawyer’s quiver. You don’t want to be a one-trick pony.”

With a majority of all family law cases headed for the mediator’s table rather than the courtroom, family lawyers often find themselves calling on skills that haven’t traditionally been taught in law school, advisory board members say. New family lawyers find they need better “people” skills — the ability to empathize, listen and look beyond the bare facts and see what interests both parties have in common.

“Lawyers are hired guns,” Barnett said. “Clients think they want someone to swing the sword and win the fight. But if you go into negotiation with a take-no-prisoners approach, your negotiations will last all of five minutes.”

When children are caught in the crossfire, many lawyers say, a no-compromise strategy can become tragic. That’s why family lawyers — who have a
wealth of experience in family breakups — sometimes find themselves in the role of mentor, advising their clients not to burn too many bridges in the process of a divorce or custody battle.

“I do counsel clients on how to act with the children, and how to deal with the other parent, with the understanding that these people are going to have to function as a family occasionally in the future,” said Robert Merlin (JD 78) of Merlin & Hertz in Coral Gables. “They’re going to meet again at weddings, at graduations or when one parent is picking up the children for the weekend.

Indeed, some family lawyers see the counseling role as central to what they do. When Steve Sessums began practicing family law in the 1970s — after going through his own divorce — he asked all his clients to enter counseling and take personality tests to get at the root causes of their failed marriages.

“From the beginning of my career in family law, I came to the conclusion that people whose marriages are breaking up have personality issues underlying their legal problems,” Sessums said. “People need to take a look at their ‘picker’ so they don’t make the same mistake again. And of course, it’s a lot harder to tear each other apart if you understand that some of your differences are differences of personality.”

OUT OF THE IVORY TOWER

None of this comes as a great surprise to CCF’s Woodhouse, her co-director Chesterfield Smith Professor Nancy Dowd, or Senior Legal Skills Professor Iris Burke, who for years have been molding UF’s family law program to fit the trend toward less adversarial approaches to family law.

Faculty and staff of UF’s four family and children’s law clinics helped develop the model for Florida’s Unified Family Court System, intended to streamline the legal process for people involved in juvenile or family-related juvenile issues. UF’s mediation clinics and externships give students hands-on experience in negotiating resolutions to real world family disputes in Eighth Circuit courts. The CCF’s Children’s Fellows work with faculty members on briefs and issue papers on trends that affect children in the justice system. Together, these programs give UF’s family law certificate candidates exposure to the big picture approach that for so long was missing in family law.

“There are only a few law schools in the country that provide the kind of integrated program we have at UF,” Woodhouse said. “Our faculty don’t just read about law reform, they’re participating in it. Our clinical programs give students ample opportunity to work with these issues in a hands-on way. We also try to incorporate experiential learning into the classroom setting so students have practice in problem solving.”

Teaching a less adversarial approach to problem solving isn’t always easy in the competitive environment of law school, but it can be done. Consider one of the first tasks Woodhouse and Dowd give their family law students: negotiating a fictional pre-marital contract. It’s a task that, by definition, requires both parties to remain on good terms.

“Rather than asking them to simply look at the facts, we ask them to look at the interests of both parties in the negotiation,” Dowd said. “It’s a very simple change of perspective that can really alter your approach to the dispute.”

That training pays off when students find themselves in the real world, where they’re called on to be counselors in the law as well as advocates for their clients.

“In family law clients are often angry when they hire you,” Woodhouse said. “A man may say he wants to have his wife declared an unfit mother — but that sort of action can be very damaging to the family as a whole, particularly if you attempt to have someone declared unfit out of anger rather than based on facts. As an attorney, it’s your job to make your client understand that.”

Last year, Dowd and Burke brought into the curriculum the concept of “the six hats,” a metaphor for the half-dozen thinking styles people tend to bring to problem solving. A person arguing from emotion is wearing the “red hat.” A person looking for the faults in every plan is wearing the “black hat.” And so on.

By teaching students to recognize the “hats” worn by the parties — not to mention the lawyers — in a dispute, students can learn to go beyond the bare facts to find new ways to resolve a dispute.

“Lawyers have to be much more self-aware than our traditions have taught us,” Woodhouse said. “We’ve all been trained to think, ‘I’ve got the facts, so I’ve got everything.’ But we need to be more than that.”

Discussing the multidisciplinary approach at a CCF board meeting is Professor Walter Weyrauch (from left), Steve Sessums (JD 59) and Melvyn Frumkes (JD 53).
If it all sounds too touchy feely for a tough-minded profession such as the law, Woodhouse and Dowd say, keep in mind that the call for a more self-aware generation of family lawyers isn’t coming from inside the classroom — it’s coming from family lawyers now in practice.

“This is not coming from pointy headed law professors in their ivory tower,” Woodhouse adds. “These are people doing the high profile cases. They’ve been saying, ‘please teach your students how to relate to their clients.”

A NEED FOR BASIC SKILLS

While Woodhouse’s students often earn praise for their negotiating skills and broad-based approach to family law, it’s clear that the “Rambo” divorce lawyer is far from extinct. In fact, CCF’s advisors say they still often encounter young lawyers who shoot first and ask questions later.

Bill Barnett believes he knows why at least some of those young lawyers take the “Rambo” approach: they’re in over their heads.

“They say that when you have the facts, you pound the facts,” he said. “When you have the law, you pound the law. And when you have nothing you pound the table. These young lawyers don’t have the experience or the reputation, so they try to make up for it by being the meanest lawyer around.”

Twenty or 30 years ago, most family law practitioners entered the field for the same reasons Barnett did — that is, partly by chance. Eager to try cases in court, Barnett started his career at a public defender’s office, then decided to go into private practice. He quickly discovered that, when you’re the new kid on the block, it makes sense to take up family law as well as criminal cases.

“My decision was driven by what the big firms weren’t doing,” he said. “I took on family law in addition to criminal law because the big corporate firms didn’t want these people in the lobby mingling with their corporate customers.”

Since then, perhaps because of the success many lawyers have experienced in the field, more students are coming to law school with plans to go directly into family law — without acquiring experience in any other area.

“This is one of the most complex areas in law,” said Merlin. “That’s what makes it so interesting for those of us who love it. If you’re not familiar with bankruptcy, with estates and trusts and with tax law, at the very least, you’re in danger of committing malpractice.”

Melvyn Frumkes (JD 53) of Miami-based Frumkes and Associates takes it a step further — saying most family lawyers probably have committed malpractice at some point in their careers while handling the tax consequences of dissolving a marriage. Frumkes has written a book on that very subject — titled Frumkes on Divorce Taxation — but he doesn’t claim to be a specialist in the field. He says every family lawyer should have at his command a voluminous knowledge of tax law.

“If you hold yourself out as a divorce lawyer, you must understand tax,” he said. “A mistake in this area can have grave consequences for your client — and tax law is just one of the specialties a divorce lawyer must master.”

Since most private practitioners are in business by themselves, most don’t have the resources to hire experts in taxation — or other fields — to handle these matters for them.

Members of CCF’s advisory board would like to see students engaged in some sort of apprenticeship before graduating from law school, or shortly afterward. Some speak of a need for a residency program — similar to the process young doctors go through — in which new graduates would work with practicing family lawyers to learn the ins and outs of the business before opening their own practices.

Bill Barnett believes he knows why at least some young lawyers take the “Rambo” approach: they’re in over their heads.

It’s not an easy solution to implement. Most family lawyers are sole practitioners, and can’t afford to hire another lawyer, even at a reduced rate. Recent law school graduates, eager to get out from under their debt, often feel they can’t afford to work for an apprenticeship wage.

Currently, perhaps the best way a student or young lawyer can acquire real-world experience in family law is to do internships with government agencies or non-profits — something that comes naturally to UF’s public-service-oriented students.

“It’s one of the benefits of having a strong emphasis on public interest work,” Woodhouse said.

The CCF is also trying to help fill the gap by offering a class on the Economics of the Family, taught by Professor Steve Willis of the law school’s top ranked Graduate Tax Program, to give students an overview of the economic fallout of divorce. Classes in Divorce and Bankruptcy and Divorce and Tax Law are in the works.

While young family lawyers may have a lot to learn from other fields, Woodhouse suspects the door will swing both ways.

“It may well be that all lawyers have something to learn from family law,” she said. “People tend to underestimate the amount of dispute resolution that goes on in civil cases, for instance. It may be time for people in other fields to look at the progress we’re making in solving these problems in a less adversarial way.”
Lorra Ivie was able to protect her granddaughter Jade
Lorra Ivie heard the news and groaned. Her 22-year-old daughter was pregnant.

Ivie’s daughter had tangled with the law so many times for drugs and other offenses, she had given up trying to exert control. Worst of all, Ivie figured she had little power over the future of the newest and most helpless member of the family.

When baby Jade was almost three months old, the call for help came: “Come get her.” Lorra and her husband, George, brought their granddaughter back to their Archer home near Gainesville.

“We knew we didn’t have many rights,” Lorra Ivie said. “We were scared of what would happen if Jade’s momma wanted her back. We were scared she would end up in foster care and go from place to place. Or worse.”

They were determined to safeguard her and kept asking questions until they found the Pro Se/Unbundling Clinic at UF’s Levin College of Law, an unusual resource designed for people just like them. Second- and third-year students, under the guidance of Senior Legal Skills Professor Peggy Schrieber, helped the Ivies fill out the correct forms and counseled them through each stage of the family court meant to protect the rights of Jade and her parents.

The Pro Se Clinic, now in its eighth year within the seven UF clinics that provide students with direct practical experience, was a “lifesaver” for the Ivies. They could not afford a private attorney, but they could represent themselves with student assistance, show up at every appointment, and file every form in their lengthy effort to gain permanent custody of their granddaughter.

The Certified Legal Interns who work directly with clinic clients benefit almost as much as the clients. It is often their first opportunity to take classroom knowledge and simulation training into the real world.

