

# Heather McDonald Kolinsky, JD, LL.M.

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## **ACADEMIC APPOINTMENTS**

**University of Florida Levin College of Law, Gainesville, FL** 2023-present  
*Legal Skills Professor*

Courses: Legal Writing I and II; Family Law

**Washington & Lee University School of Law, Lexington, VA** 2021-2023  
*Professor of Practice*

Courses: Legal Writing I and II; Professional Responsibility

**Barry University School of Law, Orlando, FL** 2006-2014  
*Associate Professor of Law*  
*Director of Legal Research and Writing (2008-2012)*

Courses: Legal Research and Writing I and II; Professional Responsibility

## **EDUCATION**

**Emory University School of Law, Atlanta, GA**  
LL.M. 2015

**Rutgers University School of Law, Camden, NJ**  
Juris Doctor 1993  
Foreign and International Law Honors Program Certificate

**Stetson University, DeLand, FL**  
Bachelor of Arts, Social Science 1990

## **JUDICIAL CLERKSHIP**

**U. S. District Court for the Middle District of Florida, Orlando, FL** Sept. 2018- July 2021  
*Judicial Clerk to Magistrate Judge Gregory J. Kelly*

Researched pending motions and drafted orders for motions related to discovery, dismissal, jurisdiction, conditional class certification, summary judgment, attorney's fees; reviewed and prepared orders on social security appeals and immigration appeals; occasionally researched and prepared orders on criminal matters.

## **LAW REVIEW PUBLICATIONS**

*Building Resilience by Removing Barriers: Addressing Structural Impediments to Advocacy by Nonprofit Organizations on Behalf of the Unenfranchised* (co-authored)  
92 U. CIN. L. REV. 786 (2024)

*Situating the Corporation within the Vulnerability Paradigm: What Impact Does Corporate Personhood Have on Vulnerability, Dependency, and Resilience*  
25 AM. U. J. GEN. SOC. POL'Y & L. 51 (2017)

*The Shibboleth of Discretion: The Discretion, Identity and Persecution Paradigm in American and Australian LGBT Asylum Claims*  
31 BERKELEY J. GEN., LAW & JUSTICE 206 (2016)

*The Intended Parent: The Power and Problems Inherent in Designating and Determining Intent in the Context of Parental Rights*  
119 PENN. ST. L. REV. 1 (2015)

*The Ties that Bind: Reevaluating the Role of Legal Presumptions of Paternity*  
48 LOY. L.A. L. REV. 221 (2014)

*Just Because You Can Doesn't Mean You Should: Viewing an Attorney's Liability for Defamation During Litigation through the Lens of Professionalism*  
37 NOVA L. REV. 113 (2012)

*Taking Away an Employer's Free Pass: Making the Case for a More Sophisticated Sex Plus Analysis in Employment Discrimination Cases*  
36 VT. L. REV. 329 (2011)

*A Fine Line, Redefined: Moving Toward More Equitable Asylum Policies*  
40 U. BALT. L. REV. 101 (2011)

*Respecting Working Mothers with Infant Children: The Need for Increased Federal Intervention to Develop, Protect, and Support a Breastfeeding Culture in the United States*  
17 DUKE J. GEN. L. & POL'Y 333 (2010) (symposium edition)

## **Works in Progress**

*Holding Out for a Hero: Fundamental Rights, Fair Fights, and the Reality of Assigning Parental Rights under Third Parent Statutes*

Assessing how multi-parent statutes have been applied when state court intervention has been necessitated by dependency, divorce, or other circumstances in existing parent-child relationships and what can be learned from the realities of assigning parental rights outside the traditional binary.

## **OTHER PROFESSIONAL PUBLICATIONS**

*Storytelling, The Sound of Music, and Special Teams: Revisiting Some Basic Legal Writing Techniques with Fresh Eyes*, THE FLORIDA BAR JOURNAL, Vol. 96, No. 4 (July/Aug. 2022).

*Navigating the Differences in Circuit Court Appellate Jurisdiction for Nonfinal Orders*, THE FLORIDA BAR JOURNAL, Vol. 93, No. 1 (Jan. /Feb. 2019).

*Recent Changes in the Appellate Rules and Administrative Orders*, THE BRIEFS, Orange County Bar Association (June 2018).

*Imputed Income and Incarceration: Establishing Child Support When a Parent Is Incarcerated*, COMMENTATOR, The Florida Bar Family Law Section, Vol. XXXI, No. 3 (Spring 2018).

*The Effect of a Bankruptcy Stay on a Subsequently Filed Appeal*, THE RECORD, Florida Bar Appellate Practice Section (Winter 2016).