In their work at the Pro Se clinic, they are trained to determine with the client what service they will provide, which often includes legal advice and assistance with mediation and, very occasionally, court representation. They also learn therapeutic approaches to help solve family conflict in less adversarial ways.

**GROWING USAGE**

Limited legal services are nothing new since lawyers have long provided general legal advice or prepared or reviewed documents. The unbundling of legal services, however, takes the concept a step further by advocating a team approach in which the lawyer and client decide who will do what based on a menu of available legal services. The clients, like the Ivies, take the more active role and usually assume responsibility for pro se court filings and appearances.

Unbundling has been growing rapidly in usage — especially in family law cases — though there are no clear national statistics about the overall numbers of pro se litigants. More than 65 to 85 percent of family law cases are estimated to involve at least one pro se litigant.
A survey by The American Judicature Society found there are 150 pro se programs in 40 different states, with some state-funded and others administered by the courts or local bar associations.

Mark Juzwiak, who coordinates pro se cases in the Eighth Judicial Circuit of Florida, said the pro se process has already expanded to small claims and landlord/tenant cases in his area, in addition to the family law cases overseen by the UF clinic.

Few dispute the need for pro se services. One American Bar Association report notes that 38 percent of low income families and 26 percent of moderate income families do not take legal action when they need to, usually due to financial limitations.

“[They] receive access to much needed legal services and thus to a more just outcome.”

Another 2002 report, compiled by several national legal groups, estimated that in 60 to 80 percent of the cases, one of the two parties is unrepresented. In Florida, the figure was more than 80 percent, and as high as 90 percent in Phoenix, Ariz., and Washington, D.C.

“Most litigants don’t know where to begin or how to respond to an action started by another party. Without some direction or guidance a good majority might not get the relief they are seeking. In the past their case would just languish because they haven’t followed the necessary procedures to go forward,” Juzwiak said.

The Conference of State Court Administrators identified several reasons for the increasing need of pro se representation, including the drastic reduction in funding of civil legal services, the escalating costs of litigation, and the proliferation of information available through the Internet and self-help books.

That same report noted the significant majority of limited-service clients did not choose partial representation over full representation and did not take away full service business, but were instead conversions from self-representation.

“The benefits are quite helpful for clients. They receive access to much needed legal services and thus to a more just outcome,” said Schrieber (JD 79), who directs the pro se clinic. “It is helpful to judges who need to remain neutral and court staff who can’t give legal advice but want to direct litigants toward assistance.”

ACCOUNTABILITY ISSUES

The complicated concept has had its share of scrutiny from bar associations, courts and attorneys concerned about potential liabilities.

Many lawyers feel they are in an awkward position in which, instead of zealously representing a client, they have less control. Some worry malpractice exposure is greater or that they could be held accountable if the client fails to follow through with a crucial step or if there are unknown factors or conflicts of interest at play. Research verifies lawyers also are uncomfortable with the lack of clarity about the ethical obligations.

Acknowledging the need for limited representation as well as the inherent pitfalls, the American Bar Association and many state bar associations have drafted court rules to set explicit limitations and clarify lawyers’ responsibilities. The Florida Supreme Court approved rule changes to provide authorization and address concerns in family law cases.

The reality in Florida, according to a Florida Bar survey, is that there aren’t many lawyers providing pro se services. The ones who are aren’t having problems.

The ultimate decision about whether and how to provide unbundled services to a client depends on many factors such as the capabilities of the client, the nature of the legal problems, and the type of dispute-resolution mechanism available, Schrieber said.

Most issues boil down to communication and can be overcome if attorneys are careful in the way they present themselves to clients, the clients agree and understand the breadth of the limited legal assistance, and jurisdictional rules are followed.

“The reality is that an informed pro se client is more capable than an uninformed one. And a client with discreet, limited representation is more effective than a wholly unrepresented one,” Schrieber said.

As one scholar put it, it’s better to put the boat in the water with one oar than have no boat at all.

A PART-TIME JOB

Meanwhile, the Levin College of Law continues to expose future lawyers to both the concept and experience
of pro se services, with the Pro Se/Unbundling Clinic handling about 80 to 100 cases a year. Students have the opportunity to deal with or discuss a full gamut of family law issues, ranging from physical or sexual abuse to paternity tests and enforcement of final judgments.

“While students learn very specific subject matter in class, the clinics enable them to practice the skills of interviewing and counseling through simulations and actual time with clients,” Schrieber said. “This is essentially a part-time job for them, and often their first cases as attorneys.”

In the case of Jade and her grandparents, students were able to oversee a complicated adoption case that took almost three years to conclude. The Ivies said they could not afford to pay an attorney and would not have been able to go through the legal maze on their own.

“The students were really helpful and we couldn’t have done it without them.”

“The students were really helpful and we couldn’t have done it without them. We knew we couldn’t deal with leaving Jade in limbo. Eventually her mother would have found a way to use her and would have come and gotten her,” said George Ivie. “Now she’s safe and has a real shot at life.”

Student Clinics in a Nutshell

Students receive essential training, field experience and marketable professional skills in each of the UF law clinics by working directly with clients. Directly supervised at all times, many students earn special certifications. Due to the nature of the clinics, only a limited number of clients can be accepted.

The civil law clinics are named in honor of Florida civil rights activist Virgil Hawkins, whose efforts in the late 1950s to be admitted to the UF College of Law paved the way for integration of all state law schools in the early 1960s.

www.law.ufl.edu/centers/

• The Child Welfare Clinic provides advice, interpretations and representation for a multi-disciplinary team of doctors, nurses and psychologists who are responsible for investigating and evaluating the most complex cases of child abuse and neglect in an eight-county area of northcentral Florida. It is part of the Center for Children and Families.

• The Conservation Clinic is part of the Environmental and Land Use Law Program and Center for Governmental Responsibility and works with the governmental, non-governmental and private sectors to advance local, state, national and international conservation objectives.

• The County Mediation Clinic mediates small claims matters.

• The Criminal Clinic works with the State’s Attorney’s Office or the Public Defender’s Office.

• The Full Representation Clinic represents clients primarily in family law cases.

• The Gator TeamChild juvenile advocacy clinic provides free legal services to indigent children and advocates for children in all types of civil, criminal and administrative proceedings.

• The Pro Se/Unbundling Clinic gives advice and counsel to litigants representing themselves in family court.
Adjunct Professor Terry Zinn (JD 84) with the Florida Dept. of Transportation team teaches an environmental law class each spring with Enola Brown (JD 84) of Tampa.

Mary Jane Angelo
Assistant Professor of Law
- Awarded an “Internationalizing the Curriculum” grant from the UF International Center for $3,000. It will be used to modify the environmental dispute resolution course, which she will teach at UF and will co-teach in Costa Rica. It will include coverage of international environmental dispute resolution processes, case studies and simulations based on environmental disputes in Latin America.

Thomas T. Ankersen
Director, Conservation Clinic and Costa Rica Law Program; Legal Skills Professor
- Published “Tierra y Libertad: The Social Function Doctrine and Land Reform in Latin America,” 19 Tulane Envt’l L. J. (with Thomas Ruppert) about the role of a legal doctrine in Latin American property law that imposes positive obligations on land owners to use their land productively, and that justifies the expropriation of large landholdings for redistribution.

Charles W. Collier
Professor; Affiliate Professor of Philosophy
- Published a review of the book by Owen Fiss, “The Law As It Could Be,” in 116 Ethics 412 (2006). This review argues that judges are not like literary critics and moral philosophers, contrary to Fiss’ suggestions.

Elizabeth Dale
Affiliate Associate Professor; Associate Professor of History
- Published “Getting Away with Murder” in the American Historical Review 111 (Feb. 2006): 95. It is part of a forum in conjunction with two other authors titled “The Problem of American Homicide.”

Jeffrey Davis
Professor; Gerald A. Sohn Scholar
- Article titled “Ending the Nonsense: The In Pari Delicto Doctrine Has Nothing to do With What is Section 541 Property of the Bankruptcy Estate” was discussed at the View From the Bench Seminar held by the Business Section of The Florida Bar. U.S. Bankruptcy Court Judge Raymond Ray cited the article in his ruling in a recent bankruptcy case involving Fuzion Technologies Group.
- Participated in a panel discussion on “Chapter 11 Puzzlers: In Pari Delicto (Are Innocent Creditors the Victims?)” at the annual meeting of the National Conference of Bankruptcy Judges.

George R. Dekle
Director, Criminal Law Clinic- Prosecution
- Presented “Pretrial Practice in Capital Cases” at the Arkansas Prosecuting Attorneys Association Capital Litigation Conference and the Florida Prosecuting Attorneys Capital Litigation Seminar. This was part of a pilot project by the U.S. Department of Justice Bureau of Justice Assistance and the National District Attorneys Association to develop a national curriculum for prosecutor education on capital litigation.

Nancy E. Dowd
Chesterfield Smith Professor; Co-Director, Center on Children and Families
- Published “Fathers and the Supreme Court: Founding Fathers and Nurturing Fathers,” in 54 Emory L.J. 1271 (2005), which argues that the constitutional definition of fatherhood should be based on nurture or social fatherhood.
- Submitted testimony to the U.S. Senate Committee on the Judiciary, Subcommittee on the Constitution, Civil Rights and Property Rights, about “An Examination of the Constitutional Amendment on Marriage.” Her testimony was in opposition to the proposed amendment banning same-sex marriage.
- Participated in a conference on parentage principles at birth hosted by William and Mary College of Law, and presented: “Birthfathers: Determining Fatherhood at Birth.”

Meredith Fensom
Director, Law and Policy in the Americas Program
- Participated in “Seminario Interamericano: Claves Para Una Reforma a la Justicia Civil (Inter-American Seminar: Keys to Civil Justice Reform)” held in Santiago, Chile, where she presented her model and proposal for the establishment of small claims courts in Chile.
- Presented “Judicial Reform, Military Justice, and the Case of Chile’s Carabineros” at the XXVI International Congress of the Latin American Studies Association in San Juan, Puerto Rico.

Mark A. Fenster
Associate Professor
- Delivered a talk entitled, “Making Sense of Federal Constitutional Takings After the 2004-05 U.S. Supreme Court Term,” to the Florida Association of Eminent Domain Professionals.

Joan Flocks
Director, Social Policy Division, Center for Governmental Responsibility
- Awarded $30,000 grant from the UF School of Natural Resources and Environment for an interdisciplinary project entitled, “Asset Mapping and Environmental Health Needs Assessment in Lake Apopka Communities.”
- Consulted on a five-year, $1 million National Institutes of Health project, Community Based Participatory Research to Reduce Women’s Health Disparities Through Temporary Assistance to Needy Families (TANF), awarded to the UF College of Nursing.
- Presented a plenary panel, “Environmental Justice and Proactive Actions,” and a workshop, “Workplace Exposures in the Fields, Industry and Schools,” at the Center for Environmental Health and

**Alyson Craig Flournoy**
Director, Environmental and Land Use Law Program; UF Foundation Research Professor
- Spoke on a panel on Hurricane Katrina at the American Bar Association Administrative Law Section’s annual conference.
- Spoke on a panel about Disaster Recovery and Waiver of Environmental Laws at the 12th Annual UF Public Interest Environmental Conference.

**Michael W. Gordon**
John H. and Mary Lou Dasburg Professor in Corporate Law
- Received the Fulbright Distinguished Chair in International Commercial and Trade Law at the Universidade Catolica Portuguesa Faculdade de Direito in Lisboa, Portugal, from April through July 2007, teaching Business Transactions and International Litigation.
- Spoke at the annual convention of the Defense Research Institute, the principal organization of corporate defense counsel, on the problems encountered when international litigation involves civil law tradition nations.
- Re-elected to the board of directors of the United States/Mexico Law Institute. Also elected vice chairman of the board and a member of the Executive Committee. The board includes eight members from the U. S. and eight from Mexico.
- Publishing the ninth edition of his co-authored casebook, International Business Transactions, as well as the second edition of his co-authored casebook International Dispute Resolution, West Publishing.

**Berta Esperanza Hernandez-Truyol**
Levin Mabie and Levin Professor; Associate Director, Center on Children and Families
- Published “Traveling the Boundaries of Statelessness: Global Passports and Citizenship” in the Cleveland State L. Rev. The article proposes a model of a formal global citizenship grounded in the human rights idea of full personhood, including those marginalized or disempowered within their own or foreign national borders.
- Published “Cuba and Good Governance” in 14 Transnational Law & Contemporary Problems 655.

**Thomas R. Hurst**
Professor; Samuel T. Dell Research Scholar
- Published “The Unfinished Business of Mutual Fund Reform,” 26 Pace L. Rev. 113 (2005) about recent reforms instituted by the SEC to deal with widely publicized abuses in the mutual fund industry, including late trading, market timing, and excessive fees charged to shareholders as well as additional needed reforms.

**Jerold H. Israel**
Ed Rood Eminent Scholar in Trial Advocacy & Procedure
- Published, with Wayne LaFave and Nancy King, the 2006 additions to volumes 1-6 of their Criminal Procedure treatise, including several new subsections.

**Clifford A. Jones**
Associate in Law Research/Lecturer, Center for Governmental Responsibility
- Awarded a $285,000 contract from the U.S. Election Assistance Commission to develop and maintain an online Election Law Resources Clearinghouse along with Lynda Lee Kaid of UF’s College of Journalism and Communications.

**Lyrissa Barnett Lidsky**
UF Research Foundation Professor

- Selected to receive a Fulbright Senior Scholar Research Grant in Spring 2007 in Germany to carry out a research project on EU Competition Law and Intellectual Property Law at the Max Planck Institute for Intellectual Property, Competition and Tax Law and the Ludwig Maximilian University of Munich, both in Munich, Germany.

**Cally Jordan**
Associate Professor; Honorary Senior Fellow, University of Melbourne
- Participated in a roundtable at Columbia Law School on “China’s Emerging Financial Markets: Opportunities and Obstacles.”
- Published article, “The Conundrum of Corporate Governance,” was included in training materials prepared for small and medium-sized enterprises by the State Information Office of the Chinese Government in Beijing.
- Appointed to the Advisory Board to the Chaire en Droit des Affaires et Commerce International at the University of Montreal.

**Christine A. Klein**
Professor
- Published chapter called “Survey of Florida Water Law” in Waters and Water Rights (Robert E. Beck, ed., Mathew Bender & Co., Inc., Rev. Vol. 6 (2005). Beck’s treatise is a multi-volume work that has been one of the leading authoritative references on water law for more than 20 years.
- Published “On Integrity: Some Considerations for Water Law” in the Alabama L. Rev.
- Presented “How Should Florida’s Water Supply Be Managed in Response to Growth” at a conference sponsored by the Askew Institute.

**Lyriisa Barnett Lidsky**
UF Research Foundation Professor

- Selected to receive a Fulbright Senior Scholar Research Grant in Spring 2007 in Germany to carry out a research project on EU Competition Law and Intellectual Property Law at the Max Planck Institute for Intellectual Property, Competition and Tax Law and the Ludwig Maximilian University of Munich, both in Munich, Germany.

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that deals with the balance between the right to speak anonymously on the Internet and a plaintiff’s right to protect his reputation. The opinion cited Lidsky’s article “Silencing John Doe: Defamation and Discourse in Cyberspace.”

Paul J. Magnarella
Affiliate Professor; Professor of Criminology and Law; Affiliate Professor of Anthropology, African Studies and European Studies

Pedro A. Malavet
Professor
■ Published the afterword “ Outsider Citizenships and Multidimensional Borders: The Power and Danger of Not Belonging,” 52 Cleveland State L. Rev. 321-338 (2005) to the 8th Annual LatCrit Conference. A critical review of the included essays and articles, it contextualizes current scholarship in the review of the included essays and articles, it contextualizes current scholarship in the large existing body of LatCrit scholarship produced by the previous symposia.

Diane H. Mazur
UF Research Foundation Professor
■ Presented and critiqued papers of three military researchers during a panel on “Human Resource Challenges in the Armed Forces” at the Biennial International Conference of the Inter-University Seminar on Armed Forces and Society. The IUS is the preeminent academic organization for the interdisciplinary study of the military.
■ Published “A Blueprint for Law School Engagement with the Military” in the Journal of National Security Law & Policy. This article examined the Solomon Amendment litigation then pending in the U.S. Supreme Court.
■ Spoke at the annual Lavender Law Conference during the plenary session on “The Solomon Amendment, Expressive Association and the U.S. Supreme Court.”
■ Spoke at Boston College Law School as part of a Solomon Amendment panel on “ Rumsfeld v. FAIR and the Limits of Expressive Association.”

Martin J. McMahon, Jr.
Clarence J. TeSelle Professor
■ Presented “Recent Income Tax Developments” at the American Bar Association Tax Section Midyear Meeting (with Ira Shepard). The presentation included important court decisions, rulings and statutory and regulatory developments related to federal income taxation occurring during the past year.
■ Delivered a CLE presentation on “ Recent Federal Income Tax Developments” at the 52nd Annual Taxation Conference at the University of Texas.
■ Spoke to the University of Virginia School of Law’s Tax Study Group on “The President’s Advisory Panel on Federal Tax Reform Proposals to Fix America’s Tax System.”
■ Published “ An Income Tax Is Superior to a Wage or Consumption Tax,” 110 Tax Notes 1353 (March 20, 2006).
■ Published “ Recognition of Gain by a Partnership Issuing an Equity Interest for Services: The Proposed Regulations Get It Wrong,” 109 Tax Notes 1161 (November 28, 2005).
■ Published Privilege and the Work Product Doctrine in Tax Cases, 58 The Tax Lawyer 405 (2005) (with Ira B. Shepard).

Robert C.L. Moffat
Professor; Affiliate Professor of Philosophy

Winston P. Nagan
Professor; Samuel T. Dell Research Scholar; Affiliate Professor of Anthropology; Director, Institute of Human Rights and Peace Development; Director, Study Abroad Program with Cape Town University
■ Honored as one of UF’s outstanding international educators, representing the Levin College of Law.

William H. Page
Marshall M. Criser Eminent Scholar in Electronic Communications and Administrative Law; Professor
■ Presented “Policy Choices in Defining the Measure of Antitrust Damages” at a workshop of the Competition Committee of the Organization for Economic Cooperation and Development in Paris. The conference discussed the European Commission’s recent Green Paper on measures to enhance private antitrust enforcement in Europe.
■ Presented “Policy Choices in Defining the Measure of Antitrust Damages” at Notre Dame University Law School.

Don C. Peters
Director, Institute for Dispute Resolution; Director, Virgin Hawkins Civic Clinics; Professor; Trustee Research Fellow; Associate Director, Center on Children and Families
■ Published “To Sue is Human; To Settle Divine: Intercultural Collaborations to Expand the Use of Mediation in Costa Rica” in 17 Florida J. Intern. L. 9 (2005).