## **SELECT PRESENTATIONS**

Southeastern Association of Law Schools, July 2024  
Discussant, Family Law Workshop, *Family Law New & Emerging Scholarship*  
Discussant, Family Law Workshop, *Family Law Pedagogy*

Southeastern Association of Law Schools, July 2023  
Moderator/Panelist, Works-in-Progress Panel, *Holding Out for a Hero: Fundamental Rights, Fair Fights, and the Reality of Assigning Parental Rights under Third Parent Statutes*

Mid-Atlantic Family Law Scholars Roundtable, December 2022  
Incubator Session, *Fundamental Rights and Fair Fights: The Reality of Assigning Parental Rights Beyond the Binary*

Family Law Scholars and Teachers Conference, June 2022  
Incubator Session, *Fundamental Rights and Fair Fights: The Reality of Assigning Parental Rights Beyond the Binary*

Appealing Wisely and Avoiding Un-Appealing Mistakes, January 2018  
Panelist, *Appellate Advocacy 101: Appellate Briefs and Motions Structure and Strategy*

Appellate Practice A to Z: Appellate Advocacy for Legal Services Lawyers, May 2017  
Panelist, *Appellate Advocacy 101: Circuit & DCA Appeals*

Vulnerability and the Human Condition Initiative: A Workshop on Vulnerability at the Intersection of the Changing Firm and the Changing Family  
Emory University School of Law, October 2015  
Presenter, *Vulnerability and the Shifting Sands of Corporate Personhood*

Law and Society Association, Annual Conference, May 2015  
Presenter, *The Shibboleth of Discretion: The Discretion, Identity and Persecution Paradigm in American and Australian LGBT Asylum Claims*

Emerging Family Law Scholars and Teachers Conference, May 2014  
Work in Progress, *The Ties That Bind: Reevaluating Legal Presumptions of Paternity*  
Incubator Session, *The Intentional Parent: The Power and Problems Inherent in Designating and Determining Intent in the Context of Parental Rights*

### **OTHER LEGAL EXPERIENCE**

**Chad Barr Law, Altamonte Springs, FL** Dec. 2016-Sept. 2018  
*Appellate Attorney*

Managed heavy state appellate caseload; prepared appellate briefs in a variety of civil and family law cases; argued cases before the District Courts of Appeal, attended pretrial hearings for general civil practice.

**HMKLaw, P.A., Orlando, FL** July 2015-Dec. 2016  
*Attorney/Owner*

Prepared appellate briefs in a variety of civil, family, and criminal law cases; provided litigation support to local counsel by conducting research, drafting complaints and complex motions, and preparing responses to same.

**Fox & Loquasto, P.A., Orlando, FL** May 2015-Dec. 2016  
*Of Counsel*

Prepared appellate briefs in a variety of civil and family law cases; provided litigation support to local counsel conducting research and assisting in drafting complaints and complex motions; argued cases before the District Courts of Appeal.

**Law Offices of Steven M. Fahlgren, P.A., Orlando, FL** 2002-2005  
*Associate Attorney*

Federal and state litigation in employment and consumer protection.

**Ninth Judicial Circuit Court of Florida, Orlando, FL** 1997-2014  
*Staff Attorney (full time 1997-2001; contract 2001-2006, 2014)*

Conducted research for circuit judges and prepared orders on a variety of civil, appellate, criminal and probate matters, including death penalty postconviction cases.

### **PROFESSIONAL AWARDS**

FLORIDA TREND, Legal Elite 2018 (Appellate Practice)  
FLORIDA TREND, Legal Elite 2017 (Appellate Practice)  
Florida Association for Women Lawyers, 2016 Leader in the Law Award

## **SERVICE**

### **Professional**

American Association of Law Schools  
Planning Committee, New Law Teachers Workshop 2025

Florida Bar Appellate Practice Section  
Executive Council, Fifth District Representative  
Editor for submissions to THE FLORIDA BAR JOURNAL  
Assistant Editor for submissions to THE FLORIDA BAR JOURNAL  
Pro Bono Attorney, Defending Best Interests Project

Central Florida Association for Women Lawyers  
Executive Board  
Nominating Committee

Orange County Bar Association  
Board Member, OCBA Legal Aid Society Board of Trustees  
Volunteer, Valor Project  
Guardian Ad Litem  
Orange County Teen Court

Assistant Editor, LEGAL WRITING: THE JOURNAL OF LEGAL WRITING  
Brief Grader, BLSA National Moot Court Competition

### **Institutional Service/Student Advising**

UF Co-coordinator, Legal Writing Institute One-Day Workshop 2023  
Independent Research Advisor  
Student Note Advisor  
1L Orientation – Introduction to Legal Systems and Case Briefing  
W & L Davis Moot Court Competition, Brief Grader for Final Eight  
W & L Mediation Competition, Judge  
Moot Court Coach, William B. Spong Moot Court Competition

### **Faculty Committee Service**

Non-Tenure Track Appointments, Retention, and Promotions  
Law School Representative, University Faculty Executive Committee  
Law School Assessment Committee  
Law Marshal Committee, Law Commencement

## Community

Volunteer, Central Florida Navy League  
Volunteer, Second Harvest Food Bank of Central Florida  
Volunteer, Boy Scouts of America  
Troop Leader, Girl Scouts of America, Citrus Council

## **PROFESSIONAL AFFILIATIONS**

American Bar Association  
Florida Bar  
Central Florida Association for Women Lawyers (past member)  
Orange County Bar Association (past member)  
Central Florida American Inns of Court (past member)  
Federal Bar Association (past member)

## **BAR ADMISSIONS**

Florida Bar  
Connecticut Bar (retired)  
United States Eleventh Circuit Court of Appeals  
United States Middle District Court of Florida