Christopher Slobogin
Professor; Affiliate Professor of Psychiatry; Adjunct Professor, University of South Florida Mental Health Institute; Associate Director, Center on Children and Families
■ Published “ Transaction Surveillance by the Government” in a Mississippi Law Journal symposium issue devoted to “The Search and Seizure of Computers and Electronic Evidence.” The article argues that current regulation of the government’s attempts to obtain records about our transactions is far too lax, and makes specific reform proposals.
■ Spoke on three panels at the annual American Association of Law Schools meeting, two connected with the “Workshop on Integrating Transnational Legal Perspectives into the First Year Curriculum” and the third on the topic “Empirical Research on Expectations of Privacy: How to Do It and Why It Is Relevant.”
■ Spoke on “Comparative Criminal Procedure” at an International Law Society breakfast for UF students and commented on the Andrea Yates case along with Yates’
lawyer, George Parnham, on a panel organized by L.A.W. at UF.
- Described his upcoming book with Oxford University Press, Proving the Unprovable: The Role of Law, Science and Speculation in Assessing Culpability and Dangerousness, at the American Psychology Law Society Conference and, at the same conference, spoke on “Reconceptualizing Due Process in Juvenile Justice” with Mark Fondacaro.
- Defended his paper “An End to Insanity” at a colloquium on Psychiatry and Criminal Law sponsored by the University of Edinburgh, Scotland.
- Spoke on “Tarasoff as a Duty to Treat: The Insights of Criminal Law” at the Cincinnati Law School Symposium on “The Future of the ‘Duty to Protect’: Scientific and Legal Perspectives On Tarasoff’s Thirtieth Anniversary.”

Diane A. Tomlinson
Legal Skills Professor
- Taught a Legal Reasoning and Writing course in January at the University of

Christopher A. Vallandingham
Foreign and International Law Librarian; Adjunct Professor
- One of the primary organizers of the “Ethics and Intelligence 2008” conference in Springfield, VA.

Michael Allan Wolf
Richard E. Nelson Chair in Local Government Law; Professor
- Presented “Takeings and Private Property Rights — Or, 84 Years in 30 Minutes” at a Preservation Law Conference held by the Florida Trust for Historic Preservation.
- Presented “What Works and What Doesn’t Work: Lessons from the Law” at the Art of the Town conference in Palm Beach.
- Moderated a Florida Bar Young Lawyers Division Government Affairs Symposium at the Levin College of Law.

Barbara Bennett Woodhouse
Director, Center on Children and Families; Director, Family Law Certificate Program; David H. Levin Chair in Family Law; Co-Director, UF Institute for Child and Adolescent Research and Evaluation

Danaya C. Wright
Professor of Law
- Presented a paper entitled “Legal Rights and Women’s Autonomy: Can Family Law Reform in Muslim Countries avoid the Contradictions of Victorian Domesticity?” at a symposium on gender-relevant legislation in Muslim and non-Muslim Countries for the Islamic Legal Studies Program at Harvard University Law School. The paper bearing the same title will be published as part of a symposium in the journal Islamic Law and Society.

Delivered three presentations at CLE program on Regulatory Takings: Facing the Challenges and Knowing the Remedies, in Tampa.

Books By
This current sampling of books by Levin College of Law faculty is available at Amazon.com or from the publisher.

Handbook of Children, Culture, and Violence
Nancy E. Dowd, Dorothy G. Singer, Robin Fretwell Wilson
Sage Publications, 2006
The first book to come out of a multi-disciplinary conference held by the law school’s Center for Children and Families (co-sponsored by the Center for Study of Children’s Literature and Culture) focuses on children as victims, perpetrators and consumers of violence. Participants in the conference, along with other invited authors, put together a volume of 21 original chapters that report on an enormous amount of empirical scholarship and cutting-edge policy analysis. The book includes a chapter by Barbara Bennett Woodhouse, “Cleaning up Toxic Violence: An Eco-Generist Paradigm,” as well as an introduction by co-editor Nancy Dowd.

Minding Justice: Laws That Deprive People of Life and Liberty
Christopher Slobogin
Harvard University Press, 2006
Minding Justice offers a comprehensive examination of the laws governing the punishment, detention and protection of people with mental disabilities. Using famous cases such as those of John Hinckley, Andrea Yates and Theodore Kaczynski, the book analyzes the insanity defense and related doctrines, the role of mental disability in sentencing, the laws that authorize commitment of “sexual predators” and others thought to be a threat to society, and the rules that restrict participation of mentally compromised individuals in the criminal and treatment decision-making processes. Slobogin makes a case for revamping the insanity defense, abolishing the “guilty but mentally ill” verdict, prohibiting execution of people with mental disability, restructuring preventative detention and redefining incompetency.

Protecting Our Own: Race, Crime, and African Americans
Katheryn Russell-Brown
Rowman and Littlefield, 2006
Inspired by the O.J. Simpson case, this book explores the reasons behind the rise of “Black protectionism.” Russell-Brown examines the protective cloak given to black leaders and celebrities — including O.J. Simpson, Michael Jackson, Kobe Bryant, Mike Tyson, Clarence Thomas and Marion Barry — who face legal trouble. The text considers why many blacks think they should defend these figures since many African Americans believe their community is still under siege and that the lucky few African Americans who find a way into the spotlight deserve a break. However, with more and more African Americans in the spotlight, this practice has new consequences. Russell-Brown argues for and provides a roadmap for “critical black protectionism.”

Strategies for Environmental Success in an Uncertain Judicial Climate
Michael Allan Wolf, Editor
Environmental Law Institute (ELI), 2006
The search for alternative grounds — that is, firmer foundations for American environmental law in the face of current political, jurisprudential and ideological hostilities — has fostered a ‘New Realism’ about environmental law, according to the impressive environmental law scholars assembled for this book. The result is an “easily accessible and thought-provoking collection of realistic ideas for advancing protective societal goals through environmental law in a relatively unsympathetic judicial climate,” writes Texas law professor Thomas O. Metzger. The burgeon of a lively debate from a conference — which also included UF law faculty Mark Fenster, Christine Klein and Richard Hamann — co-sponsored by the Nelson Chair and Environmental Law Institute in Washington, D.C., and the Levin College of Law. Professors Michael Allan Wolf, Mary Jane Angelo and Alyson Flournoy authored chapters.
he “lonely pamphleteer” was a figure well known to the framers of the First Amendment. During and after the American Revolution, pamphleteers made vital contributions to public debate. Thomas Paine’s enormously influential 1776 pamphlet *Common Sense* helped spur the colonists to declare independence from Britain. About half a million people read *Common Sense*. As a portion of the American population, that’s more (far more) than watched the Academy Awards this year. Yet Paine was just one among many influential pamphleteers writing during the Revolutionary period. These “lonely pamphleteers,” together with small newspapers, were undoubtedly the “press” the framers had in mind when they ratified the First Amendment guaranteeing press freedom.

**DEFINITION OF PRESSING CHANGE**

The press has changed greatly since James Madison drafted the First Amendment in 1791. The press has become the media, and the media have become the creatures of large corporations. And yet the lonely pamphleteer has returned and is making her views known via a weblog, or blog. Some have defined blogs as online journals, but that definition hardly does justice to the infinite variety of blogs. Some blogs are written by professional journalists addressing current affairs in a manner little different than that of an online newspaper. Other blogs are intensely personal accounts of one person’s daily life, with little relevance to a wider audience. More typical are blogs that deal with specialized interests, such as gardening, pop music, the publishing industry or legal academia. Many blogs are interactive, allowing readers to leave instant commentary and feedback, and many provide links to other blogs and information available on the Internet.

In 2005 there were more than eight million blog sites, and *Fortune* magazine designated blogs the biggest “tech trend” of the year.

Have bloggers inherited the mantle of the early pamphleteers? Do they deserve the same First Amendment protections as the “mainstream media?” This question comes up in a variety of contexts, but the answer is uncertain because the Supreme Court has developed much of the law defining press freedom in response to the needs and interests of the mainstream media.

**CURRENT CASE LAW ON BLOGGERS**

A recent California case, *O’Grady et al. v. Apple Computer, Inc.*, provides an opportunity to address whether bloggers enjoy the same rights as reporters to protect their confidential sources. In *O’Grady*, Apple Computer issued subpoenas to force two bloggers who had posted information about one of its new products to name their source. Apple claimed it needed the subpoenaed information to pursue an action for misappropriation of trade secrets. The bloggers moved for a protective order, arguing that the First Amendment protected them from having to reveal their source. They also contended that California’s “reporter’s shield” law protected them. The trial court conceded that “[d]efining what is a ‘journalist’ has become more complicated as the variety of media has expanded.” But the court found that even if the bloggers were journalists, they would have to reveal their sources. The court saw no legitimate public interest in the publication of the alleged trade secrets and even compared the alleged trade secrets to stolen property “fenced” by the bloggers. The court reached this conclusion even though Apple had other means of uncovering the employee who leaked the information. And although the judge said he would have reached the same conclusion if the case had
involved traditional journalists, the rhetoric of the opinion suggests that he considered the bloggers to be engaged in a rather dubious enterprise.

The case is currently on appeal, which gives another court the opportunity to resolve what is bound to be a recurrent issue. As courts begin to address it, the outcome will hinge in part on what the First Amendment protects under the heading of “freedom of the press”; more precisely, it depends on whether the Press Clause of the First Amendment is a structural protection for the “press” as an institution or a functional protection that extends to anyone who disseminates newsworthy information and commentary to the public.

Both interpretations have persuasive proponents. Justice Potter Stewart famously embraced the structural definition in a 1975 Hastings Law Journal article, “Or Of the Press.” Citing the notion of the press as a “Fourth Estate,” he contended that the First Amendment protects the “organized press” so that it can “check” the three official branches (estates) of government. Only the institutional press has the incentives and expertise to gather and report information about the government on an ongoing basis, and the institutional press is therefore “the only organized private business that is given explicit constitutional protection.” Applying Justice Stewart’s structural approach to the Press Clause, the typical blogger, working alone without the benefit of a news department, editor or special journalistic training, would not be entitled to any special First Amendment privileges extended to the institutional press. Certainly the typical blogger would be denied a First Amendment privilege to protect confidential sources, since the privilege has been extremely limited even when applied to reporters for the institutional press.

INTERPRETING THE PRESS CLAUSE

The structural account of the Press Clause has its critics. Chief Justice Warren Burger wrote in 1978 that a “fundamental difficulty with interpreting the Press Clause as conferring special status on a limited group is one of definition.” Defining the institutional press would require the “officials undertaking that task . . . to distinguish the protected from the unprotected on the basis of such variables as content of expression, frequency or fervor of expression, or ownership of the technological means of dissemination.” This definition difficulty led Chief Justice Burger to prefer a functional definition of the press: anyone who “publishes” is a member of the press for First Amendment purposes because the Press Clause simply protects the right to disseminate one’s “speech” to a wide audience. The problem with this argument, of course, is that the press clause becomes a redundancy, acting simply to reinforce rights already protected as freedom of speech.

Although bloggers disseminate information to a large audience, a functional definition of the press may not really achieve for bloggers the benefits they seek.

In its First Amendment decisions, the Supreme Court has always shied away from holding that the press receives special rights not accorded to ordinary citizens. The Supreme Court has never held that reporters enjoy a special privilege to protect confidential sources, although Branzburg v. Hayes, its key decision on the issue, was divided and somewhat cryptic. It seems even less likely that the Supreme Court will find that the First Amendment gives bloggers greater protections than other citizens. Indeed, a concurring judge in In Re Grand Jury Subpoena, Judith Miller, the case involving the subpoena (and later jailing) of The New York Times reporter for refusing to reveal a source within the Bush Administration, cited the “blogger problem” as a reason not to extend a “reporter’s privilege” to a member of the mainstream media. The judge noted that if courts gave New York Times reporters the privilege, they would be forced to decide whether the privilege would extend to “the stereotypical ‘blogger’ sitting in his pajamas at his personal computer posting on the World Wide Web his best product to inform whoever happens to browse his way.” Even under a functional definition, bloggers may succeed in claiming the mantle of “press” only to find that the mantle does not really protect that much.

There are no easy solutions to most of the First Amendment issues the Internet creates. The Internet creates a more diverse “marketplace of ideas,” but it also magnifies the potential for conflicts between freedom of expression and other important social goals (like protection of trade secrets). To resolve these conflicts, our judges will have to be more than good lawyers; they will have to be technically and sociologically savvy enough to understand the evolving role of this new mass medium of communication.

“Even under a functional definition, bloggers may succeed in claiming the mantle of ‘press’ only to find that the mantle does not really protect that much.”
**Class Notes**

**Share Your News**

Please send submissions to: fleming@law.ufl.edu (preferred) or Editor, UF Law Magazine, Levin College of Law, University of Florida, P.O. Box 117633, Gainesville, FL 32611.

If you wish to include your e-mail address at the end of your class note, please make the addition to your class note or provide permission to print.

**1949**

Samuel L. Crouch Sr. retired from The Florida Bar after 55 years of practice. He became a charter member of the Bar upon its formation in 1950.

The Sarasota County Judicial Center was renamed the Judge Lynn N. Silvertooh Judicial Center in honor of the 24-year circuit court jurist.

**1956**

Louie N. Adcock Jr. is celebrating his 50th year as a practicing attorney with the law firm of Fisher & Sauls.

**1965**

John-Edward Alley, a partner in the Tampa and Miami offices of Ford & Harrison, has been named to the Guide to the World’s Leading Labour & Employment Lawyers.

Alan J. Rubinstein serves on the advisory panel for the Center for Children and Families at the Levin College of Law.

Sidney A. Stubbs, president of Jones, Foster, Johnston & Stubbs in West Palm Beach, has been appointed Florida chair for the American College of Trial Lawyers. He also is the 2005 recipient of the Palm Beach County Bar Association’s Professionalism Award.

**1966**

Jon W. Agee, under the pen name Noah Bond, has recently published his second novel, The Doorstep of Depravity.

**1968**

Charles B. Edwards, of Geraghty, Dougherty & Edwards in Fort Myers, has been appointed to the Board of Governors, the group that oversees Florida’s university system, for a seven-year term.

**1971**

The J. William Fulbright Foreign Scholarship Board reelected Steven J. Uhlfeider to his third term as chair.

John K. Vreeland, of GrayRobinson in Lakeland, was listed in Woodward & White’s The Best Lawyers in America.

**1974**

Leslie J. Lott, a past director of the International Trademark Association and founding partner of Lott & Friedland in Coral Gables, spoke at the Boating Writers International annual meeting and the Mastering Complex Intellectual Property Licensing conference.

William P. White was elected public defender for the Fourth Judicial Circuit, and took office in January 2005.

**1975**

The judges of the Third District Court of Appeal have unanimously chosen Judge David M. Gersten to serve as the next chief judge. Gersten also serves as faculty for the National Judicial College, Reno, Nev., and as an adjunct professor at St. Thomas University School of Law in Miami.

**1976**

Roy B. “Skip” Dalton Jr., of Dalton & Carpenter, served as general counsel to U.S. Senator Mel Martinez. He also was listed in Woodward & White’s The Best Lawyers in America.

Michael J. Dewberry joined Fowler White Boggs Banker as a shareholder and will work in the commercial litigation practice group.
1977
Charles S. Modell, of Larkin Hoffman Daly & Lindgren in Minneapolis, has been named in the 2006 edition of the International Who’s Who of Franchise Lawyers and Woodward & White’s The Best Lawyers in America.

Dennis J. Wall was voted in the “top five percent” for insurance representation by lawyers in Central Florida, according to the Orlando Business Journal.

1978
Fred M. Abbott, of Abbott Law Firm, recently won a $5.2 million jury verdict in a motorcycle accident injury case in Alachua County civil court.

1979
Neisen O. Kasdin, a shareholder in the real estate department of Gunster Yoakley, participated in a panel discussion on “Revitalization of Downtown Miami” at the South Florida Chapter of the National Association of Industrial and Office Properties.

1982
M. Lee Drake Jr., of Davis, Matthews & Quigley in Atlanta, has been selected by legal peers to be among Georgia Trend’s “Legal Elite” for 2005.

Seeking Public Interest Lawyers
The fall issue of UF Law magazine will include an article about alumni serving in the public sector. Specifically, we hope to report on leaders working in human rights, community development, non-profit and government agencies, or other areas who are bringing positive change to their communities. Please e-mail your name, contact information and 100-200 word synopsis to Editor Kathy Fleming at fleming@law.ufl.edu. Please be aware we may not be able to feature all submissions due to space limitations.

New University President
Robert R. Lindgren

U F’s former top development officer, Robert R. Lindgren (JD 81) has added yet another select university to an already impressive resume. Lindgren was selected to serve as the 15th president of Randolph-Macon College in Ashland, Va.

“Randolph-Macon College is ranked as one of the top national liberal arts and sciences colleges in the country and has an outstanding reputation,” Lindgren said. “It is a privilege to have the opportunity to become a part of this great 175-year-old institution.”

Lindgren previously hailed from The Johns Hopkins Institution in Baltimore where he has served as vice president for development and alumni relations since 1994. Also active as a university senior officer, member of the president’s cabinet and Board of Trustee leader, Lindgren played an important part in multi-billion dollar campaigns, among the largest in the history of higher education.

Prior to arriving at Johns Hopkins, Lindgren worked at UF for 10 years as vice president and chief development officer, thus leading a nationwide fundraising program for one of the top 10 public institutions in the country. Other positions held at UF include director of university development, assistant to the president, and the College of Law’s chief development, alumni and public relations officer.

Upon completion of his undergraduate degree at UF, Lindgren went on to earn a masters in philosophy degree in management studies from Oxford University before returning to Gainesville for his law degree.

A native of western Michigan, Lindgren, his wife Cheryl (JD 81) and their three children all made the move to Ashland. Lindgren assumed his new post in February.

— Lindsay J. Dykstra
Mayan Treasure
Gator Alumnus Uncovering Past

When Geoffrey Young (JD 74) isn't submerged in the day-to-day details of his St. Petersburg law practice, he is submerged in caves in the Central Yucatan of Mexico, where he dives to discover treasures from the ancient Mayan past.

Young and his fiancée, Melisa French, have helped survey and preserve more than 2,500 underwater archaeological sites in Mexico since 2003. The couple joined forces with Guillermo de Anda, a professor at Universidad Autonoma de Yucatan in Merida, after meeting him in a technical dive training class.

Young and French have been hunting for Mayan artifacts and cave diving since 1995. “It started out as fun,” Young said. “But it has become more than a hobby — it’s a passion.”

Young and French are support divers on expeditions with de Anda several times a year and they have been on more than 16 trips. The couple has helped with fundraising efforts for the archaeological program, including coordinating research funding sources from Promare, a non-profit oceanographic research fund for underwater exploration.

Young hopes to set up an exchange program between Florida universities and the underwater program in Mexico. “There is so much to be done,” said Young. “We are trying to find ways of support for this great program.” French is also a photographer and has had her underwater shots appear in *Archaeology Magazine*.

Young is a partner at Ruden McClosky law firm in St. Petersburg and has experience representing banks and developers before state and federal courts in Florida, and assisting clients in structuring real estate and business acquisitions. He also is the co-author of *Florida Mortgage Foreclosures*.

— Ashley S. Pinder

Susan D. Hansen has been appointed public defender for the City of Richmond, Va. She has been the chief deputy for the past 12 years.

Janis B. Keyser has been appointed by Gov. Jeb Bush to fill a vacant judicial post in the Palm Beach County Court.

1983

James A. Gale, co-founder of Feldman Gale, was a speaker at the Mastering Complex Intellectual Property Licensing conference. He also was listed in Woodward & White’s *The Best Lawyers in America*.

Elizabeth Miranda Hernandez was awarded the Prestigious League of Cities “Best City Attorney” Award for 2005.

Edward E. Sawyer, of White & Case in Miami, has been elected chair of the Florida Bar Tax Section for 2007-08. He is currently serving as director of the Florida Bar Tax Section’s Finance Committee and co-director of the Tax Section’s Long Range Planning Committee.

1984

Ronald A. Levitt has been named a fellow in the American College of Tax Counsel. In addition, he is the chairman of the ABA Tax Section S Corporation Committee.

Mark W. Merrill was selected to serve on a panel concerning “Connecting with Family” at the first-ever White House Conference on Helping America’s Youth in Washington, D.C.

Susan BLSA Reunion

The Black Law Student Association recently hosted its Alumni Reunion Weekend on campus, which included social events, panel discussions on diversity and culminated in a banquet. The BLSA chapter’s namesake and UF alumnus, W. George Allen (below), presented one award to Melanie Thompson (3L), named the Hazel Land Female Student of the Year.

BLSA Reunion

A few individuals were inadvertently left out of the listing of “Florida’s Legal Elite” in the last issue of *UF Law*. We apologize for these omissions: Alan J. Rubinstein (JD 65) of Rubinstein & Holz in Fort Myers; Marc Sachs (JD 76) of Sachs & DeYoung in Tampa; and John K. Vreeland (JD 71) of GrayRobinson in Lakeland. In addition, we listed the late Clifford Shepard III (JD 48) as one of the recipients, when instead we should have listed his son, Clifford Shepard (JD 85), of Langston Hess Bolton Znosko & Shepard in Maitland.
In a four-day trip to Washington in 1990 that turned into four weeks, FedEx lawyer Julie Ellis (JD 74) helped lead the charge to get national aircraft noise legislation passed.

For FedEx, uniform nighttime noise standards meant it could fly any of its planes to any airport in the country instead of negotiating a crazy quilt of local standards.

For Ellis, victory is what you expect of yourself when your father is a general and your boss is Frederick W. Smith.

"Fred told us to ‘Figure it out,’” says Ellis, 56. She’s been doing it most of her life.

Today, she is a senior attorney at Butler, Snow, O’Mara, Stevens & Cannada PLLC and the new president of the International Aviation Women’s Association, likely the most influential group of women in aviation, anywhere.

To get an idea, Ellis took office in Shanghai. Tupelo, Miss., native Marion Blakey, head of the Federal Aviation Administration, was a keynote speaker. So was Sherry Carbary, Boeing Co. vice president; Tatyana Anodina, Russian Interstate Committee chairwoman; and Liu Jiangbo, vice president of China Eastern Air Holding Co. Ellis will serve a two-year term.

"The idea is there are other women in this industry that will provide help if you will just pick up the phone,” she said. “And it’s a great advantage to every company.”

FedEx and Boeing Co. paid $25,000 apiece to help sponsor the two-day IAWA conference in Shanghai.

For FedEx, the organization is “an opportunity for its female executives to interact with other high-level executives in the industry,” said Mary McDaniel, IAWA board member and as vice president of materiel and corporate sourcing at FedEx Express, the highest ranking woman in the FedEx airline.

McDaniel sat with Blakey at a conference luncheon, an opportunity she says she can still hardly believe. “It was a wonderful opportunity to get to know her and the four or five executives, all women, who attended with her. One said she would e-mail me. When I got to work, it was already there.”

IAWA started quietly in 1988 when a handful of female aviation execs got together for lunch. When talk turned to industry issues, they realized their perspective was useful and unique in their male-dominated industry.

Today, IAWA has 350 members and gives two $2,500 scholarships a year to women pursuing careers in aviation. It provides quarterly updates on aviation issues and facilitates some of the highest-level networking in the biz.

Ellis joined in 2001. By 2004, she was president-elect, preparing to preside over a group that also includes some of the most influential women in Chinese aviation, including Madame Xue, vice president, China Aerospace Science and Industry Corp.

“I became a very busy member,” Ellis said. “It’s a remarkable group of women. You truly feel like you’ve made friends all over the world.”

Members must have at least five years in executive management. Beyond that, they represent all facets of aviation: insurance, plane manufacturing, engineering, maintenance, finance, law, airport management and government.

“We want people who can participate on a level to provide benefits to the whole organization,” Ellis said.

She earned her stripes at FedEx, where for 17 years she advised all senior vice presidents in the air operations division. “It was an incredible, incredible opportunity,” she said. “I’m purple and orange all the way through.”

She’s now advising former FedEx colleague Penelope Turnbow in the formation of Victory Airlines, the startup Turnbow hopes to launch in 2007, perhaps in Memphis.

“Thanks to FedEx and its 20-plus-year culture of advancing qualified women in the aviation industry, Julie is one of many capable women in Memphis working to return the airline industry to profitability,” Turnbow said.

“As president of IAWA, she and Memphis have an international stage to influence the industry’s future.”

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Orlando A. Prescott, Miami-Dade county judge, is now serving as judge in Miami-Dade Circuit Court. He has been a county court judge for the domestic violence division since 2000.

1985

Donald C. Dowling Jr., international labor & employment counsel at Proskauer Rose in New York City, has been teaching international employment law as an adjunct professor in an LL.M. program at Chicago’s John Marshall Law School. He also presented an address at an NYU program in Florence, Italy, on Sarbanes-Oxley whistleblower hotlines abroad.

ddowling@proskauer.com

Brenna M. Durden, a shareholder in the Jacksonville office of Lewis, Longman & Walker, has been awarded an AV peer review rating by LexisNexis Martindale-Hubbell.

1986

Caroline A. Falvey has been named as judge for the Fifth Judicial Circuit and will handle family law cases in Citrus County.

Morris C. Massey, former senior chief assistant city attorney for the City of Tampa, has joined the Tampa law firm of Hill, Ward & Henderson to practice with the firm’s real estate and development and land use groups.

Jean Roush-Burnett has joined the law firm of Lowndes, Drosdick, Doster, Kantor & Reed as an of-counsel attorney after serving the city of Orlando for almost 20 years.

Next Mission
Redeveloping San Diego’s Downtown

Newsweek listed her as one of the top mayors in the country.

Governing Magazine honored her as one of the 10 national “Public Officials of the Year.”

Now former West Palm Beach mayor Nancy Malley Graham (JD 81) is taking on the redevelopment of downtown San Diego as president and chief operating of Centre City Development Corp.

Graham is credited with reversing West Palm Beach’s situation during her two terms as mayor, and San Diego citizens now hope Graham will have the same effect on its $600 million revitalization effort.

West Palm Beach’s financial turmoil — huge deficit, pension underfunding, budget reserve money spent without formal approval — was no match for Graham, who succeeded in bringing a healthy nightlife to the downtown area where a drug-laden haven once flourished.

While the cities vary in size, Graham said she has found their issues to be very similar and hopes to apply some of the same innovative programs that gave way to renaissance in West Palm Beach. Though Graham had misgivings about relocating, she took one look at the current state of downtown San Diego and jumped at the challenge.

“Both areas don’t have much land left for new development, but there are good opportunities to recycle some of this land,” she explained.

Graham lived in San Diego as a child, returning briefly after high school to work as a legal secretary downtown. Experienced as a real estate lawyer and developer, she previously served as a partner in N-K Ventures, a West Palm Beach urban redevelopment firm, with husband Kevin Lawler.

— Lindsay J. Dykstra
Tsunami Changes
Grad Loses — and Finds — Herself in India

BY RADHA THAKKAR (JD 05)

In my last semester of law school my sights were set on the big prize — a large firm. However, the tsunami that ravaged Southeast Asia in December 2004 changed my perspective on my role in the world. In just a few moments, I decided that after graduation and the Bar exam I would travel to India.

Overall, it has been the best and most rewarding decision I have made in my short career.

While searching for opportunities where I could use my skills to make a contribution, I discovered The Learning Foundation India, an organization dedicated to introducing computing and English language skills to uneducated youth in India. The foundation put me in touch with a rural matriculation school in South India eager to have a future attorney and English Literature major help improve the educational curriculum.

The flexibility of the project and the opportunity to live in the region of India most devastated by the tsunami made this the ideal chance for me to make a difference in the lives of youth, experience daily life in my native country and apply the discipline and commitment I came to understand as a graduate student at the University of Florida.

Surrounded on all sides by wheat fields, the school houses 40 brand new Compaq computers from donors who grew up in this village and went on to become lifelong contributors.

Upon my arrival, I visited classrooms, spoke with teachers and was forced to make an honest initial assessment of my own capabilities — how could I best serve, teach and contribute in this environment? I created projects that allowed me to improve spoken English, computer proficiency and increase the overall morale of the school family.

Despite regular visits to India, this particular trip required much personal adjustment. Students and teachers looked at me with expectation and hope. Although I was exponentially younger than those I worked with, they all believed I had the answers to their problems. I had not anticipated the amount of responsibility that would be placed on my shoulders within a short time.

For four months I lived in a female hostel with nine students and three teachers, eating my meals in the mess hall and interacting with students and teachers 16 hours a day.

“It is important we remember our degree alone has the power to influence people beyond any imaginable expectation.”

I used my background to inspire female students to pursue their goals and stand strong in the face of adversity. I helped restructure the curriculum, conducted spoken English workshops for the teachers (which continue today), and served as the coordinator for a program called the Global Education Initiative (www.geiproject.org). In addition, the school won top honors for their GEI PowerPoint presentation highlighting the importance of ecosystem preservation and water purification in rural India, beating out 20 other international schools.

As Mahatma Gandhi once said, “The best way to find yourself is to lose yourself in the service of others.” Similarly, this journey has taught me the importance of using my skills and experiences to contribute something to our greater community.

My law school experience gave me the confidence to make the decision and better understand the strengths I have to offer. It is important that we, as attorneys, remember our degree alone has the power to influence people beyond any imaginable expectation. Attorneys garner instantaneous respect from strangers worldwide and we have a duty to transform that admiration into an opportunity to serve society.

Not only did this emotional, spiritual and professional journey help put my career and personal goals in perspective, I also made a huge impact with my work.

What an unforgettable way to both lose and find myself at the very same time.

Thakkar, now with Williams Parker in Sarasota, continues her relationship with the school and plans to return this fall.
1987

**Brian Butler** is now a partner at Morris, Manning & Martin.

**David L. Templer**, of Templer & Hirsch, was elected to the city council for the city of North Miami Beach.

1988

**Julia Johnson** serves as the chairperson of the Video Access Alliance, a not-for-profit organization that serves as an advocacy and advisory group for independent, emerging and minority networks, video programmers and other industry participants.

**Jonathan E. Perlman**, of Genovese Joblove & Battista, has been appointed director of the Biscayne Bank in Miami.

**Katherine Clark Silverglate** was selected by *Great Output* magazine for the digital “Walk of Fame;” was appointed last year to the faculty of the Professional Digital Imaging Association; has the record for the longest standing art exhibit in the history of the Florida Supreme Court; and has been appointed by the Florida Supreme Court to the Arts in the Courts Commission.

1989

**David J. Utter**, director of the Juvenile Justice Project of Louisiana, was recognized by the Leadership for a Changing World for his efforts to improve conditions for young offenders. The program is sponsored by the Ford Foundation in partnership with the Advocacy Institute in Washington, D.C. and the Robert F. Wagner Graduate School of Public Service at New York University.

1990

**Felecia G. Ziegler** has joined Harris, Harris, Bauerle & Sharma as a partner.

1991

**Julio C. Jaramillo** has been appointed to serve on The Florida Bar Foundation’s board of directors. In past years, he has served as vice president of the Colombian-American Service Association, as well as worked pro bono for the Dade County Bar Association’s “Put Something Back” program.

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**Blue Key Leader Devotes Career to Public Service**

In 1975 Gerald “Jerry” Curington (JD 76) honed his leadership skills as Florida Blue Key’s president, an achievement that has served him well in the years that followed.

Curington, who was inadvertently omitted from a recent magazine listing of Florida Blue Key presidents, has spent the bulk of his career in public service in Tallahassee working with the state’s cabinet members.

“Working with Florida’s executive and legislative leadership has given me the opportunity to work in areas affecting public policy in ground breaking constitutional areas such as school vouchers, parental rights and abortion, legislative redistricting, legalized gambling, and privatization of public services,” he said.

After working with Smathers & Thompson law firm, Curington became counsel to Florida Secretary of State Bruce Smathers in 1977 and later chief trial counsel for Attorney General Jim Smith. He then became a member of Roberts, Baggett, LaFace & Richard, but later returned to public service to serve as litigation counsel to Speaker Peter Rudy Wallace.

He currently serves Attorney General Charlie Crist as assistant deputy attorney general, where he supervises more than 200 attorneys in the civil division, and is on the Executive Council of the General Practice, Solo and Small Firm Section of The Florida Bar.
Human Rights Pioneer
D’Alemberte Receives Top Bar Honor

Soon after the Cold War ended, Talbot “Sandy” D’Alemberte (LLB 62) felt it was time to stop talking about spreading freedom and actually do something to make it happen.

In 1989, D’Alemberte, then serving as president-elect of the American Bar Association, convinced the organization to establish the Central and East European Law Initiative (CEELI), a volunteer program charged with assisting emerging democracies in creating legal frameworks that would guarantee the rights of individuals.

For those efforts, D’Alemberte, president emeritus of Florida State University and a professor in the FSU College of Law, has received the International Bar Association’s prestigious Rule of Law Award for his “significant and lasting contribution to upholding the rule of law worldwide.”

Over the years, CEELI (www.abanet.org/ceeli/) has succeeded beyond its founders’ wildest dreams. The organization, now known as the Central European and Eurasian Law Initiative, has helped dozens of nations establish viable legal systems to enforce the rule of law, as well as develop independent judiciaries and legal professions. The CEELI model also has been adapted to help fledgling democracies throughout Africa, Latin America and Asia.

CEELI now has offices in 24 countries across Central Europe, Eurasia and the Mideast. Since its founding in 1990, more than 5,000 American judges, attorneys, law professors and legal specialists have contributed more than $200 million in pro bono assistance.

“CEELI has developed into the most extensive pro bono technical legal assistance program in U.S. history,” said Mark Ellis, executive director of the International Bar Association, who also served as CEELI’s first director.

“Sandy D’Alemberte is a maverick leader of immeasurable talent whose vision has changed the legal landscape throughout Central and Eastern Europe and the former Soviet Union.”

D’Alemberte has been a campaigner for legal reform for decades, helping to institute merit selection for judicial vacancies in the Florida court system in the 1960s and ’70s. While serving as president of FSU, he also helped create the Center for the Advancement of Human Rights, which works to promote the cause of human rights throughout the world.

Flying High
New Role Follows Distinguished Federal Service Career

After serving in a central role at the Federal Aviation Administration, Sharon L. Pinkerton (JD 90) is moving into another high-flying position, this time as vice president of government affairs at the Air Transport Association (ATA).

Pinkerton reports directly to ATA President and CEO James C. May and oversees all aviation-related issues before federal, state and local governments. ATA airline members transport more than 90 percent of all U.S. airline passenger and cargo traffic.

In her prior post, Pinkerton was the assistant administrator for aviation policy, planning and environment at the FAA, where she provided policy guidance and expertise to both FAA Administrator Marion Blakey and Department of Transportation Secretary Norman Mineta. She managed the strategic performance and planning process, served on the U.S. delegation to the 35th General Assembly of the International Civil Aviation Organization, and successfully navigated passage of the $14 billion FAA reauthorization bill in 2003.

“Airlines are starting to turn the corner after years of extraordinary challenges and painful sacrifices,” May said. “Sharon will play a critical role in supporting the ATA mission of creating a positive environment for the nation’s air carriers, and she will be an enormous addition to the ATA senior management team.”

Before her appointment to the FAA, Pinkerton served as transportation counsel to House Aviation Subcommittee Chairman John L. Mica (R-Fla.). She served on Capitol Hill for nearly 10 years and was instrumental in drafting and negotiating the Aviation and Transportation Security Act and Air System Stabilization bill. She began her professional career as a CPA with Price Waterhouse and later earned a law degree from UF.
One and All
Firm Wins Top Tampa Business Award

An “all Gator” law firm that specializes in adoption and surrogacy services has won top business honors in Tampa.

The Greater Tampa Chamber of Commerce named Jeanne T. Tate Law Firm the 2005 Small Business of the Year in the five-to-20 employees category. Jeanne T. Tate (JD 81) and her three colleagues — Martha Curtis (JD 78), Steven Hurwitz (JD 83) and Danelle Dykes Barksdale (JD 92) — are all UF law graduates.

The firm was recognized after an extensive selection process for its commitment to ethical business practices, community involvement and corporate citizenship.

Tate has been an attorney for 25 years in the Hillsborough community. Her firm also created an adoption agency, Heart of Adoptions Inc. that is located in Tampa, Naples and Orlando, where another grad, Nicole Ward (JD 04), heads the office.

“We became an all Gator firm by design,” Tate said. “I bleed orange and blue.”

— Ashley S. Pinder

Jeanne T. Tate Law Firm
Legal Thriller
Grad Uses UF Memories in Books

BY LINDSAY J. DYKSTRA

The lawyer/writer published his first novel while still with the firm, writing whenever he had a moment to spare. But during a time when the profession had little understanding of flextime and casual Fridays, Grippando’s absence from the office automatically spawned the assumption that he was “off doing the book thing again.”

Grippando’s writing, however, was hardly a means to escape his law office and the courtroom. “I wasn’t one of those lawyers who hated my job,” he said. “I wanted to make both work.”

Now with 10 novels published and more in the works, the lawyer-turned-author’s leap doesn’t seem so crazy after all.

“I want to continue doing this until I can’t type anymore,” Grippando said.

After 10 years away from practicing, he recently returned part-time at Boies, Schiller & Flexner to stay connected with the field and keep his legal thrillers fresh.

It is his writing career, however, that has afforded an unparalleled sense of freedom. Grippando’s backyard patio furniture, hammock and hot tub double as his Coral Gables office. Research takes him away from home, bringing him face to face with everyone from undercover agents to families who have experienced the nightmare of Colombian kidnappings.

“I wasn’t one of those lawyers who hated my job. I wanted to make both work.”

Wherever research and book tours might take him, Grippando, a “Double Gator” who ranked second in his undergraduate class, says he will never find a greater school than UF. Like many graduates, he hopes his own children will become part of the Gator Nation one day.

“I loved being a Gator and I loved living in Gainesville,” he said. “At UF everything went right for me coming in and coming out.”

While in law school, Grippando served as the director of Homecoming and executive editor of the Florida Law Review, going on to secure a coveted federal clerkship.

Grippando’s active sense of community spirit continues, revolving around his children these days. At St. Thomas Episcopal Parish School, he doubles as a soccer and basketball coach and school board member.

When approached by charities to appear at events, Grippando and his wife, Tiffany, bring their own sense of creativity in giving back to Coral Gables.

Charity auction winners have enjoyed everything from a “Literary Feast for Literary Dummies” — a trivia game incorporated into a multi-course meal in the comfort of the Grippando family home — to a cameo appearance in a novel. With bids reaching well into the thousands, one bidder’s character actually became good friends with leading man Jack Swyteck.

“I do warn people who rub me the wrong way, lest they end up a victim of a serial killer,” he joked.

The author’s generosity doesn’t stop at charitable events. He hopes to fund a scholarship — much like the one he received from the Bailey scholarship program when he was in school — so the recipients can make the most of UF, just as he once did and still does today.
James F. Johnston, of GrayRobinson, has received an AV rating, the highest available from Martindale-Hubbell.

Steven Lessne has been named partner at Blank Rome’s Boca Raton office in the commercial litigation practice group.

John Walker was included in the “Up and Coming” Florida Trend listing of lawyers.

1998

Josias N. Dewey, of the real estate section of Holland & Knight, was elected to the partnership for 2006.

Phillip A. Duvalsaint has joined the litigation practice group of Buckingham, Doolittle & Burroughs as an associate in Boca Raton.

Marco Ferri, a member of the business section of Holland & Knight, was elected to the partnership for 2006.

Kristy M. Johnson has been promoted to partner at Carlton Fields. She practices in health care, labor and employment, business litigation and trade regulation practice groups in Miami.

Lori R. Keeton has become a partner at Parker Poe Adams & Bernstein. She is a member of the torts, trial and insurance practice group in Charlotte, N.C.

Jay M. Sakalo has been made a partner with the law firm Bilzin Sumberg Baena Price & Axelrod. He also was included in the “Up and Coming” Florida Trend listing of lawyers.

David M. Seifer has been promoted to shareholder at Stearns Weaver Miller Weissler Alhadeff & Sitterson in Miami. He also was named in the 2005-06 edition of Who’s Who in American Law and the “Up and Coming” Florida Trend listing of lawyers.

1999

Jeffrey T. Donner has joined the Office of the City Attorney, city of Miami Beach, as senior assistant city attorney. He handles litigation, environmental and land use, legislative and constitutional issues, and code compliance matters.

Brian P. Trauman, a domestic and international tax controversy associate with the New York office of Mayer, Brown, Rowe & Maw, has been appointed co-chair of the ABA Tax Section’s Hurricane Katrina Task Force.

Ormend G. Yeilding has been named partner of Lowndes, Drosdick, Doster, Kantor & Reed.

2000

Brandon Biederman authored an article in the American Bar Association’s Young Lawyer Newsletter titled “Practicing and Governing: A Young Lawyer Balances Ethics.”

Jill Harmon has been elevated to a senior associate at Lowndes, Drosdick, Doster, Kantor & Reed. She

Love Letters
Gator Alumnus Develops ‘The Family Love Letter’

You may have read or heard what John “Jeff” Scroggin (JD ’76, LL.M. ’79) thinks about tax, business and estate planning.

Scroggin, a nationally recognized speaker, has been quoted in more than 50 top publications such as Forbes Magazine, Fortune Magazine, Money Magazine and The New York Times. He has published three books and more than 200 articles in publications such as Taxes, Estate Planning, Trusts and Estates, Journal of Practical Estate Planning, Practical Tax Strategies, the Georgia Bar Journal, Practical Tax Lawyer and the Real Property, Probate and Trust Journal.

One recent article in The Wall Street Journal, for instance, discussed a concept Scroggin developed entitled “The Family Love Letter.” This estate planning concept came about in response to cases he handled at his law firm, and his personal struggle with the burial of his veteran father in Arlington National Cemetery when his military discharge papers were misplaced. He eventually found the papers being used as a bookmark.

Scroggin advocates that people plan ahead for the loss of a loved one by retaining computer passwords and financial records.

“There is a lot of necessary information that doesn’t appear in any other estate planning documents,” said Scroggin, a partner at Scroggin & Company in Roswell, Ga. “I don’t know how many times the children of a deceased client have had a key to a safety deposit box for an unknown bank.”

Scroggin is the creator of “Restraint Continuum” and “Perpetual Estate Plan,” and is the co-creator of the estate planning concept, “Family Incentive Trust.” He is currently completing two books: The Changing Nature of Estate Planning (Commerce Clearing House) and Basic Business Planning (Blumberg Press).

— Ashley S. Pinder

Ormend G. Yeildings 99
primarily practices in public finance, real estate transactions, development and finance and general litigation.

2001

Nonna K. Crane has joined the international law firm of Chadbourne & Parke in St. Petersburg, Russia.

Peter C. Sales has joined Boulton, Cummings, Conners & Berry in Nashville, Tenn. specializing in trial litigation.

Douglas I. Wall has joined GrayRobinson’s Orlando office, specializing in construction law and litigation.

2002

Sara J. Burton has joined the Orlando office of Rumberger, Kirk & Caldwell as an associate practicing commercial litigation involving breach of contract, fraud, federal and state RICO claims, and consumer practices claims under Florida’s “Little FTC” Act.

Desiree S. Demonbreun has joined the nation’s largest labor and employment law firm, Ford & Harrison, as an associate.

2003

Hunter Biederman has left the Collin County District Attorney’s Office to open his own law firm in Frisco, Texas. The Law Office of Hunter Biederman concentrates on criminal and family law.

Alexander F. Harper has joined Thompson Law Office in Monterey, Calif., as a general litigation associate. Aharper@justice-4-you.com

Nicole C. Kibert has been included in Tampa Bay Business Journal’s “30 Under 30 Class of 2005.” She is a member of Carlton Fields real estate and mortgage financing practice group.

Anne Raduns-Owens is publishing a coloring book for child victims of domestic violence. The book was originally a project for Nancy Dowd’s “Gender and the Law” class at UF.

Adam B. Snyder has joined Poyner & Spruill in Raleigh, N.C., where he practices in the areas of corporate law and taxation.

2005

Kimberly A. Davis has joined the Roetzel & Andress litigation group in Fort Myers, with an emphasis on business and commercial litigation.

James O’Hare has joined the law firm of Snell & Wilmer, where he will practice intellectual property and technology.

Brian S. Shelton has joined the tax team at Boulton, Cummings, Conners & Berry in Nashville, Tenn.

In Memoriam

William H. Barber III (JD 57)
William Merle Barr (JD 62)
John H. Dewell (JD 46)
Joseph Easthope III (JD 50)
Elmer O. Friday Jr. (JD 49)
Madison B. McClellan (JD 92)
John Alden Paul (JD 34)
Scott G. Schildberg (JD 86)
BRAGGING RIGHTS

- No. 2 in Taxation (No. 1 among American Association of University public schools)
- No. 6 law school in the nation for Hispanics, according to Hispanic Business Review (fourth time in last five years)
- No. 13 in Trial Advocacy in 2005 (No. 3 in AAU public schools)
- No. 12 in Environmental Law (No. 5 in AAU public schools)
- Top 3 in Family & Children’s Law in 2005 (No. 1 in AAU public schools)
- No. 41 overall in U.S. News and World Report (No.18 in AAU public schools)

JUST THE FACTS

- 40 percent of UF law alumni are “double Gators” (have at least two degrees from UF), yet this group provides 73 percent of support to the law school

Who Are You?

- The heaviest distribution of law alumni in Florida are in: Orange County, 1,807 alumni; Duval, 1,395; Hillsborough, 1,248; Miami-Dade County, 1,240; Palm Beach, 973, Broward, 965; Alachua, 858; Leon, 599; Pinellas, 498; and Manatee, 410.
- There are 1,893 alumni in the Southeast (excluding Florida): 974 in the West and Northwest; 512 in the Northeast; and 421 in the Midwest region. About 250 alumni have military, foreign or unknown addresses.

Where Are You?

- 138 private law firms were among the 153 employers who interviewed 391 students — or 40 percent of eligible JD students — last fall in the new library study rooms. Three offices recruited for the Washington, D.C. area and 15 for Atlanta.

Who Is Hiring?

- Employers recruiting said: “We continue to be amazed at the high caliber students at UF law.” “The new interview facilities are first-class. A tremendous improvement and much needed.”

What Are They Saying?

- The rate for graduates who wish to work and who are working or pursuing a graduate degree is 97.1 percent.
- 87.5 percent of the 377 graduates were employed six to nine months post-graduation (last year was 88.9 percent).
- 5.3 percent were pursing graduate degrees
- 4.5 percent were not seeking employment
- 2.6 percent were unemployed and/or studying for the Bar

Employment Rates

- Law grads from the 2005 class gained employment in 12 states; 85 percent remained in Florida
One of the worst ways a Saturday morning can be sabotaged before I finish my second cup of coffee is reading in the newspaper’s business section that the stock opportunity I passed on is now worth multiple times more than it was when I considered purchasing it.

Google is a good example. As recently as August 2004 you could purchase a share of Google stock for $100. Less than two years later, the stock has soared past $400 a share and is generally holding strong.

It makes me think of that common expression at the gym: “No pain, no gain.” In this case there is no gain and a lot of pain from the disheartening feeling that others saw what you did not.

In some ways, the stock market is a viable analogy to the college and our alumni. For many of you, there were tough financial times when you were in law school. Some of you received scholarships from alumni who remembered their own lean years and funded endowment gifts to make your incline a little less steep. They foresaw that their return on investment would be tangible not only for themselves, but for those who benefited directly.

As one of the individuals privileged to serve the law school as a fundraiser, rarely a day goes by that I don’t walk down the hallway or attend a college event without a faculty member, administrator or student approaching me about an essential funding need.

In the last few months I have been invited to discussions about securing funding for an eminent scholar chair, an international trade conference between Mexico and the United States, several student initiatives, and sponsorship for a student to participate in a conference in Peru. This is just a sampling of the vibrant and energizing ideas being advanced to help the college grow stronger. The only thing that weakens those ideas is the reality that few funds exist to make growth possible.

It’s really a matter of understanding the confining factors. The state of Florida is the lead sponsor of the law school and we are vigilant in serving as good stewards of the funds we receive each year from the Florida Legislature. The tuition from our students is another primary source of revenue without which the college cannot exist. Both income sources are limited.

“… their return on investment would be tangible not only for themselves, but for those who benefited directly.”

However, there is no limit to how much or how many alumni and friends may contribute to our endowment and annual fund. Private support becomes the link between what might have been and what will be. In essence, they are investments in the human capital of the law school — faculty, students and staff — and, eventually, the legal system, our communities and the standing of our law school.

A gift to the college’s endowment or annual fund today will transcend any chart that measures a sense of satisfaction and pride in your alma mater. It’s the one sure way — like recognizing a hot stock — to be sure you get in on a great opportunity and receive a worthwhile return on your investment.
THE FACES OF THE LEVIN COLLEGE OF LAW

NORTH ENTRANCE
Aaron Horowitz (2L)
Florida

EAST ENTRANCE
Dina Finkel (2L)
Wisconsin

WEST ENTRANCE
Hyejung Byun (LL.M. in Taxation)
Korea

SOUTH ENTRANCE
Liben Amedie (3L)
Ethiopia